

MOMBASA COUNTY ASSEMBLY**HANSARD REPORT**Tuesday, 19th July, 2016

The House met at 2:34p.m.

*(Deputy Speaker (Hon. Mswabah Rashid) in the Chair)***PRAYERS****PAPER****Deputy Speaker** (Hon. Mswabah Rashid): Kiongozi wa Walio Wengi...

Leader of Majority (Hon. Mwidani): Thank you Mr. Speaker for giving me this opportunity to give a Report on the vetting of Mr. Salim Juma for the position of County Assembly Clerk.

*(Leader of Majority (Hon. Mwidani) tabled the Report)***The Deputy Speaker** (Hon. Mswabah Rashid): Karani...**NOTICE OF MOTION****VETTING REPORT OF MR. SALIM JUMA FOR POSITION OF COUNTY ASSEMBLY CLERK**

Naam Kiongozi...

Leader of Majority (Hon. Mwidani): Mr. Speaker thank you for this opportunity to give a Notice of Motion adopting the Report on the vetting of Mr. Salim Juma for the position of County Assembly Clerk. Mr. Speaker I beg to give notice of the following Motion:

That this House adopts the Report on the vetting of Mr. Salim Juma for the position of County Assembly Clerk; vetting of Mr. Salim Juma for the position of County Assembly Clerk laid on the Table on Tuesday, 19th July 2016.

*(Vetting Report laid)***The Deputy Speaker** (Hon. Mswabah Rashid): Thank you.**NOTICE OF MOTION****CREATION OF MOMBASA COUNTY EMPLOYMENT BUREAU**

Hon. Ahmed Omar.

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

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

Mr. Speaker Sir I wish to give notice of the following Motion;

THAT AWARE that the County government of Mombasa is committed to ensuring that it's residents, including the youth get employment opportunities;

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 job opportunities;

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 and youth for this County. Thank you Mr. Speaker sir.

The Deputy Speaker (Hon. Mswabah Rashid): Thank you Hon Meti.

MOTION

ADOPTION OF VETTING REPORT OF MR. SALIM JUMA FOR THE POSITION OF COUNTY ASSEMBLY CLERK

Hon. Hamisi Mwidani.

Leader of Majority (Hon. Mwidani): Thank you Mr. Speaker for giving me this opportunity to move the following Motion on adoption of Report on vetting of Mr. Salim Juma for the position of County Assembly Clerk. There might be some typing error here...!

(Leader of Majority (Hon. Mwidani) moved the Motion)

That this House adopts the Report on the Vetting of Mr. Salim Juma for the position of County Assembly Clerk, vetting of Mr. Salim Juma for the position of County Assembly Clerk laid on the Table on Tuesday, 19th July 2016.

The Deputy Speaker (Hon. Mswabah Rashid): Seconder?

Leader of Majority (Hon. Mwidani): Mr. Speaker i would like to ask Hon. Kibwana to second my Motion.

(Laughter)

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

Hon. Mwalimu: Thank you Mr. Speaker. Mr. Speaker i had stood to second the Motion but Hon...but the Leader of Majority has chosen Hon. Kibwana but i'm also on the same track seconding the same Motion.

(Question proposed)

The Deputy Speaker (Hon. Mswabah Rashid): Okay It has now been seconded; Honorables, I now propose a question.

(Question put and agreed to)

(Applause)

Yes Leader of Majority...

Leader of Majority (Hon. Mwidani): Thank you Mr. Speaker.

(Leader of Majority (Hon. Mwidani) read vetting Report)

REPORT OF VETTING OF MR. SALIM JUMA FOR THE POSITION OF COUNTY ASSEMBLY CLERK

COMMITTEE MEMBERS

- Chairperson - Hon Hamisi M Mwidani – Majority Leader
Member - Hon Mswabah Rashid – Deputy Speaker
- Hon Maimuna S. Mwawasi – Minority Leader
- Hon Mohamed Hatimy – Member
- Hon Murfad Amur – Member

In attendance

1. Mr. Bangush H. Mohamed – PAC II
2. Ms. Emily Sialo – Hansard Reporter

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Mr. Speaker Sir and Hon. Members of the County Assembly, it is with great pleasure to table the report on vetting of Mr. Salim Juma in our County Assembly. The proposed appointee was found suitable for the position of County Assembly Clerk by the County Assembly Service Board (CASB) vide their meeting held on 12th July, 2016, resolved under Min.No.1/CASB/12th July 2016. Pursuant to Section 8(1) (a) and 13(1) of the County Government Act, 2012, the CASB proposal stood committed to the Committee on Appointments of this Honourable County Assembly. Through a press advertisement appearing in *The Star* Newspaper on Thursday 14th July, 2016, the proposed appointee and the public were informed of the vetting exercise which was scheduled to take place on Saturday 16th July 2016 at the County Assembly Committee Room. The public were hence given an opportunity to participate in the vetting exercise on the suitability or otherwise of the proposed appointee. This report provides the findings and recommendations on the suitability for appointment to the position of the proposed appointee for consideration by this Hon. House and approval of the same. Mr. Speaker Sir and Hon. Members of the County Assembly let me now present the Committee on Appointment's report for consideration by the House.

