

MOMBASA COUNTY ASSEMBLY**HANSARD REPORT**Thursday, 21st July, 2016

The House met at 2:45p.m.

*(Deputy Speaker (Hon. Mswabah Rashid) in the Chair)***PRAYERS**

Deputy Speaker (Hon. Mswabah Rashid): Hon. Members you may have your seats. Yes Clerk.

COMMUNICATION FROM THE CHAIR

Thank you Clerk, Members of this County Assembly; we recognize the presence of Tudor day Secondary School, form three History students who have come to visit us plus their two teachers. They are here on a learning mission I hope they will achieve what they have come here for. Members I will introduce them;

(Deputy Speaker (Hon. Mswabah Rashid) called out names of the visiting students and teachers from Tudor Day Secondary School who stood and bowed)

1. Amir Said
2. Jacob Kalama
3. Samuel Amani
4. Abdirahman Bile
5. Capistran Okoth Ouma
6. Mahmoud Ramadhan
7. Omondi Kennedy
8. Bakari Athman
9. Abdulaziz Ali
10. Mohamed Maalim
11. Said Maa
12. Hassan Hussein
13. Kalaheo Maingu
14. Masud Said
15. Abdillahi Abeid
16. Ramadhan Chuphi
17. Victor Sila
18. Odera Wyclife
19. Kassim Nzaka
20. Martin Mwangemi
21. Mauritius Mwilitsa
22. William Kimanzi
23. Athman Swaleh
24. Abdalla Twahir
25. Suleiman Juma
26. Issa Ali
27. Levis Okumu

Teachers

1. Mr. Mwiti Jotham
2. Mr. Wanguba Dennis

Thank you.

(Applause)

You are welcome to the County Assembly of Mombasa. Thank you. Yes Hon. of Tudor.

Hon. Siminyu: I am pleased to see the students from Tudor day which is located in the area where I represent. I am happy that they are here and I would like to take this opportunity to welcome them to witness the devolution and I hope that they will learn a lot from us. Mr. Speaker I just wanted to welcome them, thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Prischillah Mumba.

Hon. (Mrs.) Prischillah Mumba: Ahsante Mheshimiwa Spika, mimi pia nimesimama hapa kukaribisha watoto ambao wamekuja hapa kutoka Tudor day. Nikiwa jirani yao pale Shimanzi ninasikia ufahari kuwakaribisha katika Nyumba hii yetu tukufu na wawe na umakini wa kuangalia jinsi Bunge linavyoendelea ndio na wao waweze kuwa na ari ya siku moja waweze kuwa Wabunge wa Kaunti ya Mombasa ndio waweze kusoma kwa bidii. Ahsante Mheshimiwa Spika.

Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Amir Thoya.

Hon. Thoya: Ahsante sana Mheshimiwa Spika, yangu kwanza ni kupongeza walimu na wanafunzi wa Tudor day.

(Interruption)

Hon. Mwalimu: Point of order Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon., what is it?

Hon. Mwalimu: Mr. Speaker the Hon. Member who is on the floor, his dress code is not in order ...

(Laughter)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Fadhili what is wrong with his dress code?

Hon. Mwalimu: Mr. Speaker the Hon. Member has not yet tucked in his shirt, he is not an Hon. Member by speaking in front of this Honorable House and he is not being an Honorable and he is not presenting himself as an Honorable Member. Mr. Speaker Sir, In fact the Sergeant At Arms was supposed to restrict the Hon. Member from entering this House. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Sergeant at arms can you ascertain whether the Member is in order, whether his attire is in order.

(Sergeant At Arms confirmed that the Member's dress code is in order)

He is quite in order? Okay Honorable you can continue.

(Laughter)

Hon. Thoya: Ahsante sana Mheshimiwa Spika, yangu ni kuwapongeza walimu na wanafunzi kwa kuweza kupata nafasi ya kuja kushuhudia vikao vyetu vya Bunge kwa sababu shule ya Tudor iko katika Kaunti ya Mombasa na wanafunzi wengi wanatoka katika maeneo mbali mbali. Kwa hivyo itakuwa ni kama ni mfano mzuri na waweze kuhimiza pia shule zingine ziweze kufuata mfano kama huo. Kwa hivyo yangu ni kushukuru wale walimu na wanafunzi ambao wamepata nafasi hii waweze kutumia nafasi kwa njia bora kwa sababu wanapokuja katika Bunge, waone vikao vile ambavyo vinaendeshwa hata wao pia itawapatia ari katika masomo yao waone ya kwamba ugatuzi ni kitu cha ukweli na katiba pia inafanya kazi. Ahsante sana Mheshimiwa Spika.

Deputy Speaker (Hon. Mswabah Rashid): Thank you, yes Clerk.

STATEMENT

Hon. Patrick ?

Hon. Siminyu: Thank you Mr. Speaker. I have a statement on the status of the Mombasa County Government and Tax Waiver Bill, 2015. Mr. Speaker it is long since this Bill was tabled in this House and Mombasa people are still yet to enjoy the waiver following that Bill. Mr. Speaker this Bill is very important because the waiver that other Counties are enjoying is one of the waiver accumulation of interest. Mr. Speaker it has made not possible to pay and the Bill has passed the First Reading. It is going to help us to collect taxes and also it will help Mombasa people to enjoy like any other Counties. Mr. Speaker as you understand so many Counties have given waiver to their people; this way this being of not being here in this House, uncommitted and up to date we do not know where about of this Bill. Mr. Speaker Sir and I would like to ask this Hon. House to speed up the process so that I know we have a new team, a new Majority Leader and you Mr. Speaker sir. I know you are capable of moving this House faster, and that is why we have come to this House to try to find out the whereabouts of this Bill because it is going to do good to our people so that we can we can collect more taxes. Mr. Speaker sir I beg for your direction so that we can have this Bill passed so that we have the Mombasa people to enjoy waivers like any other Kenyans Mr. Speaker sir, Thank you.

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Fadhili, what is it?

Hon. Mwalimu: Thank you Mr. Speaker, concerning the same issue I understand that this Bill which has come in front of this Hon. House for First Reading if I am wrong I stand to be corrected is a private Member Bill. Mr. Speaker, it is a Hon. Member who I think is present in this House to either inform this House if it is the fund that is missing for this to proceed to public participation or if there are any other obstacles, it is the Member to either tell us because all in all this Bill is for the benefit of *wananchi*. It is for the benefit of our people Mr. Speaker, so the mover of this Bill is in this House, it upon him to let the House as the Hon. Member has stated that he doesn't know....

