



## COUNTY ASSEMBLY OF MOMBASA

### OFFICIAL REPORT

Wednesday, 18<sup>th</sup> September, 2019

The House met at 10:50a.m.

*(The Speaker (Hon. Aharub Ebrahim Khatri) in the Chair)*

### PRAYERS

**The Speaker** (Hon. Khatri): Hon. Members you may be seated. Yes, Clerk?

### STATEMENT

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON ENVIRONMENT, ENERGY AND WASTE  
MANAGEMENT HON. SHEBE ATHMAN

Yes Hon. Shebe Athmani, Chairperson Committee on Environment, Energy and Waste Management? Please respond to the Statement. Yes Hon. Ali Shomari, are you a Member of that Committee?

**Hon. Ali Shomari:** Ndio Mheshimiwa, ningependa kuomba kuwa...

*(Interruption)*

**The Speaker** (Hon. Khatri): Where is your Chairman?

**Hon. Ali Shomari:** Mwenyekiti kidogo ana dharura hakuweza kufika, sasa ningeomba Bunge hili litupatie wiki moja ili tuweze kupata majibu Mheshimiwa Spika.

*(Applause)*

**The Speaker** (Hon. Khatri): Thank you Hon. Ali Shomari. Next week please make sure you bring the response, thank you. Yes, Clerk next order?

---

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE ON ENVIRONMENT, ENERGY AND WASTE  
MANAGEMENT HON. SHEBE ATHMAN ON STATUS OF GARBAGE COLLECTION AT SARATOGA AREA IN  
AIRPORT WARD

**The Speaker** (Hon. Khatri): Yes, again Hon. Shebe Athman. I think he is not around. Yes, Hon. Mwamwiri?

**Hon. Athman Mwamwiri:** Ahsante Mheshimiwa Spika. Mheshimiwa Spika kumbukumbu zangu zisiponipeleka vibaya kabla ya kwenda likizo ya Bunge hili, Hoja hii ilikuwa na Mheshimiwa aliyelea Hoja hii alisimama na akasadiki mbele ya Bunge hili ya kwamba shughuli inaendelea ya uzoaji taka katika sehemu hii, kwa hivyo kuregelewa kwake swala hili Mheshimiwa Spika hatuna jawabu kwa sasa kwa sababu tunajua kazi iliendelea na mhusika alisadiki katika Jumba hili. Ahsante Mheshimiwa.

**The Speaker** (Hon. Khatri): So you are responding on Statement of the status of garbage collection at Saratoga area in Airport Ward? Okay thank you Hon. Mwamwiri.

*(Interruption)*

Are you on a point of order?

**Hon. Omondi:** Am on a point of information Mr. Speaker, am the one who brought the Statement.

**The Speaker** (Hon. Khatri): Yes.

**Hon. Omondi:** I wanted to react to what the Member of Committee on Environment, Energy and Waste Management has just said. Mr. Speaker Sir, you remember this issue has been coming time and again and its true, I do admit the reason why this issue has been coming time and again is because as I said we have been having a hide and seek situation whereby you find as I bring this Statement a truck will come and that truck will carry two trips and then disappear. When I bring it again, they bring a truck carrying two trips and then it disappears again and that is why you see my colleague was saying that this issue has been curving. Mr. Speaker now I want to request for a permanent solution for this because the situation is very pathetic, the garbage is piling up Mr. Speaker Sir and it is a very serious matter. Thank you.

**The Speaker** (Hon. Khatri): Thank you Hon. Member. Are you a Member of that Committee? Hon. Ibrahim are you a Member of that Committee?

**Hon. Omondi:** Am not a Member Mr. Speaker but am the one who brought the Statement.

**The Speaker** (Hon. Khatri): You are not a Member.

**Hon. Omondi:** Am not a Member Mr. Speaker.

**The Speaker** (Hon. Khatri): Yes Hon. Mwamwiri?

**Hon. Athman Mwamwiri:** Ahsante Mheshimiwa Spika. Mheshimiwa Spika Mheshimiwa alisadiki kwamba kazi ilifanywa na kama kuna ulimbikizi wa taka ni kumaanisha watu wake waliregelea tena kutupa taka mahali pasipo stahiki. Kwa hivyo Mheshimiwa Spika jukumu hili la kutafuta suluhisho la kudumu linaanza na yeye mwenyewe, kwanza ahamasishe watu wake ya kwamba hawafai kumwaga taka pale kwa sababu sio mahali sahihi.