2.0 Observations and Findings

2.1 The Committee did not receive any adverse reports, presentations or complaints for or against the proposed appointee of Mr. Salim Juma for the position of County Assembly Clerk of County Assembly of Mombasa.

2.2 The Committee was impressed by the educational achievements and experience of Mr. Salim Juma and found him suitable for appointment to the position of County Assembly Clerk in the County Assembly of Mombasa.

2.3 The proposed appointee being vetted answered all questions that were asked by the Committee satisfactorily and in sufficient detail.

2.4 Mr. Salim Juma, the proposed appointee on the position of County Assembly Clerk presented the following Certificates/testimonials to the Committee:

Educational Background

Qualification	Institution	Year
1. Masters of Business Administration	Kenya Methodist University	2014
2. Bachelor of Arts (Sociology)	Egerton University	1993
3. KACE	Shimo la Tewa school	1989
4. KCE	Kilindini Secondary School	1987

Other Courses:

Institution	Training	Dates
1. Kenya School of Government (KSG)	Senior Management Course	2012
2. Kenya Institute of Management(KIM)	Diploma in HRI	2001
3. KIA	Preparing Project proposal Writing	
4. Kenya School of Law	Experiential Team Building	2007
5. Institute of Personnel Training	Certificate in Banking of Finance	1996

Public Offices held

1. 1996 – 1998 Housing Manager, Mombasa;
2. 1998 – 2008 Chief Public Relation Officer and PA to the Mayor, Mombasa,
By that time I was the Mayor.

(Applause)

3. 2008 – 2013 Deputy Clerk, Kwale County;
4. 2013 – 2014 Sub County Administrator, Msambweni Sub County, Kwale;
5. March 2014 – October 2014 - Director of Tourism Promotion;
6. 2014 – 2015 Deputy County Assembly Clerk, Mombasa;
7. Nov 2015 – To date - Acting County Assembly Clerk, Mombasa proposed candidate

(Applause)

1.5 The Proposed appointee was asked a number of questions related to the functions and roles of the County Assembly which he replied to some briefly as follows:

- a) On the question that who Salim Juma is, he replied that Mr. Salim Juma is a resident of Mombasa and a Kenyan by nationality. He is a professional with vast working experience in Civil Service and also a Senior Local government practitioner with County government understanding. He believes in cultural diversity and possesses good emotional intelligence and demonstrates excellent team leadership and passion for growth within the County government. His key strengths are excellent interpersonal skills and is self motivated.
- b) On the duties of County Assembly Clerk, he replied that County Assembly Clerk is the accounting officer in County Assembly, Secretary to County Assembly Service Board, and Chief advisor to the Hon. Speaker who advises on legal and convectional issues relating to Assembly, in charge of implementing legislative issues passed in the Assembly.
- c) On how he will ensure that Hon. Members receive their gratuity when their term comes to an end, he replied that he agreed that there is a big problem but from the

moment he was made Acting County Assembly Clerk he came up with a payment plan and the issue of gratuity was a bit tackled to a good extent.

- d) He further said that he managed to pay a further eight months gratuity during the spell of acting appointment. He further said that in consultation with Chairman of Finance he managed to pay Kshs.10 million remaining Kshs.4 million for 10 months gratuity period which was paid by the Executive arm of government. He said that as a County Assembly we have budgeted for the year 2016/2017 but the main concern is for 2014 and 2015 where the executive is supposed to pay. In this case we need mutual understanding and consultations between the Assembly and executive so that they can pay for the two years remaining.
- e) On new ideas that he has to make the Assembly a better place for staff and Members of Assembly, he replied that the activities are more or less rotational. He came up with following:
 - (i) Issue of welfare of Members is to be handled very well;
 - (ii) There is need for the Assembly to be autonomous/independent from the Executive;
 - (iii) To improve communication so that information reaches the right person at the right time and Members of County Assembly are not left in dark;
 - (iv) No discretion or discrimination as far as committees are concerned;
 - (v) The Assembly needs to launch its strategic plan which is ready for the same;
 - (vi) To foster and enhance relationships between other Assemblies and National Assembly and the civil societies;
 - (vii) Making a conducive working environment;
 - (viii) Enhance procurement of relevant tools, equipments and uniforms for staff.
(Applause)
 - (ix) Finally to make the Assembly is progressing well and striving towards goals.

2.6 On the function and powers of Clerk of a County Assembly, he replied that the functions and powers of the Clerk of Parliament shall with necessary modifications be the functions and Powers of the County Assembly Clerk as stipulated in Section 13(3) of County Government Act 2012. He further said that all policies, decisions, directions must pass through the County Assembly Clerk and the Clerk to disseminate the same.

3 Conclusions:

3.1 The Committee conducted the vetting exercise and was satisfied with the knowledge, experience and capacity of Mr. Salim Juma, to handle the position of County Assembly Clerk in the County Assembly of Mombasa and therefore suitable for appointment to the position.

3.2 The Committee held a meeting on 19th July, 2016 at 10.00am and adopted this Report.

4. Recommendations:

4.1 That having considered the suitability capacity and integrity of Mr. Salim Juma and pursuant to section 8(1)(a) and 13(1) of the County Government Act 2012, this House approves the appointment of Mr. Salim Juma as County Assembly Clerk by the County Assembly Service Board.