(Interruption)

Mr. Speaker I don't want to be informed.

Deputy Speaker (Hon. Mswabah Rashid): No, if a Member is up listen to him.

Hon. Mwalimu: He's up on a point of information and i don't want to be informed.

Deputy Speaker (Hon. Mswabah Rashid): Hon. Siminyu are you up on a point of information?

Hon. Mwalimu: I don't want to be informed.

Hon. Siminyu: I want to inform the House not him...

(Applause)

Mr. Speaker the issue that has been brought, the Hon. Member Fadhili this Bill was committed to the House and I don't know how the Member, who is the author of this Bill or Motion. I know this Assembly has a mechanism to work Mr. Speaker Sir and I want to know the whereabouts, if it is about the fund we don't know about but we are asking about the status of the Bill.

Deputy Speaker (Hon. Mswabah Rashid): Yes I understand. Yes Hon. Fadhili.

Hon. Mwalimu: Mr. Speaker I think the Hon. House needs to know that this Bill is a private Member's Bill, it did not generate from the executive, that is why I was saying the mover of this Bill, he intends....

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Saad Faraj what is it?

Hon. Faraj: Thank you very much Mr. Speaker, Hon. Fadhili Mwalimu is misleading this House. Mr. Speaker there are several ways of bringing in the Bill and tabling the Bill in this House and one other way which is also accepted by law is if the Bill was generated by the Committee, and we cannot have all the names of the Committee Member's vetted on this Bill. The only name that will appear on behalf of the Committee is the name of the Chair and that is what exactly is happening with this Bill Mr. Speaker. So Mr. Speaker I think we should understand that position before we can continue, thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Fadhili.

Hon. Mwalimu: Thank you Mr. Speaker, I earlier said I stood to be corrected and up to now they have not yet corrected me. Mr. Speaker the Hon. Member is the one to say if this Bill is his Bill, it is a private Member's Bill and I said he is the one to tell us if he does not have funds to take this Bill for public participation. Maybe he needs assistance from the Hon. House Mr. Speaker, the Hon. Member is in this House, he needs such a chance to inform the House.

Deputy Speaker (Hon. Mswabah Rashid): Okay Members, it is ok everyone.

Hon. Mwalimu: Mr. Speaker let us give the Hon. Member a chance.

Deputy Speaker (Hon. Mswabah Rashid): Ok you have told me that you just finish your submission then it will be up to me to decide.

(Applause)

Hon. Mwalimu: I was informing this Hon. House Mr. Speaker and Mr. Speaker....

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Saad Faraj what is it?

Hon Faraj: Mr. Speaker Hon. Fadhili is attacking powers from you and I think it is right, he cannot order you or direct you to give a decision that you yourself has the mandate to do so. Mr. Speaker, what Hon. Fadhili is trying to do is to influence you to give a directive and I do not think that is right. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Siminyu.

Hon. Siminyu: Mr. Speaker the mover of the Bill is in the House but the Hon. Member Fadhili Mwalimu Makarani is behaving like the lawyer and he has a choice whether to stand and debate or not. Mr. Speaker let us give the Hon. Member the chance if he doesn't want to talk then it's ok but what I am trying to say is that the Assembly has a mechanism of the way the Assembly is working and if the Assembly is right, if there is a problem because I am asking where is the Bill and what happened to it because Mombasa people are suffering. Mr. Speaker Sir, Mombasa people are not enjoying the waiver that they are supposed to enjoy like any other Kenyan, even if you look at the moment Nairobi they have given already a waiver. So it is the House to determine Mr. Speaker Sir whether the Majority Leader or anybody or you can direct the Committee in charge so that we can know the where about of the Bill. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Okay thank you Hon. Patrick Siminyu. Now Members if I can recollect my thoughts properly I think Hon. Hatimy this Bill has already be read the first time, has it? So did the Bill come from the Finance Committee or it is a private Bill?

Hon. Mohamed Hatimy: Thank you Mr. Speaker, this Bill came from the Public Finance Act...

(Laughter)

Deputy Speaker (Hon. Mswabah Rashid): Can you read it for us?

Hon. Mohamed Hatimy: Thank you Mr. Speaker, 159 says that how a County Executive Member of Finance to reduce or raise fees or charges. So Mr. Speaker this section gives Finance Minister to waive provided the waiver do have a legislation from this County. So Mr. Speaker this Waiver Bill has been authorized by an Act of Parliament or County legislation that's why we do have this Waiver Bill.

(Interruption)

Hon. Mwalimu: Point of order Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Fadhili.

Hon. Mwalimu: Mr. Speaker the Hon. Member is misleading this House. Mr. Speaker the Hon. Member said that the Bill originated from the PFM Act number 159 and in 159 it clearly states that it is the County Executive Member who can waive taxes and this Bill did not and I stand to be quoted did not originate from the Executive Member. Mr. Speaker it is a Private Member Bill, that's why we were saying we just need to know the position, why hasn't it gone for public participation? That is just the question that the House needs to know because it has come for the First Reading. Mr. Speaker, it is the House to know from the Member why it has not gone for public participation, we are not against the Bill, we know that the Bill is of a benefit to our people and I am also for the Bill despite that I am a bit hesitant with my....

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): The procedure Bill is being done.

Hon. Mwalimu: Thank you Mr. Speaker am hesitant with my Chairman; I believe he is my Chairman for Finance but we need proper procedures to be followed. Mr. Speaker, Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Hatimy I think this conversation is taking too long; I just asked you one question and you did not give me the answer. I know where the powers of the Bill come from the Act as you have said but in this Bill who is the author of the Bill; is it the Committee of Finance or a Private Member Bill, I know where the powers of the Bill comes from?

Hon. Mohamed Hatimy: Mr. Speaker I do not understand Hon. Fadhili, the Bill is very clear the author of the Bill is Mohamed Hatimy, Chairperson Committee of Finance and Budget Appropriation, so what is the problem Mr. Speaker and it is very clear.

Deputy Speaker (Hon. Mswabah Rashid): Okay you may sit down now.

Hon. Mohamed Hatimy: Because Mr. Speaker if we go through Standing order 116 which states that a Bill shall be signed by the Member in charge of it and, it shall be introduced by the First Reading in accordance to Standing Order 120, so what is the problem?

Deputy Speaker (Hon. Mswabah Rashid): Okay, now we want to answer Hon. Siminyu. This Bill was brought here it was read for the first time, after being read the Bill is supposed to be committed to the Committee, was it committed to the Committee, was the Bill committed to a Committee?