Mheshimiwa Spika hatutakuwa tukipoteza rasilmali ya serikali Gatuzi kwenda kuondoa taka mahali papo kwa hapo ambapo hapastahiki, na Mheshimiwa tunaye anafahamu na anakosa kuelekeza watu wake kuchukua hatua mwafaka ili rasilmali hii iweze kusaidia majukumu mengine ya kujenga serikali yetu. Mheshimiwa Spika namshauri Mheshimiwa akahamasishe watu wake tukichukua hatua iwe yeye ametangulia kuchukua hatua ya kuhakikisha jaa lile limekufilia mbali pale mahali ahsante Mheshimiwa Spika.

*(Applause)*

**The Speaker** (Hon. Khatri): Thank you Hon. Mwamwiri. Yes Hon. Ibrahim I think you have taken a note on that.

**Hon. Omondi:** Yes Mr. Speaker but am not very much interested in side shows.

**The Speaker** (Hon. Khatri): Yes?

**Hon. Omondi:** As I speak Mr. Speaker am on point and I am speaking as a Member of Airport Ward, a Member MCA of Airport Ward am emphasising on that... Mr. Speaker Sir it is me who feels the pinch and I fail to understand, a Member from Likoni talks a lot and even if he talks a lot he even does not know where the site is, he is even saying that that place is not, actually that is a collection where the whole Changamwe Sub-County normally dump their waste not only Airport Ward, Changamwe Sub - County dumps their waste and as we are speaking it is now the responsibility of the County government to ensure that that particular garbage is actually removed from the place and taken to where it is supposed to be.

**The Speaker** (Hon. Khatri): Yes Hon. Shomari are you on a point of information?

**Hon. Ali Shomari:** Yes, am on a point of information Mr. Speaker. *Ahsante Mheshimiwa Spika ningependa kumjulisha Mheshimiwa mwenzangu labda pengine amesahau, Bunge lililopita aliwahi kukiri yeye mwenyewe kwamba lile jaa limeondolewa, kazi imefanyika hivi saa hii mimi mwenyewe kama Mwanachama wa Kamati ya Mazingira nashangaa kumuona tena Mheshimiwa bado analeta Taarifa hio hio. Ahsante Mheshimiwa Spika.*

**The Speaker** (Hon. Khatri): Yes Hon. Hamida.

**Hon. Noor:** Thank you Mr. Speaker but Mr. Speaker I feel that we should take this thing seriously; environment is the main key here in Mombasa but the garbage has become something of a norm for us here.

When the Hon. Members start standing up and saying they do not care how garbage is being collected I find it very hard but it is a key issue for the Environment Department to know that this thing has become something that...

*(Interruption)*

**The Speaker** (Hon. Khatri): Yes Hon. Mwamwiri point of information.

**Hon. Athmani Mwamwiri:** Mheshimiwa Spika naomba kumtaarifu Mheshimiwa ya kwamba kwanza afahamu sijatoa kauli ya kwamba *I don't care*. Pili mahali pa kutupa taka ama majalala ni sehemu ambayo lazima iwe *gazetted* katika serikali Gatuza ya Mombasa; tuna sehemu mbili peke yake zilizokuwa *gazetted* kuhusu maswala ya taka, Mwakirunge na Shonda Likoni, sehemu yeyote ni hatia kutupa taka pale na iwapo tutataka tuendeshane kisheria inavyostahiki, wananchi wake Mheshimiwa wa Airport wanafaa kukamatwa na kutozwa faini ya shilingi 50,000 kwa kutupa taka mahali pasipostahiki. Mheshimiwa hiyo ni kuleta uchumi kwa serikali kwa sababu tunapoteza rasilimali nyingi kwenda kuzoa taka mahali pasipostahiki, apeane nasaha kwa watu wake Mheshimiwa, apeane nasaha kwa watu wake vyenginevyo tutaweka maafisa tukizowa taka tunakamata watu wake. Ahsante.