(Applause)

4.2 That this Report containing the Committees observations, findings, conclusion and recommendations of the vetting of Mr. Salim Juma for the position of County Assembly Clerk in the County Assembly of Mombasa be adopted and approved by this Hon. House.

Mr. Speaker Sir, I beg to move that the Hon. Members of this Assembly do adopt this Report.

(Applause)

The Deputy Speaker (Hon. Mswabah Rashid): Thank you Hon. Mwidani and the Motion is in the House to be debated. Yes Hon. Kibwana Swaleh.

Hon. Kibwana Swaleh: Thank you Hon. Speaker for giving me this chance just to support the report that was read by our able Leader of Majority. Mr. Speaker am happy now at the moment that the position of the Clerk who has been on Acting capacity and the Members have adopted the report in this House I want to say that the Members of this County Assembly we are going through a lot of difficulties especially our welfare and the big issue is that we are aware that the election is knocking on the door and the issue of the gratuity was one of the issues and it was not handled clearly or properly during the other time and the experience of Mr. Salim who is our Clerk today gives us a lot of hope because having worked with the government before he has a lot of experience with the issue in the Assembly as well as the issue tackling the Members. Mr. Speaker I think it is high we give him support as a Clerk because when it was in an Acting capacity I think you have more powers but since you have confirmed this position you have given the Clerk full mandate to conduct the duty. Mr. Speaker mine is just to sincerely thank the Committee that transacted this good job of appointing the new County Assembly Clerk to this Hon. House. Thank you.

(Applause)

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. from Tudor.

Hon. Siminyu: Thank you Mr. Speaker Sir first I would like to congratulate the Clerk because first things are moving...

(Applause)

Mr. Speaker Sir the change is always good...

(Applause)

Some things are changing because as I can see you are on the board that's an achievement. Mr. Speaker the Clerk has been absent since November and even there are staff here who are working without being seconded; it is high time for the service to make sure each and everyone who is acting to be officially confirmed so that they can be sure of the position because they have been acting for a long time. Mr. Speaker I fully support this Motion because my brothers and sisters must be really confirmed, looking at the qualifications and the experience that he has in this House as articulated by the Constitution of Kenya. I fully pray to this House to fully support this Motion so that we can have our Clerk, I repeat again Hon. Majority Leader even our security staff let them be confirmed and they know their positions Mr. Speaker. Thank you.

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. of Port Ritz Fadhili Makarani.

Hon. Mwalimu: Ahsante Mheshimiwa Spika. Mheshimiwa Spika kwanza ningependa kusema Nyumba hii ningependa iwe wazi...Mheshimiwa Spika mimi kwa majina naitwa Mheshimiwa Fadhili Mwalimu Makarani na tunaemzungumzia leo anaitwa Salim Juma Mwalimu. Mheshimiwa Spika ningependa kuambia Jumba hili hatuna uhusiano wowote na Karani huyu wa Bunge isije ikaonekana kwamba nachangia kwa sababu naegemea upande wake; naeleza tena Mheshimiwa Spika sina uhusiano wowote na Mheshimiwa Spika mwaka wa elfu moja mia tisa themanini na tisa hata mimi nilijiunga na shule ya Upili ya Shimo la Tewa na ninaona Mheshimiwa Salim Juma nae alimaliza mwaka wa elfu moja mia tisa themanini na tisa pia... sasa il...bali ni kazi yake ndio iliyofanya pale alipo na vile vile Mheshimiwa Spika pongezi kwa Kamati iliyokaa chini kumdadisi Karani huyu Mheshimiwa

na kutuletea ripoti ndani ya Bunge hili. Tuna imani ya kuwa Kamati hii iliridhika na hata mimi binafsi Mheshimiwa Spika nimeridhika naomba wenzangu tuweze kukubaliana na Kamati ilioleta ripoti. Kwa hio Mheshimiwa Spika tukiangazia masuala muhimu ambayo Kamati iliangazia ni masuala tata na Mheshimiwa Spika kulingana na ripoti na Nyumba hii ni kama kuweka kiapo kuwa sisi hatutakuwa lakini ikiwa haya aliyoulizwa yatatekelezwa Mheshimiwa Spika na ni kama kula kiapo ya kwamba mambo yataenda vilivyo, mambo yataenda vizuri sana. Mheshimiwa Spika tukiangalia vile alivyokuja ndugu yetu mpaka kufika pale alipo si kuwa ni mtu alipotolewa tu kwa nyumba akaja akawekwa katika kiti, imeonyesha ameenda katika nyadhifa tofauti tofauti, ameenda Kaunti tofauti, ameenda hata katika kusoma kwake ameenda kuonyesha si kuwa ni mtu alikuwa hapa hapa Mombasa na imefurahisha kuwa maana Kiongozi wa Walio Wengi ameeleza ati yeye akiwa ndiyo Meya wa jiji hili la Mombasa alionyesha kuwa alikuwa mdogo wake...alikuwa ni...na nina imani pia si ati kwa sababu ni msaidizi wa ndugu yetu Hamisi Musa Mwidani katika nyadhifa hii aliyopewa, ni kuwa ameridhisha Kamati ambayo ni watu zaidi ya watano ambao sisi kama Bunge tumewaamini na tukawapa wakati ule ama tumewapa nyadhifa zile wawe wataendeleza kikao.