Hon. Mohamed Hatimy: Yes I can confirm Mr. Speaker Standing Order 121 that the Bill was committed to the Finance Committee, but as we know Mr. Speaker the problem is public participation in this House and even the number two reason why we have stood still is that the Bill must be ...(??). The Bill standing paragraph one states that the County Assembly may involve to commit a Bill to a Select committee established for that purpose and Number three the Sectoral Committee to which a Bill is committed shall facilitate public participation, can be taken to account the views and recommendation of the public when the Committee has accorded it to the County Assembly. So Mr. Speaker to date we are waiting for the Clerk to call for public participation of the Bill, then from there we can participate. I'm waiting for the Clerk's department to tell us when they will call a public participation so that we can go and participate with our Members Mr. Speaker. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Patrick Siminyu are you happy now?

Hon. Siminyu: I am not happy Mr. Speaker Sir, yes I need specifics, people of Mombasa have waited for too long and if we have specifics next week or a week before I need a good answer.

Deputy Speaker (Hon. Mswabah Rashid): Thank you okay Hon. Members I think let me lay this issue to rest, now Clerk can you arrange for this Bill to be taken to the public participation as soon as possible, is that okay Clerk? Yes Hon. Saad Faraj?

Hon. Faraj: Mr. Speaker in the morning today we had a very constructive meeting of the Lands Committee and Mr. Speaker...

(Interruption)

Hon. Mwalimu: Point of order Mr. Speaker! Mr. Speaker it is against procedures to even talk things that are still in the Committee stage, to comment them to this House. Mr. Speaker Hon. Saad is trying to give information that is still in the Committee which is against Committee procedures. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Okay I hope you are not talking about what I have already ruled.

Hon. Faraj: Allow me to sit Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Okay. Yes Clerk.

STATEMENT

Hon. Mohamed Hatimy.

Hon. Mohamed Hatimy: Mheshimiwa Spika ahsante sana kwa kunipatia fursa hii ya kuweza kupeana hii taarifa. Mheshimiwa Spika siku mbili zilizopita ma afisa wetu waliokuwa wako katika nyadhifa za kushikilia na hii leo nasimama mbele ya Nyumba hii, kuhimiza Nyumba hii ikubaliane na tuweze kuleta Mswada ndani ya Nyumba hii ili kuweza kusaidia wale wafanyi kazi wote wale ambao wanafanya kazi na wako kwenye nyadhifa za kushikilia mpaka leo Mheshimiwa Spika. Mheshimiwa Spika niliweza kuzungumza juzi kusema Kifungu 27 cha Katiba kuwa sheria ina msumeno, inakata mbele na nyuma. Kwa hivyo kifungu 27 Mheshimiwa Spika, inasema kuwa, *‘Every person is equal before the law and has a right to equal protection and equal benefit of the law’*.

Mheshimiwa Spika kusema hivi twasema kuwa kusiwe kuwa wengine wanaangaliwa kwa jicho la huruma na wengine hawaangaliwi kwa jicho la huruma. Watu wawe wako kwa kushikilia nyadhifa kwa muda wa miezi sita pengine hata wengine wako kwa kushikilia nyadhifa mpaka kwa mwaka pia. Kwa hivyo Mheshimiwa Spika sehemu ya 70 sheria ya Ugatuzi yaani *County Government Act* iko wazi juu ya mtu ambapo kuwa kuna kupandishwa cheo ama kushikilia nyadhifa. Mheshimiwa Spika naomba Nyumba hii tukubaliane kwa kundi moja kuwa wote walioko kwenye kushikilia nyadhifa na wao pia wakae ama wapatiwe ile nafasi waliopokaa ama waambiwe waende zao. Kwa sababu mtu amekaa kazini Mheshimiwa Spika yeye hajui bidii yake iko namna gani, kwa hivyo naomba wanachama wa hii Nyumba tukubaliane sote kuwa tufuate sheria hii vile inavyosema sehemu ya 70 na 71 kuwa yule ame bandishwa cheo ama awe

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ameidhinishwa kwenye ile nafasi na yule amepelekwa kuwa kwa kushikilia nyadhfa kama amefikisha miezi sita awe pia ameidhinishwa...

(Applause)

Ili Nyumba hii ndio ijulikane inasimama na haki kwa kila mtu sio yule ni mfupi na yule ni mrefu, hio sheria itatumika kivyengine. Kwa hivyo naomba Mheshimiwa Spika tukubaliane hio taarifa nimeleta kama itakubaliwa kuwa kama ni Mswada ili tuweze kupitisha jambo hili. Ahsante sana Mheshimiwa Spika.

(Applause)

Deputy Speaker (Hon. Mswabah Rashid): Thank you very much, but today is a Thursday and Hon. that is a statement; we also have other statements that will be, you can bring it as a Motion...

(Applause)

You can bring it as a Motion but not today next week. You can bring it as a Motion next week, yes Clerk.

STATEMENT

Hon. Maimuna Salim. Maimuna Salim, Yes Clerk.

STATEMENT

Mumba Priscillah Hon...

Hon. (Mrs.) Prischillah Mumba: Ahsante Mheshimiwa Spika kwa kunipa fursa hii niweze kutoa taarifa ya hospitali yetu ya *Coast General* ambayo ni hospitali ya mkoa na ni hospitali ambayo inategemewa na Kaunti hii yetu pamoja na Kaunti jirani. Nimeweza kuwa mahali pale na nikapata tatizo ambalo lilinidhalilisha; ndiposa nikasema nije nikaweze kutoa hii taarifa ndio Mheshimiwa Spika tuweze kuangalia ni jinsi gani ambayo kutaangaliwa pale upande wa *Coast General* upande wa dharura. Nikizungumza kuhusu pale *Emergency* kuna kupokelewa kwa wagonjwa ambao ni wa hali mahututi, na wakati wanapopokelewa wale wagonjwa mtu anapoletwa kwenye *emergency* huwa yuko hali mbaya, na yuko hali ambayo anatakikana ahudumiwe kwa haraka iwezekanavyo. Walakin niliona taratibu ambayo mimi niliikosoa kwa upande wa huduma ya haraka kwa sababu unaambiwa mgonjwa anapoingia kama ni mgonjwa anayehitaji dawa ama anahitaji maji ya dawa fulani uende ukanunue ile dawa ili yule mgonjwa wako aweze kudungwa kama ni kwa *emergency* ya pumu ama nini. Lakini unapoenda pale kwenye kidirisha cha dawa kunakuwa na mhudumu ambaye ni mmoja na unapanga foleni pamoja na watu ambao wametoka kuhudumiwa na madaktari katika ugonjwa wa kawaida.