**The Speaker** (Hon. Khatri): Yes thank you. Hon. Nzai?

**Hon. Nzai:** Thank you very much Mr. Speaker to have given me this chance to also air my views. Am a Member of Environment Committee and I want to comment or rather to talk as regards of what my fellow Honourable of Airport has requested. The reason as to why Mombasa County through our Governor it was honoured at position five in the implementation of all whatever is in all Departments it is because the job is seen done in the world. Mr. Speaker if there is a Department which has really shown its work is environmental Department...

*(Applause)*

Mombasa County is shining Mr. Speaker and it is shining because of the combination of team work between the Environment Committee, Hon. Members and the executives. This particular garbage center which is at this Saratoga is not *gazetted* area for those garbage, I think is up to my fellow Hon. Member to indeed advise his electorates that Saratoga is no longer a dumping site area. I think it is high time for him to come up with self help groups or rather women groups to help him in collecting those garbage so that cleanliness can be seen in that area. Thank you very much Mr. Speaker.

**The Speaker** (Hon. Khatri): Thank you Hon. Nzai. Yes Hon. Murfad.

**Hon. Murfad Amur:** Mheshimiwa Spika ni masikitiko kuona kwamba watu wanasema Wizara fulani iwajibike, wakati kuna Wizara kadhaa zimezembea kupita kiasi; ni jana tu saa nane hapa Wizara moja ilizembea kupita kiasi kukawa na fujo, leo twasema Wizara ya Mazingira, ni Wizara kadhaa katika Manispaa...

*(Interruption)*

**The Speaker** (Hon. Khatri): Yes Hon. Prischilla.

**Hon. Mumba:** Ahsante Mheshimiwa Spika. Nataka kujulisha Nyumba kuwa tuko kwenye mjadala wa leo, hatuko kwenye mjadala uliopita kwa hivyo tulinde Mheshimiwa Spika na utulinde kikamilifu maana yake leo ni mjadala wa leo, mambo ya jana ni ya jana na mjadala wa leo na ni lazima Bunge hili liheshimiwe na kwenda na kanuni kulingana na Kanuni za Bunge ilioko hapa. Ahsante Mheshimiwa Spika.

**The Speaker** (Hon. Khatri): Yes Hon. Renson, yes are you on a point of information Hon. Renson?

**Hon. Thoya:** Naam, Mheshimiwa Spika mimi nataka kuwa katikati sababu naona Mheshimiwa *Bomoa* ni mtu wa kung'ara ndani ya Bunge lakini...

*(Interruption)*

**The Speaker** (Hon. Khatri): So you are not on a point of information? Because the Hon. Member was still on the floor Amur, are you on a point of information to Amur, *wacha amalize* Honourable. Yes Hon. Amur?

**Hon. Murfad Amur:** Mheshimiwa Spika sikusema hoja ya jana, nimesema Wizara zilioko katika Kaunti ya Mombasa zimezembea tusitaje moja, Wizara kadhaa zimezembea na wakati tukisema Wizara zimezembea, tusiseme ati Wizara ya uchafu na takataka na ukusanyaji zimezembea wakati Wizara nyengine zimezembea zatoka uvundo. Ahsante Mheshimiwa.

**The Speaker** (Hon. Khatri): Yes Hon. Renson?

**Hon. Thoya:** Ahsante Mheshimiwa Spika. Mimi nasema ni vyema kwamba Mheshimiwa Ibrahim Omondi alikiri kwamba kazi inaendelea na ni vizuri kwa Kamati hiyo tuwape kongole mahali inastahili, hata hivyo ameonyesha tena katika Nyumba hii kwamba lile tatizo limerudi pale na pia iko majukumu ambayo ukiangalia kuna watu ambao wanatajikana kufanya hamasa ama hata zile taka zinapoondolea inakuwa ni vyema idara husika inaweza nunua hata kama ni waya wa seng'eng'e pale mahali wakapafunga kabisa.

