



COUNTY ASSEMBLY OF MOMBASA

Tuesday, 29th March, 2022.
The House met at 11:10a.m.

[The Deputy Speaker (Hon. Fadhili Mwalimu) in the Chair]

PRAYERS

The Deputy Speaker (Hon. Fadhili Mwalimu): Have your seats. Yes Clerk?

PAPER

COUNTY GOVERNMENT BUDGET IMPLEMENTATION REVIEW REPORT

Yes Honourable Leader of Majority?

The Leader of Majority Leader (Hon. Mwidani): Thank you Mr. Speaker. Mr. Speaker may I take this opportunity to lay Paper, County government Budget Implementation Review Report. Thank you Mr. Speaker.

[Paper laid]

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Clerk?

STATEMENT

STATUS OF BOATS DONATED BY JOMVU BEACH MANAGEMENT UNIT

Yes, Honourable Francis Kombe Nzai? Yes, Honourable Mwaka Zahoro?

Hon. Mwaka Zahoro: Thank you Mr. Speaker. I am standing here on behalf of the Committee because my Chair is not there and I am a Member of the said Committee. Mr. Speaker I hope each Member has a response to the Statement so I would like to read just in case one does not have one like my colleague here is saying he does not have one so pay attention. Mr. Speaker this is the response to Statement on Status of Boats Donated to Jomvu Beach Management Unit by Honourable Francis Kombe Nzai (Chairperson, Committee on Agriculture, Livestock, Fisheries & Co-operatives). Mr. Speaker Sir, this is a response to Statement requested by Honourable Athuman Shebe Mukono, MCA Jomvu Kuu Ward during 18th Sitting on Tuesday 8th March, 2022. The Honourable Member wanted the following matters to be addressed; One, Mr. Speaker is the Chairperson aware that the two boats and other equipment donated by the County government of Mombasa to the Jomvu Beach Management Unit (BMU) has been privately hired to operators in Kilifi County without the prior approval or resolution by members of the BMU and the knowledge of the Member of the County Assembly. Two, how much has the boat earned prior to being hired out and how much was the hiring fee?

Lastly Mr. Speaker, what measures will the County government take to remedy the situation and ensure Members of the Jomvu BMU retrieve back their asset and benefit from it. Mr. Speaker Sir, due to low capacity and skills of off-shore fishing the department found that the BMU agreed to seek external investors so as to hire the boats and gain higher earnings compared to using them for their fishing. Mr. Speaker Sir, the BMU found some investors from Kilifi County who made negotiations on hiring of the boats for fishing purposes. They had an agreement and were to sign an MOU so as to seal their terms of use and of payments and this will have to be submitted to the County Fisheries office for their consent and recommendation before proceeding to sign the agreement. Mr. Speaker Sir, the Department through ASDSP project conducted group dynamic training in the County BMU with the aim revamping the BMUs and to ensure there is sound leadership so as to advance fisheries issues in the groups and especially management structure. Thank you Mr. Speaker Sir and this is from the Committee of Agriculture, Livestock, Fisheries and Cooperative. *Ahsante.*

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Honourable Bwire?

Hon. Bwire: Thank you Mr. Speaker. I have an issue with the response from the Committee; one Honourable Speaker, the Statement was directed to the department and we therefore expected the response to come from the Department signed by the Authority from the department, two we all know that the boats and all this kind of material that were bought by the County government of Mombasa were to benefit the people of Mombasa and they were not there to be hired by other Counties for them to generate income, they were to help the people of Mombasa. It is therefore up to the government to train our fishermen, to give them skills on how to use these equipment not to find out that our people do not have the skills so that they can hire this equipment to other Counties to benefit other people who are not Mombasa people or residents of Mombasa. I therefore found this response not suitable and I would like under your directives Honourable Speaker to ask this department to have a sit down with the Committee plus the Member who raised these concerns, thus cannot be a Statement the Honourable Member representing Jomvu Kuu Ward who is not here is out on official duty and cannot take this response to his people, this is a response worth to be taken to his people who elected him. Thank you Honourable Speaker.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you Honourable Bwire. Yes Honourable Mwaka Zahoro?

Hon. Mwaka Zahoro: Mr. Speaker I would really like to inform Honourable Bwire that this Statement is coming from the Department and here you can go through it and so that you get satisfied but this letter comes from the Department, here it is I have a copy here...

[Gestured towards Honourable Bwire]

The Deputy Speaker (Hon. Fadhili Mwalimu): Address the Chair.

Hon. Mwaka Zahoro: What I was reading is coming from the Department Mr. Speaker, and it is even more elaborated on the status of the BMU boats and it is even signed here and this is a copy of the document. So this shows that it is coming from the Department so whatever that the Committee did here was summarized in this letter to read here in the House.

The Deputy Speaker (Hon. Fadhili Mwalimu): So Honourable Bwire what is your main concern?

Hon. Bwire: Honourable Speaker I am very clear in my mind she is seated next to me the response she was reading is this one and it is the same response that every Member has, the other document she is showing me or she is showing you Members does not have it we only have one document that is signed by the Chairperson. How I wish these other responses were photocopied and supplied to each and every Member?! I am reacting from the one that I have as a Member Honourable Speaker.

The Deputy Speaker (Hon. Fadhili Mwalimu): Honourable Mwaka have your seat, Yes Honourable Ogutu?

Hon. Ogutu: Thank you Mr. Speaker, I am wondering if it is a deficiency in English or what because the Member who is representing the Chair Agriculture is saying that they want to sign a Memorandum of Understanding, to my understanding I think signing of Memorandum of Understanding comes first before any other issue takes its effect so we want clarity in this thing and the fact that the letter has come from the Department does not mean that we are now satisfied by it. Thank you Mr. Speaker.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Honourable Mwamwiri.