Wakati wewe ukifika pale utaikuta foleni ambayo ina watu zaidi ya ishirini unapanga foleni nyuma ya wenzako na wewe mgonjwa wako ni mahututi ambaye hawezi kungojea ule mda, na kuna yule ambaye anaona daktari ambaye ugonjwa wake ni nafuu amekaa tu pale anaelekea kununua dawa...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Please, Hon. this is a statement. Yes Hon. Chairman.

Hon. Kibwana Swaleh: Thank you Hon. Speaker, just a point of order. Is she trying to explain because it's an issue of emergency, the statement is talking about emergency treatment now she's talking about the drugs and other diseases so can she clarify what's the emergency she's taking about, she's trying to beatt about the bush and I think she's out of the point.

Deputy Speaker (Hon. Mswabah Rashid): Okay, Hon. Priscillah Mumba.

Hon. (Mrs.) Prischillah Mumba: Ahsante Mheshimiwa Spika, nafikiri Mwenyekiti wa Kamati ya Afya atumie wakati wake kunisikiza kwa makini. Ninapoelezea dharura inapokosekana, wakati ninapozungumzia kosa lile nililoliona, anielewe kwanza nimalize kuzungumza hii taarifa ndio anukuu sehemu zile muhimu ambazo zinahitajika kuhudumiwa katika *emergency*. Nikisema kupanga foleni na una mgonjwa ambaye anatakikana adungwe sindano ya dhadhura, ni mgonjwa yuko na hali mahututi, na wagonjwa wengine wako kando ambao wame hudumiwa tu na madakitari wa kawaida mimi napanga foleni wale wako mbele yangu. Mimi nimeleta mgonjwa wangu kwa dharura saa hizi yule ananiambia hawezi kunipisha mpaka yeye kwanza apewe dawa za mgonjwa wake, na huyo anahitajika kudungwa sindano ama kutiwa maji kwa sababu amekuja yuko mahututi ninaambiwa nunua hii dawa ulete ndio tudunge huyu mtu, na yule yuko pale yuko katika hali ya kuwa pumzi inamuishia, kitambo apange ile laini afike kwa yule ambaye anauza madawa unaaambiwa pia hununui dawa, unaandikiwa bei unaambiwa sasa nenda kwa kidirisha chengine uende ukalipe ndio uje. Sasa uchukue dawa, unaenda ule ni mda unapotea na kuna mtu pale pumzi inaisha, unaenda kununua dawa katika kidirisha chengine ukirudi pale si kuwa ati utaingia tena moja kwa moja kwenda kuhudumiwa, ni upange tena foleni nyuma ili uende ukapewe tena hio dawa. Kuna dharura gani hapo, na mtu anakata roho, hapo ndo mimi niliona..

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Akinyi.

Hon. (Ms.) Akinyi: Thank you Mr. Speaker Sir, am on a Point of Order quoting the (??)...

'No Member making a statement at this Standing Order shall speak for more than three minutes unless permission from you', and I have not seen you giving the permission and she had already completed her three minutes. Thank you Mr. Speaker sir.

Deputy Speaker (Hon. Mswabah Rashid): Yes two and a half minutes you have a half a minute to go.

(Laughter)

Continue Hon...

Hon. (Mrs.) Prischillah Mumba: Ahsante Mheshimiwa Spika kwa kunikinga inavyotakikana, na pia naomba ruhusa ikiwa dakika zangu tatu zimeisha. Mheshimiwa Spika

bado ninasikia nina maneno ya kuongezea uniruhusu niongee dakika tano, niweze kueleza maanake kuna umuhimu wa kitu kinachoitwa dharura.

Deputy Speaker (Hon. Mswabah Rashid): Sawa dakika tano.

Hon. (Mrs.) Prischillah Mumba: Ahsante Mheshimiwa Spika, mimi ninaelezwa kudhalilika huku kwa sababu nimeweza kuona zaidi ya watu sita wakipoteza maisha mbele ya macho yangu, na nilipokuwa niko mahali pale nilikuwa mimi mwenyewe nimepeleka mamangu mzazi na nilijionea si kuwa ati nazungumza kitu niliambiwa, nilijionea vile watu walipopoteza maisha. Kwa mda wa dakika kumi tunapoteza watu 6 ambao watu wamekuja kuzungumza na hali mtu anakalishwa pale akingojewa matibabu; kwa sababu mwengine anakuja huku, hawezi kupumua, tangu wanajaribu kusema mpaka anaishiwa pale mtu wake ako kwenye foleni anangojea kwenda kununa dawa ya kudungwa. Na utaratibu uko pale ni utaratibu ambao unadhalilisha kwa sababu huwezi kwenda kwa kidirisha badala kununua dawa unaambiwa nishakuandikia malipo, sasa nenda katika kidirisha chengine uende ukalipe ndio urudi uje sasa upange tena foleni ufike pale sasa ndio ununue ile dawa. Mheshimiwa Spika hapo sijaona huduma ya dharura yoyote, ninaona kuna tatizo, na ile *Pharmacy* pale inatajikana ikiwezekana iongeze wafanyi kazi kuwe kuna laini mbili, laini ya wanaohudumiwa wa kawaida ndani ili waweze kupewa dawa na wale wanokuja kwa matibabu ya dharura yaani *emergency* wahudumiwe kwa njia ya dharura. Na kwa hii taarifa yangu ikiwa itapatikana kunukuliwa ninayosema; kuna Kamati ambayo ninaona huyu Mwenyekiti wa Afya yuko hapa aliyekuwa anajaribu kujitetea akijaribu kupita kichochoro kuchafua haelewi nazungumza nini aende na Kamati yake akaangalie hili tatizo atuambie hili tatizo pale Coast General litakuwa ni la kweli ama ni la uongo.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Fatuma Mote.

Hon. (Ms.) Fatuma Swaleh: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika nimeweza kumsikiza Mheshimiwa Prischillah kwa makini lakini yatakikana afahamu kwamba Kaunti ya Mombasa ni Kaunti ambayo tuko na...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Fatuma Mote, are you contributing. This is a statement it should not be contributed to, so mainly unless you are standing for a Point of Order but if it's not a Point of Order, a statement today is not going to be contributed to because this is a very sensitive issue. I want to commit this issue to the Committee of Health to go and investigate the matter...