Kwa hivyo mimi ninaomba nikiwa katikati ya Mheshimiwa Ibrahim na Kamati ya Mazingira ambao wanafanya kazi nzuri, waende pale takataka zizolewe, hiyo hamasa wote wachanganyike na Mheshimiwa wa pale na wawaambie kabisa safari hii twaja washika tuwapeleke ndani ili wale wananchi waweze kupata maanake tatizo liko pale pale. Ule ukweli Mheshimiwa Ibrahim Omondi hana magari, hana nini sasa shida iko pale pale ikiwa tutaenda huku na huku tutakuwa hatujasaidia lakini kungekuwa na majukumu ya pamoja Kamati hiyo na Ibrahim zile taka wakazizoa na wale wananchi wakaambiwa kabisa ikiwezekana wakiwa wanataka maaskari wa Kaunti wawekwe pale *permanent* kwa muda fulani ili ile elimu ya kwamba pale mahali haparuhusiwi liwaingie ndani ya akili, hilo ndio ombi langu.

**The Speaker** (Hon. Khatri): Thank you Hon. Renson. Yes Hon. Ibrahim.

**Hon. Omondi:** Mr. Speaker Sir first of all I want to echo the sentiments of the Hon. Member who has just spoken; indeed he has spoken as an elected Member of this House...

*(Applause)*

Mr. Speaker Sir let us sometimes look at things objectively but not subjectively; when we come to this House let us have independent decisions on every Member and that is why we are in this House. We are in this House to deliberate on the matters which comes and these matters are very serious and they touch on various issues which concerns the electorate of Mombasa County. Mr. Speaker Sir am sorry to say that you were not in this House yesterday and there is an issue which came up in this House; I remember yesterday I was warned by a Member from this House and the Member told me...

*(Interruption)*

**The Speaker** (Hon. Khatri): Yes Hon. Bwire, are you on a point of information? Yes?

**Hon. Bwire:** Thank you Mr. Speaker. Mr. Speaker Hon. Prischillah Mumba has just reminded this House not to discuss the past events, the issue that was discussed yesterday am hearing again the Hon. Member from Airport Ward is still referring to the matters that was discussed yesterday, can he refrain from discussing what was discussed yesterday? Thank you Mr. Speaker.

**The Speaker** (Hon. Khatri): Under which Standing Order?

**Hon. Bwire:** Under Point of Information, I was giving him information that a Member of this House has just reminded us not to discuss issues that were discussed yesterday...

*(Interruption)*

**The Speaker** (Hon. Khatri): But Hon. Bwire maybe I know you are in the Speakers' Panel maybe you can explain to me under which Standing Order is that a Member cannot discuss something...

*(Applause)*

Which was discussed yesterday?!

**Hon. Bwire:** Mr. Speaker if you are fair enough then the same question will have directed to the first Member...

*(Interruption)*

**The Speaker** (Hon. Khatri): But you see you are in my Panel...

*(Applause)*

So maybe explain to me so that I know it does not mean that you heard Hon. Prischillah saying that and you stand to say that so maybe you just tell me more about it.

**Hon. Bwire:** Mr. Speaker...

*(Interruption)*

**The Speaker** (Hon. Khatri): And I can see Hon. Mwamwiri is coaching...

*(Laughter)*

Yes Hon. Mohamed Mohamed?

**Hon. Mohamed Hatimy:** Mr. Speaker maybe I can help him, I think it is in the Standing Order 46...

*(Interruption)*

**The Speaker** (Hon. Khatri): Number?

**Hon. Mohamed Hatimy:** Number 46.

*(Applause and laughter)*

**The Speaker** (Hon. Khatri): Maybe just read for us you were about to say that, just read for us Standing Order 46...

*(Silence)*

**Hon. Bwire:** Standing Order 46 (1); *No Motion may be moved which is the same in substance as any question which has been resolved...*

*(Interruption)*

**The Speaker** (Hon. Khatri): Hon. Bwire maybe you can stop there, was there a Motion yesterday...

*(Interruption)*

**Hon. Bwire:** Mr. Speaker am still reading;

(1) *No Motion may be moved which is the same in substance as any question which has been resolved (Either in the affirmative or in the negative) during the preceding six months in the same session;*

(2) *Despite paragraph (i)-*



(a) A Motion to rescind the decision on such a question may be moved with the permission of the Speaker;

(b) A Motion to rescind the decision on a question on a Special Motion shall not be allowed;

Now I come back on Standing Order 46 (1); *No Motion may be moved which is the same in substance as any question which has been resolved (Either in )...* It was resolved Mr. Speaker and that is where I will to stick the issue, it was not a Motion yes but it was a Statement that you were not here yesterday that...