Kando ya kufanya shughuli zile Mheshimiwa Spika mimi naomba Waheshimiwa wenzangu tushirikiane pamoja na Mheshimiwa atakapokuwa amechukua hatamu ya uongozi kama ilivyo ndani ya ripoti achukue nguvu kama vile vile serikali kuu awe atakuwa kama vile vile alivyo Karani wa Bunge Kuu na Mheshimiwa Spika nina imani maana Bunge kuu Karani mkuu wao ikifika wakati wa kwenda safari ya serikali kuu huwafanyia mambo yao ni rahisi sisemi kwa kuwa nampendelea lakini nasema hivi kuwa natoa mfano wa Bunge kuu kwa maana wanapata kwa kimombo *privileges* samahani kwa kutumia lugha hii. Mheshimiwa Spika sisemi tu ni safari, nasema akichukua mamlaka kama ilivyo Karani wa Bunge kuu Mheshimiwa Spika ataweza kuendesha Nyumba hii kisawasawa. Nataka tuelewe tumekuwa na changamoto katika Bunge letu Bwana Spika tumekuwa na changamoto nyingi lakini nina imani akichukua wadhifa huu ataweza kurahisisha mambo ataweza kutuletea mambo mengi na tutaweza kufanya kazi zetu Mheshimiwa Spika

(Applause)

....Na Mheshimiwa Spika kusema kweli chanda chema huvishwa pete, ahsante Mheshimiwa Spika na natumai pia Wabunge wenzangu kuwa sote tutaridhika kuwa sasa hivi maana siamini kuna mtu anapinga kazi nzuri aliyoifanya Mheshimiwa ndugu yetu Salim Juma, ina maana ndio maana tunaona mambo ya *gratuity* imeanza kwenda tangu aingie katika miezi mitatu Mheshimiwa Spika. Ahsante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Lucy Chizi Chireri.

Hon. (Ms.) Chireri: Ahsante Mheshimiwa Spika kwa kunitambua, hii nguo yangu nyeupe Mheshimiwa Fadhihi ameyamaliza yote lakini nitaongezea...

(Laughter)

...kwanza ningeunga mkono mia fil mia moja kwa moja kuchaguliwa kwa Karani wa Bunge letu Salim Juma. Pia Mheshimiwa Spika ningependa kushukuru Kamati ambayo ilikaa na huyu Bwana na ikaweza kumdadisi. Mheshimiwa Spika, Salim Juma tumekaa naye kwa muda huo Mungu ametujalia kuwa naye kwa kusema ukweli mimi mwenyewe nina ...*(Inaudible)* na mcheza mbao, tabia ya huyu Bwana ni msomi, anapenda kusikiza ambayo ni mambo ya kuleta maendeleo katika hii Kaunti, yetu si mtu wa kubwaga Kaunti, ni mtu ambaye anaangalia mbele kuna nini.

Kwa hio Mheshimiwa Spika moja kwa moja Bwana huyu tuitishe kazi aifanye lakini tutampa morali sana aweze kufanya kazi kwa bidii kazi yake tumpee nguvu aweze kufanya kazi yake tutaenda mbele. Ahsante.

(Applause)

The Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa Fatma Mote.

Hon. (Ms.) Fatma Swaleh: Ahsante sana Mheshimiwa Spika kwa kunipa fursa hii. Mheshimiwa Spika kwanza kabla ningependa kumshukuru Kiongozi wa Walio Wengi Bungeni wetu ambaye si mwingine ni Hamisi Musa Mwidani, kweli sasa naamini kumbe utu uzima ni dawa kwa kweli Mheshimiwa Hamisi Mwidani ni mtu mzima hii nafasi ilikuwa inamfaa Mheshimiwa. Mheshimiwa Spika tumuangalie Salim Juma ni mtu wa aina gani? Salim Juma ni mtu ambaye anatoka Mombasa Kaunti na vile vile ni mkaazi wa Buxton anatoka katika Wodi ya Tononoka kama sijakosea na vile vile ni mpigaji kura wa Kaunti ya Mombasa. Kwa hio hii nafasi inamfaa mia fil mia; kwanza alipiga kura kwetu na vile vile kazi pia amepata kwetu na vile vile mimi sijaona Karani wa Bunge katika Mji wetu huu na yeye ni Karani wa Bunge wa kwanza aliweza kukaa na wafanyi kazi wa chini ambao ni wanyonge nikiwemo mimi mmoja wao na matatizo yao yakaweza kutatuliwa, aliweza kukaa na wafanyi kazi wanyonge. Mheshimiwa Spika ambao hawajanifahamu wanifahamu kwa makini aliweza kukaa na watu wa chini wafanyi kazi wanyonge na mimi nikiwa mmoja wao kusikilizwa katika huo mkutano...