(Applause)

We will discuss the report when it can but at the moment we cannot discuss this report, so Chairman of Health can you take over this matter, go to the Coast General Hospital and investigate the matter. Are you a Member of the Committee?

Hon. (Mrs.) Prischillah Mumba: No.

Deputy Speaker (Hon. Mswabah Rashid): But you will be incorporated for the time being in that Committee, Thank you.

(Applause)

Yes Chairman.

Hon. Kibwana Swaleh: She has mentioned about her mother on that incident so to me I think it will be a conflict of interest.

Deputy Speaker (Hon. Mswabah Rashid): No, it is not a conflict of interest she was there because her mother, Members I have already made a ruling...

(Applause)

So bring the report here within two weeks please.

(Interruption)

Is that on the same matter because I have already closed that chapter?

Hon. (Ms.) Auma: Hon. Speaker you have already given the ruling but I also had the same problem with that of Hon. Prischillah has. So I think it is also important that am included with the same Committee since the same problem that have is the same problem that touches me.

Deputy Speaker (Hon. Mswabah Rashid): You are a friend of the Committee and any other Member who is a friend of the Committee. Yes Hon. Saad?

Hon. Faraj: Hon. Speaker the reason we have Committees in this House is to report back what they have been able to see and each and every Member would accompany...the report would be coming back here for us to deliberate and discuss and for adoption, thank you.

Deputy Speaker (Hon. Mswabah Rashid): I should also remind you that no one is forbidden from attending any Committee whether you are a Member or not, you might have some evidence. Yes Clerk?

STATEMENT

Hon. Zainab Mumba. Next?

MOTION

Hon. Omar?

Chief Whip (Hon. Ahmed Ebrahim Omar): Thank you Mr. Speaker for giving me this opportunity to table the Motion of creation of Mombasa County Employment Bureau Mr. Speaker. Mr. Speaker Sir I beg to move the following Motion:

(Chief Whip (Hon. Ahmed Ebrahim Omar) moved the Motion)

THAT AWARE that the County Government of Mombasa is committed to ensuring that its residents including the youth get employment;

FURTHER AWARE that there are numerous job opportunities that are available within and outside the County;

CONCERNED THAT most of our youths are not able to access these job opportunities because of lack of information on these jobs opportunities Mr. Speaker Sir;

Mr. Speaker Sir I urge this Assembly to resolve that;

The County Government of Mombasa to establish a County Employment Bureau to make information available on job opportunities and facilitate job placements for the residents of Mombasa.

Thank you.

I beg Hon. Mary Akinyi to second.

(Hon. (Ms.) Akinyi bowed)

Deputy Speaker (Hon. Mswabah Rashid): Thank you, Members I have to propose the question.

(Question proposed and agreed to)

Yes Omar Meti?

Chief Whip (Hon. Ahmed Ebrahim Omar): Mheshimiwa Spika nasema tena ahsante na tena nashukuru wenzangu kwa kuniunga mkono hoja hii kujadiliwa katika Bunge. Mheshimiwa Spika naongea jambo hili pia leo hii kwa furaha kwa sababu hata tukiangalia pale juu tunaona vijana wetu ambao ni wanafunzi ambao karibuni wataweza kumaliza masomo yao ya kidato cha nne na watatoka huku nje duniani kutafuta riziki. Mheshimiwa Spika tatizo kubwa katika Kaunti yetu ya Mombasa imekuwa kukosa ajira na sio pia ati kwamba ajira zimekosa lakini vijana wetu wanakaa mtaani sio wote wanasoma magazeti; vijana wetu wanakaa mitaani sio wote wako karibu na Mheshimiwa, vijana wetu wanaokaa mitaani sio wote wanapata habari kuhusu kazi zinapotokea. Mheshimiwa Spika ndipo leo naomba Bunge hili itafutwe sehemu ambayo itakuwa itatengwa ambao hawa vijana wanapomaliza masomo yao ile ni ya kidato cha nne, iwe ni ya chuo cha utaalamu ama chuo kikuu waweze kujua ni mahali gani zile karatasi zao zinazoitwa CV wazipeleke pale katika ofisi ile, ikija taarifa ya kwamba kwatakikana madereva katika hoteli fulani, huku kwatakikana wapishi mahali fulani, huku kwatakikana *accountant* iwe rahisi watoto wetu kama wale kuweza kujua ni vipi utapata taarifa...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Jabess what is it?

Hon. Oduor: Hon. there is no quorum?

Hon. Mwalimu: Mr. Speaker sir as the procedures of the House if the matter before the House is voting that is when we need quorum

(Applause)

Mr. Speaker there is quorum in this House.

Deputy Speaker (Hon. Mswabah Rashid): We have to ask the Clerk? Clerk can you ascertain if there is quorum in the House.

(Laughter)

(Loud consultation)

(Clerk confirmed quorum)

(Applause)

Continue Hon. Omar.

Chief Whip (Hon. Ahmed Ebrahim Omar): Ahsante Mheshimiwa Spika kwa kunilinda. Jambo hili nalileta katika Bunge hili si kwa manufaa yangu lakini ni katika hali ya kujali vijana wetu walioko kule mitaani waweze kupata taarifa yeyote waweze kujisaidia katika mitazamo yao ama ndoto zao za kimaisha. Mheshimiwa Spika imekuwa shida hasa kwa hawa ndugu zetu wakimaliza masomo hata kwenye vyuo vya ufundi wakitafuta sehemu ya kujifundishia kazi yaani *attachment* wanasema hawajui yeyote, mimi sijui nitaanza wapi na sijui nitaenda wapi. Itakuwa ni muhimu sisi tutenge mahali ambapo sehemu yote Mombasa iwe ni wazee, iwe ni wamama watapata habari, iwe ni taarifa za kuomba kandarasi, makazi, habari yeyote katika Kaunti. Kwa hio mimi naomba Waheshimiwa wenzangu waniunge mkono na tuweze kutimiza hawa vijana wetu ambao wako na ndoto lakini maisha yao bado yana shauku. Kwa sababu unajua kabla jambo hili lianze kuwa sawa Mheshimiwa Spika lazima tutafute Kamati ambayo itaenda kule nje ikae na yale makampuni ambayo yako Mombasa na tufanye makubaliano yaani *Memorandum of Understanding (MOU)*. Iwe zile kampuni ambazo ziko ndani ya Mombasa ziwe zina nafasi na kupeleka katika ile ya ofisi ili kuwapa fursa vijana wetu wanaoishi katika Mombasa. Hivyo basi naomba wenzangu wanuiunge mkono katika Mswada huu ili tuweke maisha yao pamoja na yetu ya Mombasa Kaunti mbele.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Patrick Muriuki?