*(Interruption)*

**The Speaker** (Hon. Khatri): What is the title of that Standing Order? Maybe you start with the title.

**Hon. Bwire:** But we are not limited to Motions; if something was discussed even if it was not in a position of a Motion but it was discussed yesterday even if it was a Statement we are not limited to a Motion and that is why we need so many amendments of these Standing Orders. Thank you.

**The Speaker** (Hon. Khatri): Yes Hon. Kibwana?

**Hon. Kibwana Swaleh:** Thank you Hon. Speaker I think...

*(Loud Consultations)*

Can you just protect me.

**The Speaker** (Hon. Khatri): Hon. Members please! Yes Hon. Kibwana?

**Hon. Kibwana Swaleh:** Hon. Speaker I think apart from what my colleague has read about the Motion, yesterday there was a bit of confusion on a ruling that was supposed to be read today. One of the issues was that if a Member raised a Statement is it the interest of a person who has raised that Statement to be satisfied or is it open to be debate by everybody. So Hon. Speaker it is the same issue if the Member is not satisfied with the reply, is it the one who is supposed to raise again or the Members can defend that is what we expect today...

*(Applause)*

For the ruling so that you can give the ruling which will guide us on future debate Mr. Speaker. Thank you.

**The Speaker** (Hon. Khatri): Thank you. Yes I think Hon. Ibrahim you are on the floor you can continue.



**Hon. Omondi:** Thank you Mr. Speaker Sir. Although Mr. Speaker Sir I have heard some... a bit of statements when I was discussing about the matter which I wanted to bring to your knowledge that yesterday indeed there was an issue here and I was warned by indeed the Member that they are going to gang up...

*(Interruption)*

*(Silence)*

**The Speaker** (Hon. Khatri): Yes Hon. Renson Thoya? Are you up on a Point of Information?

**Hon. Thoya:** *Point of Information* Mheshimiwa Spika! Nafikiri nilipotangulia kusema ya kuwa nimetumia njia ya katikati, nafikiri Mheshimiwa Ibrahim Omondi angekuwa amepitia hapo tungekuwa tumemaliza na nafikiri njia anayojaribu kuenda nayo ni njia ambayo tutakesha nayo hapa. Mimi nimeomba Kamati ya Mazingira waende wakatoe zile taka ikiwezekana waweke waya kama vile waliweka kule Chaani, walifanya kitu kama hicho. Mheshimiwa Ibrahim pitia upande wangu tumalize hii, huko unakoenda hawa waungwana watakuandama na tutafika saa sita, wamejipanga Mheshimiwa Spika...

*(Interruption)*

**The Speaker** (Hon. Khatri): Thank you Hon. Renson. Yes Hon. Ibrahim are you done with your...

*(Interruption)*

**Hon. Omondi:** Okay Mr. Speaker Sir I will go straight to the point. Mr. Speaker I brought this particular Statement and the reason why I brought this Statement is for the interest of the people of Airport Ward. And indeed Mr. Speaker the Statement is very clear; number two, some of the Members of Environment have alleged that I have been bringing this Statement, I have already explained and I have already said why this Statement keeps on coming, and I want to disagree with Members who said that indeed that garbage was collected from the area, it was not collected 100 per cent. What I said I remember very well, I said Mr. Speaker Sir in this House...

*(Interruption)*

**The Speaker** (Hon. Khatri): But Hon. Ibrahim...

**Hon. Omondi:** Yes Sir!

**The Speaker** (Hon. Khatri): The Member said very clearly there are only two dumping sites in Mombasa; I think you should go back and see it is that area a dumping site or it is not a dumping site?

*(Applause)*

Because if it is not, then I think your question has been answered.

**Hon. Omondi:** Mr. Speaker Sir anything that we bring to this House will be on record, because there will be a Member who will bring again the same issue and I will be the one who will stand to shoot down that because if today I cannot be allowed to talk about this issue I am talking about the garbage that has been dumped from that seven years. I said this and I am on record, it had never been collected for a long time Mr. Speaker and what has been happening is that when I bring this Statement...