(Applause)

Na mambo yao yaliweza kutatuliwa. Hivyo basi Mheshimiwa Spika mimi nimesimama hapa kuunga mkono mia fil mia na Mwenyezi Mungu ampe nguvu na moyo kwa kuzidi kuangalia wafanyi kazi walio wanyonge na kuweza kuendeleza Mombasa Kaunti. Ahsante sana Mheshimiwa Spika.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. from Tononoka.

Hon. Faraj: Naam ahsante sana Mheshimiwa Spika kwa kunipa fursa hii. Mheshimiwa Spika nafikiri ikikumbukwa tarehe 8 mwezi wa Aprili mwaka huu nilileta mswada wa kuweza kushinikiza Mheshimiwa Spika wa kuweza kumpatia nafasi ndugu yetu Salim Juma kuchukua wadhifa kamili wa uongozi wa kuwa Karani mkuu wa Bunge la Kaunti ya Mombasa. Mheshimiwa Spika ni muda mrefu sana na amefanya katika wadhifa ule bila shaka anafaa kupewa kwa sababu ya majukumu aliyofanya na ripoti inaonyesha wazi juhudi zake ziko ilionyesha kuwa Mheshimiwa Spika hii kazi ambayo kwamba leo tutaweza kumaliza kwa kuhakikisha anapata wadhifa ule ni kazi ambayo amebobea na ni kazi ambayo anaifahamu vyema. Mheshimiwa Spika hizi fursa ambazo tuko nazo hapa ni lazima tuwe tutaweka watu ambao wataweza kutekeleza majukumu yao kulingana na sheria na nidhamu. Mheshimiwa Spika bila ya kuona haki zao za kisheria ambayo kwamba ni malipo yao ya kisheria kuweza kulipwa wakati unaotakikana leo hii katika majukumu ambayo kwamba tangu ndugu yetu Salim ameweza kuchukua wadhifa huu tumeona mabadiliko makubwa kutokana na tofauti ya uongozi ya utekelezaji na utendaji kazi. Mheshimiwa Spika hivi ni kuonyesha wazi kuwa kazi tunazopeana kwenye Jumba hili ni lazima tuwe na mbinu ambayo kwamba tutaweza kuchagua watu ambao kwamba kweli wataweza kutufanyia kazi na hawakuja hapa kujifanyia kazi wao binafsi.

Mheshimiwa Spika mimi langu zaidi ni kuunga mkono kwa sababu kama ni masuala ya elimu ameweza kutimiza majukumu yale kisheria amesoma kiwango kinachohitajika kuweza

katika nafasi kama ile na bidii na jukumu ambayo ametekeleza ni kubwa. Hivyo basi mimi nimesimama rasmi ikiwa ni mmoja kati ya wengi ambao wako hapa ya kuweza kuunga mswada huu ili kuweza kumpatia fursa ya kusimama kisawa sawa na kutenda kazi akiwa anajua pale mahali alipo ni pake. Ahsante sana Mheshimiwa Spika. Shukran.

Deputy Speaker (Hon. Mswabah Rashid): Mheshimiwa wa Changamwe.

Hon. Odari: Thank you Mr. Speaker for according me the opportunity to air my views in regard to this Motion; first and foremost Hon. Speaker I wish to support this Motion 100 per cent. Mr. Speaker I would like to congratulate this team which vetted Mr. Hamisi Mwaguya and am satisfied that the job was done very well. Mr. Speaker in my opinion Mr. Salim Juma is quite qualified for this position; he has all what it takes to occupy this position to the observation of the committee, we can see that Mr. Salim Juma has a Master on Business Administration, also he has a Bachelor of Arts (Sociology), he went through Advanced Education in High School and he went through other courses from other Institutions in civil service in administrative duties. Hon. Speaker Salim Juma is qualified and he has been in acting capacity for quite long; we had a tendency of putting people in acting capacity for long and it is high time that he be confirmed as soon as possible, Mr. Juma has been with us for a long time and we have seen how he works everyone of us can testify to his capacity of work in terms of conducting his duties as the Deputy Clerk of the Assembly and now as the Acting Clerk of the Assembly. Therefore Hon. Speaker I wish to call upon this Hon. House not to waste time but to confirm Mr. Salim Juma to be the new County Clerk of the Assembly. Thank you Mr. Speaker.

(Applause)

Deputy Speaker (Hon. Mswabah Rashid): The House will first hear from Mji wa Kale then from the Youth Representative and then we will hear from Bamburi and last from....

Hon. Amur: Thank you Mr. Speaker I start by saying Salim has what it takes because it is not an easy job to serve the public servants with a clean record; it is very hard in such a place. It is assuring us how disciplined he is because 90 per cent of people who worked with the local government did not come out clean but he has been in the public services all these years as Chief Public Relations officer and no single query has been brought and this shows he is....

(Interruption)

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

Hon. Mwabashiri: Ahsante Mheshimiwa Spika katika wanachama waliomdadisi Salim Juma mmoja wao ni Mheshimiwa Amur Murfad sasa ningeomba uwawachie wale wengine watoe mchango yeye alikuweco wakimdadisi kwa hio awache wengine watoe mchango kwa sababu yeye alimdadisi na bado yeye anazungumza, sasa sisi wengine tutaongea nini?