Hon. Siminyu: Thank you Mr. Speaker I fully support the Employment Bureau. As you know information is power and as per last week we advertised as an Assembly for positions and if we have an Employment Bureau; everyone cannot afford newspapers Mr. Speaker Sir. As the Hon. Member has brought it even for jobs within and outside the County and it will help our youths to get information and job opportunities, both in the County and the national level. It is a noble activity which will make our youths participate and get jobs in the County; as we know youths do not have information on job opportunities in the County. I would like to ask my fellow Members to fully support this so that the youths have a center where our youths are going to get information. Thank you Mr. Speaker Sir.

Deputy Speaker (Hon. Mswabah Rashid): Hon. Jimmy Odari?

Hon. Odari: Thank you Mr. Speaker for giving me this opportunity to express my opinion in regard to the Motion by Hon. Mohamed Omar Meti which is to establish an Employment Bureau at the County Government. As we know youth unemployment and employment in general is a challenge in this country and therefore the idea of establishing a youth or an Employment Bureau of the County government is very Honorable. Mr. Speaker Sir, I remember previously there used to be an Employment Bureau in the Labour Ministry or Labour offices throughout the Country; one would go present his credentials, leave his information and all details and then come to check on the employment or is notified of the vacancy somewhere. Therefore Hon. Speaker I think it's a good idea for the County to come forward and establish such an office whereby people who are not employed or have left school and looking for

employment can come there register themselves or give their details or particulars and in the event of availability of vacancies within the country and out of the country they can be notified.

Therefore we are trying to solve this problem in this County, we as leaders and the government overall have been facing this problem and therefore we need to come forward with this initiative so that we can help eliminate or reduce this problem of unemployment amongst the youth. Thank you Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Kibwana Swaleh Baya.

Hon. Kibwana Swaleh: Thank you Hon. Speaker I wish to stand before this Hon. House supporting this very fruitful Motion...

(Applause)

That will see the youths around this County to get the right information at the right time. Hon. Speaker job opportunities in this County is an issue that is a time bomb; most of the youths that have graduated or are out of school have been looking for jobs every now and then and what we are lacking in this County is the right information. Once this Bureau is established, the graduates I mean here the skilled and unskilled youths will be able now to have information and to apply for the jobs at the right time. Hon. Speaker the issue of tribalism has made people not get the right information so once we establish this Bureau which will be a very transparent Bureau i hope we will be able to minimise the youths that are walking around searching for jobs. Hon. Members said clearly information is power; once someone misses information then it reduces his/her chances of applying for a job because even if he is skilled or he is qualified but he doesn't know where to get job he will remain jobless. So i think we should see this happening because it will help many young people and we know every year we produce one million youths who do not find jobs anywhere. Mr. Speaker I think we should put resources and make sure that atleast we realise the establishment of thus Bureau as soon as possible, thank you.

Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Caroline.

Hon. (Ms.) Auma: Ahsante sana Bwana Spika hata mimi ni mmoja wapo wanaosifu Mheshimiwa wa vijana kwa kuleta mjadala huu. Kusema kweli amekuja na jambo lengine la maana sana, juzi hizi kazi zilizotangazwa kwa gazeti la Star za Mombasa County Assembly ambalo jambo kama hili tungekua kama ni Kaunti ya Mombasa wamechukua kila kijana Kaunti ya Mombasa aweze kupata taarifa kama hii. Kwa kweli *informtaion is so good because without information nothing can be done in the world so i just urge this Motion should be put into practise and it should come into reality...*

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Saad Faraj what is it?

Hon. Faraj: Mheshimiwa Bwana Spika, kila siku twakumbushana kwenye hii Nyumba kwamba ni Nyumba ya sheria, ni makosa kulingana na sheria za nidhamu zetu kuchanganya lugha zaidi ya moja. Sheria ya Nyumba hii iko wazi na inasema kuwa ikiwa umeamua kuongea Kiswahili basi hakikisha umeongea Kiswahili hadi mwisho wa maongezi yako na ikiwa umeamua kuongea kwa lugha ya Kingereza basi nidhamu yake inafwata kwa mfumo huo huo. Bwana Spika hii ni Nyumba ya sheria na ningependa utoe muongozo kulingana na ilivyo, ahsante sana.

Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Caroline.

Hon. (Ms.) Auma: Hon. Speaker i just want to know which Standing Order is that and the other second thing I was from Washington so sometimes I just confuse myself...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Patrick what is it?

Hon. Siminyu: Mr. Speaker it is so sad this is the fourth year...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Are you on a point of order or what? On what?

Hon. (Ms.) Akinyi: On the House, concerning what Hon. Caroline is telling us i want to give her the Standing Order.

Deputy Speaker (Hon. Mswabah Rashid): I will give you time but at the moment Hon. Muriuki is also on a Point of Order.

Hon. Siminyu: Mr. Speaker this is almost the fourth year we have to be serious because we are handling matters that concerns the lives of Mombasa people, thank you Mr. Speaker sir.

Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Mary Akinyi.

Hon. (Ms.) Akinyi: Thank you Mr. Speaker Sir, i just wanted to remind Hon. Caroline that we are on Point of Order on Standing Order 73 which states very well, *"All proceedings of the County Assembly shall be conducted in Kiswahili, English or Kenyan Sign language"*, but not mixing the language. If you are speaking in English you speak in English and if it is Kiswahili it should be Kiswahili, and if you cannot do all then you can speak in Sign language. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Hon. Caroline you have been given Standing Order 73...

(Laughter)

Hon. (Ms.) Auma: Thank you Mr. Speaker, sometimes i like to use two languages but now i will use one. Mr. Speaker am happy for the youths if they are going to be aware on this i know they are going to change, and you know information is power as i said before i get information about jobs here and there and if we are going to have this Bureau I think its going to be a good work and well done. I'm saying well done to Hon. Ahmed Ebrahim who has brought this, thank you Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Fadhili.

Hon. Mwalimu: Ahsante Mheshimiwa Spika kwa kunipa nafasi hii, mimi nimesimama kupinga...