*(Interruption)*

**The Speaker** (Hon. Khatri): Yes Hon. Mary Naliaka.

**Hon. Naliaka:** Ahsante Bwana Spika kwa kunipa hii nafasi. Ningependa kutoa taarifa yangu kwa hii Nyumba maana yake hio nafasi ama hilo jaa la Saratoga limekuwa ni jaa ambalo limetumika kwa muda mrefu halijaanza leo. Kwa hivyo ningependa kusema si kazi ya Mheshimiwa Ibrahim Omondi kufanya uhamasisho maana yeye hana rasilmali hata za kufanya huo uhamasisho...

*(Applause)*

Hio ni kazi ya Kaunti ya kufanya mambo na uhamasisho kwa sababu ya watu wa Mombasa, na hilo jaa ni sehemu ya ukusanyaji taka taka ya hio Sub-County ya Chagamwe nzima ambapo taka taka haziwezi toka kwa nyumba zikapelekwa moja kwa moja kwa *Gazetted areas* kama Mwakirunge. Ni lazima zitawekwa mahali fulani ndipo sasa magari ya Kaunti yachukue zile taka kutoka mahali pale ndio sasa zipelekwe kule Mwakirunge ama sehemu nyengine...

*(Applause)*

Kwa hivyo ni lazima kuwe na mahali pa ukusanyaji. Thank you.

**The Speaker** (Hon. Khatri): Thank you. Yes Hon. Mwamwiri?

**Hon. Athman Mwamwiri:** Naomba kumtaarifu Mheshimiwa...

*(Interruption)*

**Hon. Mohamed Hatimy:** I have a point of Order Hon. Speaker.

**The Speaker** (Hon. Khatri): Yes.

**Hon. Mohamed Hatimy:** *(Technical hitch)*.

*(Background consultations)*

**The Speaker** (Hon. Khatri): Na nani? *Serjeant-at-Arms* msikilize Mheshimiwa hapa anasema...

*(Background consultations)*

**The Speaker** (Hon. Khatri): Yes Hon. Mwamwiri?

**Hon. Athman Mwamwiri:** Ahsante Mheshimiwa Spika. Mheshimiwa Spika ningeomba kumtaarifu Mheshimiwa aliyetoka kuzungumza ya kwamba kanuni zipo na kutokua na ufahamu ama wataalamu wanasema, *"Ignorant is not an excuse in law"*. Kwa hivyo inaaminika ya wakaazi wote wa Changamwe hususan maeneo ya Saratoga kama sijakosea ya kwamba ni hatia kutupa taka mahali pasipo stahiki. Jukumu lao wasubiri siku ambayo Serikali Gatuzi inapeleka gari la taka upande ule wapeane taka taka zao ziwekwe moja kwa moja ndani ya gari, hakuna lugha katika sheria inayoitwa kama *collection point* hakuna, hio anapotosha Jumba hili Mheshimiwa Spika.

Pili, hakuna mtu aliyemwambia Mheshimiwa akaweke *Public Participation*; jukumu lake ni kuhamasisha, kuhamasisha haimanishi ni kuweka elimu nasaha ama kuweka *Public Participation* ya kuokota maoni. Sheria ziko hatuhitaji maoni yao isipokua watwii na kufuata sheria inavyostahiki na Mheshimiwa watu wake ni watu wazima watumie akili ya kibinadamu ya kwamba hawastahiki kutupa taka pale na kama wamekua wakifanya hio ni hatia. Tatu, bajeti tulio nayo katika Idara hatuna bajeti ya kwenda kuweka waya ama seng'eng'e katika sehemu ile, bajeti haipo ya jukumu hilo. Kwa hivyo Mheshimiwa ni jukumu lake na sisi Mheshimiwa Spika nakuahidi na tunaahidi Jumba hili tutawajibisha Idara, tutaenda tutazitoa tena lakini na yeye ahakikishie Jumba hili ya kwamba yeye na watu wake hawataregelea kutupa taka pale. Haitakua tukipoteza rasilmali kwa yeye peke yake Mheshimiwa Spika.

**The Speaker** (Hon. Khatri): Thank you Hon. Mwamwiri. Hon. Ibrahim I think just maybe...

*(Interruption)*

**Hon. Ibrahim Omondi:** Yes Mr. Speaker, as I wind up...

*(Interruption)*

**The Speaker** (Hon. Khatri): Just wind up, maybe what you have to do is to make sure that area is been advertised as a dumping zone. Maybe that is the best solution you can have.