(Applause)

Hon. Amur: Mr. Speaker with due respect i respect my brother...

(Interruption)

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

Hon. Mohamed Hatimy: Thank you Mr. Speaker. Mr. Speaker Standing Order Number 90 is very clear. I think Standing Order 90 is very clear everybody has the right to give his views and he was the Member of the Committee but that does not mean we should be denied to give opinions in this House Mr. Speaker, thank you.

Deputy Speaker (Hon. Mswabah Rashid): Okay.

(Applause)

Before the leader replies, so before the Leader of Majority replies to the Motion, we will give you a chance to support the leader before he replies so neutral, yes Hon. Hatimy.

Hon. Mohamed Hatimy: I'm a Member too Mr. Speaker I have the right to be given a chance.

Deputy Speaker (Hon. Mswabah Rashid): Okay you will be given a chance, first let the speaker and before the leader replies you will be given a chance to speak as well, yes Hon. Meti.

Chief Whip (Hon. Ahmed Ebrahim Omar): Ahsante Mheshimiwa Spika kunipa fursa kuchangia katika mswada mzuri ambao utaleta mafanikio katika Bunge letu la Mombasa. Mheshimiwa Spika mimi nakumbuka msemu mmoja unaosema kwamba, *chema chajiuza kibaya chajitembeza*; siwezi kuongea sana kwa sababu ripoti ilioletwa Bungeni yaongea yenyewe, lakini tukiangalia ndugu yetu Salim Juma zile njia alizopitia, elimu aliyopitia na yale majukumu aliyokuwa nayo mpaka leo kufikia hii kwamba sisi Bunge la Kaunti ya Mombasa kutaka kumfanya Karani mkuu wa Bunge letu inatosha. Mheshimiwa Spika tukiangalia Bwana Salim elimu yake inatosha, ujuzi wake unatosha, na pia vile vile tokea 1996 mpaka leo hii 2016 Bwana Salim amekuwa katika ofisi za serikali, inaonyesha kwamba ni mtu aliye bobeza aliye na ujuzi mwingi, na ambaye anaweza kupeleka Bunge letu pale mahala panapostahili. Kwa ule mda mfupi ambao tumekuwa naye katika Bunge letu la Mombasa akiwa kama Karani mkuu wa Bunge wa kushikilia nyadhfa hio tumeona juhudi zake; Bunge letu la Kaunti limekuwa kama ni kidonda sugu lakini tokea aingie yeye Mheshimiwa Spika tumeanza ona mafanikio. Mheshimiwa Spika mambo mengine katika Bunge pia ambayo ni maswala yetu ya kindani pia vile vile yamekuwa yakitokea kwa kipindi kifupi Bwana Salim ambapo amekuwa kama Karani aliyeshikilia nyadhfa ile. Nataka kuwasihi Waheshimiwa wenzangu kwamba tukumbuke kwamba anae lala na mgonjwa ndio anayejua uchungu ule Mheshimiwa Spika. Nawaambia Waheshimiwa wenzangu ya kwamba yule ndugu yetu Salim ambaye tuko naye hapa kama mwenye kushikilia nyadhfa ya Karani mkuu wa Bunge ni mtu ambaye tumekaa naye, ni mtu ambaye anajua shida zetu na ni mtu ambaye anajua ni vipi tukishikana pamoja tutaweza kupata na kusongeza Bunge letu la Mombasa mbele.

Kwa hio Mheshimiwa Spika mimi sioni pingamizi yoyote wala sioni nipoteze mda mwengine kuendelea kujadili hili jambo wakati tuko na jibu Mheshimiwa Spika, na chanda chema tunavyojua kinavikwa pete. Naomba ndugu zangu sisi tulio ongea wa kwanza tumeongelea kwa niaba ya Bunge letu lote Mheshimiwa Spika tumalize mswada huu ili ndugu yetu Salim Juma awe kama Karani mkuu wa Bunge la Kaunti ya Mombasa.

Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Riziki Fundi Kitsao.

Hon. Fundi: Ahsante sana Bwana Spika kwa kunipatia nafasi hii. Mheshimiwa Spika mimi nasema kazi hii ilikuwa tuifanye kitambo sana...

(Applause)

Chelewa ufike, kwa hivyo leo nafikiria ni jukumu letu sisi kama Wabunge wa Bunge la Kaunti kufanya vile ambalo ni *valid*, tumpitisha Bwana Salim aweze kutufanyia kazi. Mbali na hiyo Mheshimiwa Spika wafanyi kazi wetu ambao tuko nao ambao wanafanya kazi chini ya mstaafu Bwana Tubman na chini ya Salim wako pia ambao wanaweza kujaza hichi kiti cha Naibu wa Karani wa Bunge.

(Applause)

Naona kwa maoni yangu kwamba tusichelewe kujaza kwa maana naona Bwana Abdallah Khamis anafaa kabisa kuchukua kiti hicho...

(Applause)

Kwa sababu anaelewa kazi katika Bunge hii, kwa hivyo mimi ningependa Mheshimiwa Spika nikimaliza kazi hii leo kesho iletwe ripoti ingine, ya kumpitisha Bwana Abdallah Khamis.