(Laughter)

(Applause)

Mjadala huu na hoja hii iliyoletwa mbele ya Bunge letu Mheshimiwa Spika; kwanza tuelewe dunia yenyewe iko wapi? Dunia ya sasa ilipofika sio dunia tena iliokua ile miaka ya babu zetu

Bwana Spika; wenyewe wanasema tunaishi miaka ya digitali, sioni haja ya sasa kufungua ofisi alafu kuzunguka kuambia vijana walete stakabadhi zao walete kwa ofisi, sijui ofisi hiyo iwe kubwa kiasi gani ya kuweza kupokea makaratasi ya vijana wa Mombasa nzima...

(Laughter)

Kuileta katika ofisi moja alafu vilevile lazima kutakua na upendeleo fulani. Mimi ambae nitakua katika ofisi ile kama kazi nzuri imetokea kijana wangu ni kuleta makaratasi tu yule ambae yuko pale kama kazi nzuri itatokea ataangalia yule mtu wake ama yale makaratasi yote pale...

(Interruption)

Hon. (Ms.) Auma: Hon. Speaker point of information.

Hon. Mwalimu: Bwana Spika mimi sitaki kuelezwa...

(Laughter)

Hon. (Ms.) Auma: I want to inform the House.

Deputy Speaker (Hon. Mswabah Rashid): Okay what is it?

Hon. (Ms.) Auma: Mr. Speaker we are talking about opening the Bureau even every person in organisation there is conflict so we should not confuse the Hon. Member, that if you have the office now you cannot do your work. Mr. Speaker we are going to open the Bureau, the Hon. has not talked about opening the office so can we go directly to the point and inform the House what we are talking about not the office, Hon. Fadhili.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Fadhili.

Hon. Mwalimu: Mheshimiwa Spika mimi ningependa Mheshimiwa alietoka kuongea kwanza aombe msamaha kwa Nyumba hii maana amesema anaelezea Nyumba mwisho anamaliza kwa kutaja jina langu...

(Laughter)

Amekeuka ameniharibia wakati wangu kwa kuniweka chini azungumzie Nyumba na mwisho ananitaja jina langu. Mimi nataka asimame aombe Nyumba hii msamaha na mimi niweze kuendelea, kupitia Kiti chako naomba aombe msamaha hii ni Nyumba ya sheria.

Deputy Speaker (Hon. Mswabah Rashid): Hon. Caroline you have misled the House so can you rectify yourself.

Hon. (Ms.) Auma: Mr. Speaker i dont know what is wrong with Hon. Fadhili, when i made my first statement i said the Hon. House but at the moment i looked at Fadhili the last word i spoke was his name. So the word that was going around was the Hon. House but the last word was Fadhili, i didn't say Fadhili on the statement, by the way am sorry Fadhili even though you are my friend.

Deputy Speaker (Hon. Mswabah Rashid): Ok thank you very much.

Hon. Mwalimu: Mheshimiwa Spika naona Mheshimiwa amezunguka lakini ilikua aombe msamaha Nyumba; ni haki yetu sisi kama Waheshimiwa tuhakikishe vijana, kina mama wanapata zabuni ambazo zatolewa na Kaunti yetu. Kuna asilimia ambayo ilikua inatakiwa kuhakikisha wanapata ikiwa kweli twataka kuinua maisha ya vijana wetu Mheshimiwa Spika, suala la ukosefu wa ajira Mheshimiwa Spika laeleweka ni suala tata, swala ambalo twaweza sema ni ugonjwa ambao uko dunia nzima ikiwa tuna imani ya kuwa...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Meti what is it?

Chief Whip (Hon. Ahmed Ebrahim): I want to inform the House, the issue that we are talking about is not only about information but its employment and even for our youth and residents who need to seek for attachment. I don't think Hon. Speaker there is in any company that you can go and not find attachment opportunity, so the Member is not in order. So Hon. Members should not talk other matters which are not in this matter.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Saad Faraj.

Hon. Faraj: Thank you very much Mr. Speaker. Mr. Speaker the Mover of the Motion is somehow introducing amendments through the back door. Mr. Speaker if you look and you have gone through this Motion it has not stated what he is trying to say in this House and if he has any amendments he should come to this House here and say that he has amendments and want to amend this Motion to read differently, but the prayer is very clear and it does not indicate that all he has just said. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Fadhili.

Hon. Mwalimu: Mheshimiwa Spika mimi narudia pale pale lengo liwe sisi kama viongozi kutafuta njia gani ambayo tunaweza tukakuza kipato ama tukakuza maisha ya vijana wetu ama tukakuza kipato ama maisha ya kina mama zetu na wale wanaoishi na ulemavu Mheshimiwa Spika. Mheshimiwa Spika mimi sioni kama kufungua ofisi kama hizo zitasaidia chochote vijana wetu, tuelewe kwanza kuwa tutakapofungua ofisi kama hizi kwanza zitahitaji pia kuwe na watu waandikwe pale kazi ambao hatujaipitisha katika bajeti yetu. Mheshimiwa Spika, tutapangaje jambo ambalo halimo hatujalipangia?

(Applause)

Leo tuseme tunapitisha hoja hii halafu Mheshimiwa Spika hoja ile tuliopitisha haina pahali popote itakapokwenda itakuwa tunachezea Nyumba yetu, ni aliyeleta hoja hii kwanza angekuwa ameketi na Kamati ya Fedha na Bajeti ili aweze...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Caroline.

Hon. (Ms.) Auma: Mr. Speaker any Motion that is brought to the House is just a prayer, it is a prayer that the Hon. Member is praying that if this can be done by the Executive. So Mr. Speaker Hon. Fadhili is trying to mislead this House, he has he saying that this Motion should be taken to the Finance Committee so that they can deliberate this before it is brought to the Hon.

House. Mr. Speaker it is not true many Members bring their Motions to the Hon. House and you are the one to direct the Motion to be taken for more details. Thank you, Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Saad Faraj.

Hon. Faraj: Mr. Speaker I think this Motion has financial implications and we are not passing a Motion here for fun, we are passing a Motion that will be implemented by the Executive. If we decide that this should be passed then we should look at all areas, including the financial impact of that Motion if passed and Mr. Speaker at the moment as we speak we have not budgeted that to be able to accommodate particular office in our system. Thank you.

Deputy Speaker (Hon. Mswabah Rashid): Let me put this to rest Members, I think Motions are ideas; Motions are just ideas and they are not binded anywhere so a Motion does not bind, If we pass a Motion here it has not binded anybody to that effect so this House is deliberating ideas...

(Applause)

A Bill is what is binding so you cannot make a Bill if it has not been binding, so Motions are ideas and any Member is at liberty to bring the idea. Yes Hon. Ahmed Omar (Meti), Hon. Fadhili was on the floor... no Hon. Fadhili can you continue...