**Hon. Omondi:** Yes Mr. Speaker. And again I want to inform the Member who has just spoken that he seems not to know the functions of an MCA; It is very sad indeed that today a Member in this House even does not know the functions of a Member of the County Assembly, let me elaborate. One, it is legislation, two is oversight and three is representation...

*(Applause)*

Now when a Member purports to say that the work of an MCA is to go and do Public Participation or Public awareness that is not part of my function, I think I have elaborated but Mr. Speaker let us bring this thing to an end. I just want the concerned...

*(Interruption)*

**The Speaker** (Hon. Khatri): Yes Hon. Mwamwiri.

**Hon. Athman Mwamwiri:** Naomba kumtaarifu Mheshimiwa asipotoshe Jumba hili. Katika majukumu matatu ametaja jukumu la uwakilishi ama *representation* ambayo kwa hilo ni kuleta taarifa za watu wake hapa na kuchukua majibu kutokana na Jumba hili na Serikali Gatuza kuwapelekea watu wake hio ni elimu nasaha tosha...

*(Applause)*

Na ni jukumu la *representation* kama yeye hajui majukumu Mheshimiwa Spika najitolea nimfanyie *tuition* ya bure nimfunze jukumu la MCA.

*(Applause)*

**The Speaker** (Hon. Khatri): Yes Hon. Ibrahim?

**Hon. Omondi:** Mr. Speaker Sir, what I can term this is drama; he has turned this kind of thing as a drama, what I would like to tell him I do not need tuition, I am educated enough, I am a teacher and I have a degree...

*(Applause)*

And another thing, I just wanted to inform the Member who stood that he wanted to tuition me, I want to tell him that I have not asked for *tuitioning* from him. Two, I am educated enough, as I speak I hold a degree...

*(Applause)*

Three, Mr. Speaker I want to inform the Member that it is only through your ruling that, that information can now go back, not just a Member heckling.

*(Interruption)*

What he was doing was just heckling and he wanted me to take his information official and go and act on it. It is you who is supposed to rule and inform me that I am supposed to do that, that when the information becomes official from this House but Mr. Speaker Sir to end this matter because we now...

*(Interruption)*

**Hon. Speaker** (Hon. Khatri): Thank you.

*(Interruption)*

**Hon. Omondi:** To end this matter Mr. Speaker Sir it is just to ask the concerned Department, when are they really going to remove this particular garbage? A Member who has just spoken is a nominated Member from Airport Ward and that Member is very serious on what she said. She has not just come here to speak. She knows what I am talking about. Mr. Speaker sir I am waiting for your ruling, thank you.

**The Speaker** (Hon. Khatri): Thank you Hon. Ibrahim. I think the ruling is going to be very simple. Hon. Mwamwiri may be you can bring the statement reply in hand writing so that Hon. Member can have it which...

*(Interruption)*

**The Speaker** (Hon. Khatri): Sorry?

**Hon. Athman Mwamwiri:** Because he has just enquired that he wants to know when?

*(Interruption)*

**The Speaker** (Hon. Khatri): No! What we can do is...

*(Interruption)*

**Hon. Athman Mwamwiri:** So I can tell him when we are going to do it?

**The Speaker** (Hon. Khatri): You sit down with your Committee and come with that resolution and you can bring it here...

*(Interruption)*

**Hon. Athman Mwamwiri:** We are ready Mr. Speaker.

**The Speaker** (Hon. Khatri): No! No! Just bring it. I think it is enough for today.

*(Loud consultation)*

Bring it in writing by afternoon, and then moving forward Hon. Members... I think just sit Hon. Shomari, are you in a point of information?

*(Hon. Shomari off microphone)*

---

**DISCLAIMER:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor Page*

Under which Standing Order?

*(Laughter)*

Standing Order 42?

*(Laughter)*

read for me?

*(Loud consultations)*

Can you read for me Standing Order 42?

*(Laughter)*

**Hon. Ali Shomari:** Mheshimiwa Spika ningependa kukujulisha kwamba nimesahau miwani yangu leo...

*(Laughter)*

But nitai...

