

# COUNTY ASSEMBLY OF NAKURU

## THE HANSARD

**Tuesday, 22<sup>nd</sup> February, 2022**

*Assembly Building*

*The House met at 10.35 am*

*[The Speaker (Hon. Joel Kairu) in the Chair].*

### PRAYERS

#### COMMUNICATION FROM THE CHAIR

##### 1. RESIGNATION OF MEMBERS FROM POLITICAL PARTIES

**The Speaker** (Hon. Joel Kairu): As regards to resignation of members from a political party, I wish to make a clarification on members who wish to resign from their current political parties. Article 194 (1) of the Constitution provides that the Office of Member of County Assembly becomes vacant if among other conditions if as a member of a political party, the member resigns from a party or is deemed to have resigned from the party as determined in accordance with political parties' Act 2011.

Honourable members, I further wish to bring to your attention the provisions of Section 14 of the political parties' Act 2011, which states; a member of a political party who intends to resign from a political party shall give 30 days written notice prior to his resignation to

- (a) Political party
- (b) The clerk of the relevant House of Parliament. If the member is a member of parliament
- (c) The clerk to the County Assembly, if the member is a member of county assembly.

Section 14(2) provides the resignation of the member of the political party shall take effect upon receipt of such notice by the political party or clerk of the relevant House or County Assembly.

Section 14 (3) states the political party of which the person is a member, the member or the clerk of the relevant House of Parliament, or a county assembly of which the person is a member shall notify the Registrar of political parties of such resignation.

Now there are four honourable members who wish to resign from their political parties and are advised to take note of the provisions of Section 14 of the political parties Act 2011. And address their resignation letters to of course the relevant person here is the clerk as clarified in the Act. Thank you very much. I wish you all the best speaker Hon. Joel Kairu.

## 2. FEMALE MEMBERS OF THE COUNTY ASSEMBLY TO ASSIST FILL A PhD QUESTIONNAIRE FOR

MR. JAMES NJOROGI WAWERU

I also wish to make another communication; honourable members will give you an opportunity to vent on that communication. There is a person by the name James Njoroge Waweru Who is a person living with visual disability and he is undertaking a research for his PhD in Community Development and he wishes to interview the female Members of County Assembly. Kindly fill for him this questionnaire. The Sergeant-At-Arms will give you this questionnaire we assist this person to finish his PhD. I can see Hon. Anthony Rotich has got something to add.

**Hon. Anthony Rotich:** Thank you Mr. Speaker sir. *Sijaelewa hio provision. Hio ni kumaanisha tunafunga kazi?*

**The Speaker** (Hon. Joel Kairu): Kwa Kiswahili, sharia inasema ukitoka Jubilee uende UDA unaandikia barua Clerk na katiba inasema unakosa kuwa MCA wakati umeresign from your political party. Ukishapatiana hio barua tutarudi hapa tutangaze hio kiketi ya Keringet as vacant. Sasa hio ni IEBC itaamua. Yes Hon. Wanjohi.

**Hon. Philip Wanjohi:** Thank you Mr. Speaker sir. If you look at the mood of the House and some of the Members will shift to other political parties. It is important that at least we get a legal interpreter on that so that we are satisfied and we are sure of what we are doing before we proceed.

**The Speaker** (Hon. Joel Kairu): Hon. Karuri.

**Hon. Joel Karuri:** Thank you Mr. Speaker sir. Political parties are houses that govern this nation way back when multi-partism was reintroduced in the year 1992 when they repealed the infamous section 2 A. That is a weighty matter. There is a very popular luhya proverb that says *vindu vichenjanga*. That means that things will keep on moving and things are dynamic, including politics. My input is that immediately after this sitting, we have a Kamukunji because the matters that have been addressed by the Chair and the Communication is a weighty matter. That is my request.

**The Speaker** (Hon. Joel Kairu): Thank you. I agree. I will call our legal experts who will interpret that but it is my responsibility to inform you and to warn you in advance of any consequences but the interpretation shall be done. I think the Clerk is a Lawyer, we have Ann Kahunga who is a lawyer. *Watakuja hapa tukae chini* because we do not want to surprise you by declaring your seat vacant then you come here and find the Sergeant-At-Arms telling you that you are no longer a Member of the House. Yes Hon. Kamau.

**Hon. Kamau Githengi:** Thank you Mr. Speaker sir. In the last County Assembly, we also had our Speaker Hon. Susan Kihika who was with us in this House until the last minute and when they went to court, at the end of the day, she became a winner. We need to have an advisor who will assist the honorable members because there is another, we had the national Assembly Speaker who advised the MPs and was also calling on the MCA's to resign, forgetting that he himself is a State

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officer, he is vying for presidency and yet he has not resigned. Therefore, Mr Speaker Sir, with a lot of humility, let us as honorable members be advised because the Constitution still states that we require to be Members of County Assembly until that time when our term lapses on 9<sup>th</sup> August 2022 at midnight. So we require clarification on the same.

**The Speaker** (Hon. Joel Kairu): Yah, we have said we are going to have a Kamukunji on that but remember here is a matter of resignation and therefore you will be advised but as I said as your Speaker, I do not want to surprise you in some of these matters. So, let the conversation start and I think after this we will organize for someone to come and take you through and we will also look for if there are any court cases in that regard, their determination and many other issues. So, let me put the matter to rest at that point until we meet for that Kamukunji for further deliberations. *Sawa sawa* Hon. Members!

**Hon. Members:** in the affirmative

### PAPER

#### THE NAKURU COUNTY GOVERNMENT MEDIUM TERM DEBT STATEMENT

**The Speaker** (Hon. Joel Kairu): Paper by the Leader of Majority? Hon. Moses Kamau.

**The Leader of Majority** (Hon. Moses Kamau): Thank you Mr Speaker, before me, there is a Paper to be laid. The Nakuru County Government Medium Term Debt Statement. I beg to lay

*(The Paper was laid on the table)*

**The Speaker** (Hon. Joel Kairu): Thank you Honorable Member. I hereby direct that the Paper be committed to the Committee on Budget and Appropriation.

### PAPER

#### THE BUDGET COMMITTEE REPORT ON THE SUPPLEMENTARY BUDGET 1 OF 2021/2022

**Hon. Joel Karuri:** Thank you Mr Speaker. I beg to lay the Report of the Supplementary Budget 1 for the Financial Year 2021/2022. I beg to lay

*(The Report was laid on the table)*

**The Speaker** (Hon. Joel Kairu): Right the Paper is recommitted back to your committee. It's a report? Okay it is the same one that you are going to give a Notice of Motion? Okay the paper is properly laid. Before the House.

### NOTICE OF MOTION

#### HOUSE ADOPTS BUDGET COMMITTEE REPORT ON SUPPLEMENTARY 1 OF 2021/2022HOUSE

Alright Hon. Karuri

**Hon. Joel Karuri:** Thank you Mr Speaker; I wish to give a Notice of Motion;

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THAT this House adopts the Report of the Budget and Appropriation Committee on the Supplementary Budget for the financial year 2021/22. And Mr Speaker this is the first supplementary budget for this financial year. I beg to give this Notice of Motion.

**The Speaker** (Hon. Joel Kairu): Thank you very much; notice well received.

### **ADJOURNMENT**

Alright Honorable Members this House stands adjourned to 2.30pm today.

*(The House rose 10.50am)*