Chief Whip (Hon. Ahmed Ebrahim): Time is up.

Deputy Speaker (Hon. Mswabah Rashid): Hon. Fadhili is given a special time because of his talking style...

(Laughter)

(Interruption)

So he is given special time; I can see two people are standing what is it? Hon. Hatimy what is the problem?

Hon. Mohamed Hatimy: Thank you Mr. Speaker, Hon. Fadhili is not happy with the words that you have used in saying that a Motion is just an idea.

Deputy Speaker (Hon. Mswabah Rashid): These are ideas and they are not binding as a Bill is a law; Motion is not a law...

(Applause)

So we can get Bills out of Motions, I think Hon. is on the right note.

Hon. Mohamed Hatimy: Mr. Speaker I stand under Standing Order Number 93.

Hon. Mwalimu: Mheshimiwa Spika mimi napinga kanuni ya Bunge nambari 93, mimi nilikuwa naendelea na hoja yangu na Mheshimiwa aliyesimama lau ingekuwa amesimama na hoja nyengine tungemruhusu kanuni ya Bunge yake. Lakini Mheshimiwa Spika wakati wangu ulikuwa bado uko kwa sakafu na naendelea kuchangia ikifika wakati wake tumruhusu alete *Standing Order* hiyo 93 maana najua ni ya kusimamisha kikao. Mheshimiwa Spika mimi bado

nimesimama kupinga hoja hii na naomba niwashawishi ndugu zangu wenzangu tuletani hoja ambazo zitawajenga vijana...

(Interruption)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Hatimy your Motion has not been seconded.

Hon. Mohamed Hatimy: Yes Hon. Speaker I have not been given a chance.

Deputy Speaker (Hon. Mswabah Rashid): You need to request for a seconder.

Hon. Mohamed Hatimy: Yes Mr. Speaker i request Hon. Mary to second the Motion.

(Consultation)

Deputy Speaker (Hon. Mswabah Rashid): Just one minute Order please!

Hon. (Ms.) Akinyi: Thank you Mr. Speaker am not going to second this Motion.

(Laughter and Applause)

Deputy Speaker (Hon. Mswabah Rashid): Yes the Motion has been defeated Hon. Fadhili continue. Hon. Fadhili can you continue, please Members order! I had already instructed Hon. Fadhili to continue please can you sit down. Yes Hon. Fadhili you can continue.

Hon. Mwalimu: Ahsante Mheshimiwa Spika, mimi kama nilivyosema nimesimama kupinga hoja hii lakini nimetangulia kusema hapo awali lau Mheshimiwa Ahmed Omar ataketi na Kamati aangalie ule uzito wa jambo kama hili na kuliingiza swali kama hili itakuwa ni vizuri na ni lazima akae na Kamati Mheshimiwa Spika na mimi naleta hiyo *Standing Order* 93 na naomba Mheshimiwa Saad aniunge mkono...

(Laughter)

Deputy Speaker (Hon. Mswabah Rashid): Hon. Hatimy what is it?

Hon. Mohamed Hatimy: Mheshimiwa Spika...

(Interruption)

Hon. Mwalimu: Mr. Speaker I need my Motion to be seconded.

Hon. Mohamed Hatimy: I rise under *Standing Order* 28.

Deputy Speaker (Hon. Mswabah Rashid): What does it say? Can you read for us?

(Hon. Mohamed Hatimy read Standing order No.28)

Adjournment of County Assembly; a Member may at any time, for reasons stated, seek leave to move, "That this County Assembly do now adjourn".

Hon. Mwalimu: I second Mr. Speaker.

(Laughter and applause)

Hon. (Ms.) Akinyi: Mr. Speaker Sir I rise up to second.

Hon. Mohamed Hatimy: It has already been seconded.

Deputy Speaker (Hon. Mswabah Rashid): Hon. Members let me read the Standing Order 28 (1),

(Deputy Speaker (Hon. Mswabah Rashid) read Standing Order No. 28)

(1) A Member may at any time, for reasons stated, seek leave to move, "That this County Assembly do now adjourn.

(2) If the Speaker is of the opinion that such Motion for adjournment of the County Assembly is frivolous, vexatious, or an abuse of the proceedings of the County Assembly, the Speaker may forthwith put the question thereon or decline to propose it.

(3) The debate on a Motion under this Standing Order shall be confined to the matter of the Motion.

So Hon. Hatimy you have not given us a reason why we do adjourn?

Hon. Mohamed Hatimy: The reason is that there's no quorum.

(Laughter)

Deputy Speaker (Hon. Mswabah Rashid): Clerk can you ascertain if there's no quorum?

(Clerk confirmed lack of quorum)

Sergeant at Arms can you ring the quorum bell.

(Interruption)

Hon. Mohamed Hatimy: Adjournment under Standing Order 28.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Caroline.

Hon. (Ms.) Auma: Mr. Speaker I just want to correct the House; the first time Hon. Hatimy came up with a Motion and when Hon. Mary stood up the Motion was dropped and again he stood up and he came again with another Motion and it was passed. I just want to correct him after the adjournment was dropped, at what time is he supposed to bring another Motion? Because the first one was dropped and this is the second one and it has been passed.

(Sergeant at Arms rung the quorum bell)

Deputy Speaker (Hon. Mswabah Rashid): Yes Members, yes Hon. Saad.

Hon. Faraj: Mr. Speaker I think what we are doing is unprocedural. Mr. Speaker the Motion which was brought has already been seconded; meaning that you had also requested the reason as to why and you were given it is because of the quorum and now even before the Clerk started to count the Members who were in the Chief Whip went out to whip people which was unprocedural. Mr. Speaker, kindly rule.

Deputy Speaker (Hon. Mswabah Rashid): Members the Standing Order gives me and it says,

(2) If the Speaker is of the opinion that such Motion for adjournment of the County Assembly is frivolous, vexatious, or an abuse of the proceedings of the County Assembly, the Speaker may forthwith put the question thereon or decline to propose it.

So I think we can continue.

Hon. Mwalimu: There's no quorum Mr. Speaker.

Deputy Speaker (Hon. Mswabah Rashid): Clerk can you ascertain if there's quorum, Clerk?

(Consultation)

Clerk, can you confirm if there's a quorum.

(Clerk confirmed lack of quorum)

(Applause)

ADJOURNMENT

Members of the County Assembly there's no quorum so this House stands adjourned until Tuesday next week at 2:30p.m.

The House rose at 4:12p.m.