Hon. Athman Mwamwiri: Thank you Mr. Speaker, being a Member of the same Committee, I do support my co Member who represented the Chair, on the response because the response it was an obligation of the Chair to respond to this House so it is upon the Committee to write to the Department, Department writes to the Committee then the Committee does its submission to this House. That is why any response is supposed to be signed by the Chair and that is the response Honourable Zahoro was reading in this House. The other one was just a write up to the Committee and not to whoever is requesting to know if the Department wrote to us or what; secondly the Department or the County government issued these boats to the BMU's to benefit the BMU's on its operations. Mr. Speaker, the regulations and usage of the same was totally subjected to the BMU so the BMU have their Constitution and guidelines on how to use the boats and if they saw suitable to hire them, and they agree with whoever they enter into agreement with to us it is an issue because they are not supposed to, we are not collecting anything from the BMU's they are not supposed to report to us every day but to give us monthly reports on the use and other operations on fisheries and other sea uses. So the BMU's have the autonomy to operate as per there registration and their Constitution so we cannot put a lot of emphasis or regulate everything they do on a daily basis Mr. Speaker because they are registered organizations fully mandated to operate and as a government our concern is just to oversee and support where need be. Thank you Mr. Speaker.

The Deputy Speaker (Hon. Fadhili Mwalimu): Yes Honourable Samba?

Hon. Samba: Mr. Speaker Sir...

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): Use your microphone.

Hon. Samba: Mr. Speaker some of us do not have the copies the Honourable Member is referring to because you have heard Honourable Bwire claiming the one Honourable Zahoro has read is not what Members should have. So what exactly should we have?

The Deputy Speaker (Hon. Fadhili Mwalimu): Ok. Honourable Samba we will make arrangements for you to get the copies...

[Interruption]

Hon. Samba: So if I do not have the copy here, what am I going to do with that copy at home? If I cannot get it here Mr. Speaker...

The Deputy Speaker (Hon. Fadhili Mwalimu): Honourable Samba the copies were issued since Thursday and I am assuring you that we will make arrangements for you to get other copies for your perusal. Yes Honourable Bwire?

Hon. Bwire: Honourable Speaker, we are the people representatives and we cannot just assume everything is right when we are seeing everything is wrong. Honourable Speaker even if you look at the response, the alleged response it tells a lot that they are yet to enter into an agreement just like it has been said by my fellow Honourable Ogutu. As we speak the statement itself Honourable Speaker says that the equipments as we speak are in Kilifi County operating in Kilifi County. The response says that they are yet to enter into an agreement, it seems and it means Honourable Speaker our equipments are being used without proper arrangements. Now leave alone people lacking space, the equipments are in Kilifi County, they were taken there by the BMU or the Authority, there is no any agreement, is then they are yet to enter into an agreement between the BMU or the Mombasa County and Kilifi County. Honourable Speaker, if our equipments get lost in Kilifi County we will have no one to ask because there is no agreement, there is no MOU and as we speak the equipment of Jomvu Kuu Ward BMU is being used to be Kilifi. So I just appeal that this House acts in good favour and in good faith of the people we represent, to ask the Department to bring back those equipments; let them use the proper channel if they cannot train our people to have skills on how to use these equipments, then what is the essence of using our public money to buy these equipments? We thought that these equipments were bought to help our people, to train our people and in fact our people were to train before the equipments were bought. Now they bought the equipment, they realise our people do not have skills and they are taking our equipments to other Counties which also gets money and they are also in a position to buy these equipments for our fishermen. Honourable Speaker, it is very sad that we are discussing this and it is very sad and I said earlier, this is not the response that a Honourable Member representing Jomvu Kuu can take back to his people. Thank you Honourable Speaker.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you Honourable Bwire. Yes Honourable Samba?

Hon. Samba: Yes Mr. Speaker I got a copy and I agree with Honourable Bwire because as we speak the boats are in Kilifi County and that was not the intention of the County government that we deliver the boats and then they go to benefit the people of Kilifi. Mr. Speaker, another point that also brings worries is that the BMUs were to sign a memorandum, but I think the memorandum should be signed first before any agreement or before any action has been taken.

So in this case we find that the boats are already in Kilifi and we cannot even get the financial status and we cannot even get the records of the financial implications; how the transactions have happened since the boats were given out or delivered to the said persons. So Mr. Speaker I see in the absence of the Honourable Member who requested for this statement, I think it will be unfair if this House would come to an agreement that this is the best response to the Honourable Member. I think they can still have more time because we are here to represent our people and we are here because that is the sole responsibility or the main reason as to why we are here. So Mr. Speaker I think I would request the Department, the Committee of Agriculture, to just take their ample time to go and get a clear and convincing and a very articulated response. Thank you Mr. Speaker.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you Honourable Samba. Yes, Honourable Mwamwiri?

Hon. Athman Mwamwiri: Thank you Mr. Speaker. Mr. Speaker we shall report back after confirming if indeed the MOU was signed or not because it has been reported that the guidelines of the BMU were to enter into an agreement through sending of a Memorandum of Understanding. So as it is it is true we are not clear if it was signed or not, we shall confirm and report back to this House. Thank you Mr. Speaker.

The Deputy Speaker (Hon. Fadhili Mwalimu): Thank you Honourable Mwamwiri for representing your Committee and your Chairman. So we as the Assembly we will give you four weeks or as soon as the first thing after coming back after recess, that will be our first business in this Honourable House and also am requesting the Committee to make a site visit to Jomvu and come back with a very comprehensive Report. Thank you, yes, Clerk?

ADJOURNMENT

Honourable Members, there being no other business, the House stands adjourned until 30th March in the afternoon. Thank you.

The House rose at 11:31a.m.