(Applause)

Kama Naibu wa Karani wa Bunge wa Bunge hili Mheshimiwa Spika.

(Applause)

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

Hon. Opeya: Thank you Mr. Speaker for I want to comment first of the Committee of Khamis Mwidani for conducting this, and as Hon. Riziki Fundi what he has said it has been long overdue, so in future we don't have to keep someone waiting for eight months, thank you very much.

(Applause)

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

Hon. (Ms.) Auma: Ahsante sana Mheshimiwa Spika kunipa fursa, Mheshimiwa Spika nasema ahsante kwa ile kamati ambayo iliweza kudadisi Karani wa Bunge Salim Juma. Mheshimiwa Spika Salim Juma ni haki yake kupewa nafasi hii, nikiandika hizo bila kuangalia nyuma Mheshimiwa nataka kuwaonyesha picha ya Salim Juma vile ilivyo, kumekuwa na vugu vugu lakini Salim Juma ameweza kupitia haya yote, hakuonyesha yuko upande huu ama yuko upande huu, amekuwa yuko kati kati, ndio maana nimesema ni haki yake Mheshimiwa Spika...,

(Interruption)

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

Hon. Faraj: Mheshimiwa Spika ninavyo fahamu mimi Jumba la Bunge la Kaunti ya Mombasa ni Jumba moja, Wanachama wanaochaguliwa hapa wote ni wa chama cha ODM, na nashangaa kusikia kulikuwa na wengine wako upande wa huku na wengine wako upande

wa huku na labda nikufahamishe pengine ninavyofahamu hadi sasa Mwabashiri ni ndugu yangu, Nasser ni ndugu huku na kule lakini ninavyofahamu hakuna huku na kule.

Hon. (Ms.) Auma: Mheshimiwa Spika nataka kufahamisha Jumba hili kuwa kulikuwa na tofauti ya maneno tulikuwa tukitofautiana mara mbili tatu, kwa kweli sisi ni chama moja na kulikuwa na matofautiano kati ya sisi na wengine lakini Salim Juma hakuonyesha yuko upande gani. Kila tukienda hivi yuko na sisi, tukienda hivi yuko na sisi mpaka imefika wakati tumeelewana maana hizo Kamati zote Mheshimiwa Spika hata mimi sasa nafurahia Salim Juma Mheshimiwa Spika awe

(Laughter)

Awe kwa kiti hiki Mheshimiwa Spika, baada ya kupitisha Salim Juma ataweza kuchukua nafasi yake Mheshimiwa Spika, atupeleke kama vile Marina *swimming* tukafurahie pamoja...

(Laughter)

Tukunywe kitu chengine Mheshimiwa Spika, ili tuone furaha ambayo tulikuwa tunahitaji, kwa mda tuliotaka...

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

Hon. Nassir Rashid: Mheshimiwa Spika ahsante kwa kunipa nafasi hii, mimi nimesimama hapa kuuliza Hatimy anamuunga mkono ama hamuungi mkono...

(Laughter)

Akisema anamuunga mkono mimi vile vile nitamuunga mkono mara mia...

(Laughter)

Naunga mkono Salim Juma na vile vile naunga mkono Abdallah ako na ujuzi pia aletwe bila kudadisiwa...

Deputy Speaker (Hon. Mswabah Rashid): Hon Kalume.

Hon. Kalume: Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika naunga mkono Bwana Salim Juma kuthibitishwa kama Karani mkuu wa Bunge la Kaunti ya Mombasa kwa sababu hadi sasa sijaona pingamizi lolote. Kwa hio inathibitisha kwamba Bunge la Kaunti ya Mombasa limemkubali Bwana Salim Juma kuwa Karani mkuu wa Bunge hilo.

(Applause)

Bwana Salim Juma ni mtu ambae amesoma na katika ule mda mchache ambao tumekaa nae akishikilia nyadhfa nafikiri sote tumeona jinsi ni mtenda kazi. Hivyo basi Mheshimiwa Spika tunaomba kwa pamoja na sioni haja ya mtu mwingine kuzungumza...

(Laughter)

Sisi tumpitishe Bwana Salim Juma awe Karani mkuu wa Bunge la Kaunti ya Mombasa.

Ahsante.

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Zainab Kithinzi.

Hon. (Ms.) Zainab Kithinzi: Ahsante sana Bwana Spika, nimesimama kuunga mkono kuwa Salim Juma awe Karani mkuu wetu; anafaa kuwa Karani wa Bunge la Kaunti ya Mombasa. Bwana Spika tukiangalia vile tulivyosomewa na anastahili hata hakuna mjadala hapo, kwanza Salim Juma ni mcha Mungu ukimuangalia ni mtu mwenye busara, ana heshima, ana hekima hana dharau kwa mtu yeyote...

(Applause)

Awe mkubwa au mdogo kwake ni sawa, ninachopenda kwake ni kiongozi mzuri ama Karani wa Bunge mzuri ambaye unampelekea shida zako anakusikiza kukuelewa na kukutatulia...

(Applause)

Kwa hivyo naunga mkono naomba ipitishwe kwa haraka kwa sababu naona yachelewa Bwana Spika. Ahsante.

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Amur do you have anything?