*(Interruption)*

**The Speaker** (Hon. Khatri): Hon. Amur mpatie miwani?

**Hon. Ali Shomari:** Ahsante Mheshimiwa lakini hiyo haingiani na macho yangu.

*(Laughter)*

**The Speaker** (Hon. Khatri): Okay, Hon. Shomari what do you want to tell this House?

**Hon. Ali Shomari:** Ahsante Mheshimiwa Spika ningependa kusoma Standing Order number 42...

*(Interruption)*

**The Speaker** (Hon. Khatri): Just tell us what you wanted to say?

**Hon. Ali Shomari:** Kidogo nimefikichafikicha macho nikaona nazona *spelling*, sasa afadhali niendeleo kusoma...

*(Interruption)*

**The Speaker** (Hon. Khatri): Hon. Shomari just leave that Standing Order tell us what you want to say to this House.

**Hon. Ali Shomari:** Okay, committal to committee...

*(Interruption)*

**The Speaker** (Hon. Khatri): it is fine I have seen that Standing Order so just tell us as you were in a point of information.

**Hon. Ali Shomari:** Ahsante Mheshimiwa Spika. Mimi yangu nilikuwa ninasimama kama *Member* wa *Environment* ningeomba Bunge hili litupe nafasi kidogo atleast *Chairman* aje tuweze kukusanyikana kama *Member* wa *Environment* tuweze kufika kwa Mheshimiwa mwenzetu Bomoa ili tuone hili tatizo sugu tutalisaidia vipi.

*(Applause)*

**The Speaker** (Hon. Khatri): Thank you.

**Hon. Ali Shomari:** Kwa sababu sisi sote ni waheshimiwa na tatizo likiwa kwa mwenzetu ni lazima Kamati ikae pamoja ione itatatua vipi tatizo lile.

**The Speaker** (Hon. Khatri): Thank you Honourable.

**Hon. Ali Shomari:** Kuna njia nyingi za kuweza kutatua tatizo lile...

*(Interruption)*

**The Speaker** (Hon. Khatri): Thank you. Yes Hon. Mohamed Mohamed?

**Hon. Mohamed Hatimy:** Mheshimiwa Spika ningependelea kwenye Taarifa, yule anayeuliza Taarifa anaweza kuhudhuria kikao cha Kamati kwenda kupeleka na kusikiza na kuuliza kama ana maswala lolote ndani ya ile Kamati ili apate kusaidika na ikiwa atakuwa na jambo lolote ataweza kurudi ndani ya Nyumba hii aeleze kuwa yeye hakuridhika lakini kama atapatiwa nafasi hiyo Kamati ikae na yeye aende mbele ya Kamati wakae wayazungumze hayo maneno Mheshimiwa Spika. Ahsante.

**The Speaker** (Hon. Khatri): Thank you Hon. Mohamed. Honourable Members just piece of advice to you so that you know everything is going to be in record here and today we are here tomorrow we are not going to be here. The way I can see the mood of this House of what I have heard of what was happening yesterday, I think most of things people here are taking it personal and there is nothing personal here.

So please Members do not take it personal; if a Member comes with a Statement and he or she wants to know something it is your duty to take that Statement and take it to the Department. Let the Department to answer, you don't have to come to this House and pretend that you want to defend the Department or you want to, so please Hon. Members...

---

**DISCLAIMER:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor Page 15*



*(Applause)*

So Honourable Members let us be sober in this House; let us know what are our duties, I think with those short remarks we can all move forward and tomorrow we will be accountable not only in this House or not only in Mombasa even in God when we go tomorrow everyone will be accounted of what you have done to your people.

So Hon. Members, if there is any Statement or any issue I urge you as Members or the Chairmen or Chairladies; please do not take it personal. Hon. Amur please! Just take it or take the Statement the way you were asked and I am sure before even the Statement comes to this House it passes through all the channels whereby the Clerk and myself and we see that this Statement is viable and people want to know what is going on, you know! So Hon. Members do not take things too personal here not unless maybe there is something else. Yes Clerk, next Order?

### **ADJOURNMENT**

Hon. Members this House stands adjourned until Wednesday 18<sup>th</sup> September, 2019 at 2:30p.m.

The House rose at 11:30a.m.