Hon. Amur: Mheshimiwa kama nilivyokuwa nasema Salim Juma anafaa, ukiangalia *background* yake ya kisomo sio rahisi kwamba mtu anaweza kufanya katika mashirika tofauti ya kiserikali na awe msafi kama pamba; hiyo inaonyesha kwamba amesimama na sheria ya kifungu cha Sita cha Katiba yaani *Chapter Six of the Constitution* inayozungumzia mambo ya 'Integrity'.

(Applause)

Kwa kuwa na wadhifa ile na heshima ile inatosheleza kwamba Kaunti hii leo imepata almasi kwa sababu ikiwa waweza kutoa huduma katika Kaunti tofauti tofauti na mpaka leo awe hajapatikana na hitilafu yoyote hii inamaanisha ni mtu amekomaa, ni mtu anaamini Mungu na mtenda kazi. Kwa hio leo hapa kuthibitisha kwetu hapa ni kwamba huyu mtu ni msafi kama pamba sio rahisi mumeona katika vyombo vya habari mtu anapopewa wadhifa ya miezi sita tu mamilioni ya pesa yanapotea lakini ukimuangalia Salim Juma hata ukimuuliza kwamba amepatikana na swala lolote kuhusu mambo ya *anti corruption* sio rahisi kupata mtu anaefanya katika mashirika ya kiserikali kuwa msafi kama huyu. Kwa hayo machache nasema ni jukumu letu leo kuvalisha chanda hiyo pete. Ahsante sana.

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Hatimy.

Hon. Mohamed Hatimy: Ahsante Bwana Spika katiba yetu katika Article 27 inasema kuwa... *Every person is equal before the law and has a right to equal...* Mheshimiwa Spika kusema hivi kwamba Salim Juma ameweza kwenda kumdadisi alivyokuwa anachukuliwa kama Naibu wa Karani wa Bunge hili. Mheshimiwa Spika kifungu cha 70 na 71 ya sheria ya Serikali ya Kaunti yaani *County Government Act* iko wazi; sisi tumekuja kusema kuwa imefanywa hizi hatua ambazo zimefuatiliwa kuweza kumchunguza tena Salim Juma na pia kutangaza hii nafasi ili kutangaza kama kwenye ripoti ilivyosema lakini ni jambo la kusikitisha kuwa sheria haitumiki vile inavyotakikana kwa sababu kifungu cha 70 ya Sheria ya Serikali ya Kaunti iko wazi inasema hakuna *Promotion* na *acting position*. Huyu Bwana amepitia zote mbili amepitia kwa *Promotion* amepata kutoka kwa Naibu wa Karani wa Bunge kwenda kwa Karani wa kushikilia wadhifa huo; sheria inasema katika ndani ya siku sitini ikiwa yule mtu ambaye umemuweka hukuweza kumwambia jambo lolote kumwambia

sasa kuwa miezi sita imefika ondoka ama hukumwambia kitu sasa *automatic* yule mtu ataka awe amehitimu kuwa katika ile nafasi. Jambo hili haikufanyika na pia Mheshimiwa Spika kwa *acting position* pia haikufanyika, kwa hivyo naomba Nyumba hii kila mtu kuna wengi ambayo wanashikilia nyadhfa iwe hii sheria itatumika. Hivyo basi Bwana Spika nasimama katika Bunge hii kuunga mkono Salim Juma leo kirasmi awe ataweza kuwa kama Karani wa Bunge la Kaunti ya Mombasa na si kushikilia tena Mheshimiwa Spika...

(Applause)

The Deputy Speaker (Hon. Mswabah Rashid): Yes Hon. Majority Leader do you wish to reply on the Motion?

Leader of Majority (Hon. Mwidani): Ahsante sana Bwana Spika. Kwanza ninawashukuru Wabunge wetu kwa kutuunga mkono huu msuada na zaidi nawahakikishia Wabunge nikinukuu Mheshimiwa Riziki nikinukuu Mheshimiwa Siminyu lakini hivi sitaki pia kusema inajionyesha yenyewe na sio haya nataka nihakikishie Wabunge kwamba atatuangalia na hatatufinyia jambo lolote na kama alivyosema Mheshimiwa Hatimy hakuna haja ya kumuweka mtu ashikilie nyadhfa tu kwa kitu cha chuki. Bwana Spika ningeomba hii Bunge ituunge mkono nitahakikisha kwamba twapeleka vitu bila kupendeleana, bila kuteteana, bila kuleta fitna nyingi, ni kuhakikisha kwamba kila mtu mwenye haki yake imefanyika na imetekelezwa. Kwa hivyo nawashukuru Bunge kwa kuniunga mkono kwa hoja hii, ahsante Bwana Spika...

(Applause)

(Question proposed)

The Deputy Speaker (Hon. Mswabah Rashid): Thank you Leader of Majority; without wasting any time Members of this Assembly i would wish to put to question to the Motion. Members as many as are of the opinion that this House adopt the Report on vetting of Mr. Salim Juma for the position of County Assembly Clerk...

(Question out and agreed to)

(Applause)

ADJOURNMENT

Members there being no other business this House stands adjourned until tomorrow.

The House rose at 3:44p.m.