



COUNTY ASSEMBLY OF MOMBASA

OFFICIAL REPORT

Tuesday 8th October, 2019

The House met at 2:59p.m.

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

PRAYERS

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

COMMUNICATION FROM THE CHAIR

Yes?

Hon. Mumba: Thank you Mr. Speaker. I humbly stand here to plead because since last time we were here, we heard the communication came here from our party.

The Speaker (Hon. Khatri): Here! Where?

Hon. Mumba: We have our copy and we know that communication was here; that we have the communication that the party has introduced a new Chief Whip and the ODM party and has brought that letter in your hands so it is supposed to be communicated today! We waited in the morning all in vain and we were very patient, now we want to hear the communication from you Mr. Speaker because we know the communication is in your hand. Kindly we request Mr. Speaker that you recognize the letter and you read the letter so that we can get the communication from the party.

The Speaker (Hon. Khatri): Okay thank you. Next order Clerk?

(Applause)

Hon. Mumba: Hon. Speaker but you have not given me the answer! Hon. Speaker, with due respect you could have told me that... did you get the letter?

The Speaker (Hon. Khatri): Just relax Hon. Mumba, do not try to ambush me please.

Hon. Mumba: It is not an ambush because i know the letter has been here.

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The Speaker (Hon. Khatri): Please with all due respect.

Hon. Mumba: Now this is two weeks down the line.

The Speaker (Hon. Khatri): First of all put your voice down Hon. Member please do not ambush me.

Hon. Mumba: Yeah am speaking because i know that the letter is here.

The Speaker (Hon. Khatri): Where?

Hon. Mumba: And it is in the House.

The Speaker (Hon. Khatri): Which House?

Hon. Mumba: Mr. Speaker you have the letter.

The Speaker (Hon. Khatri): Did you give me the letter?

Hon. Mumba: It was delivered to you.

The Speaker (Hon. Khatri): By who?

Hon. Mumba: By the Secretary General of the party.

The Speaker (Hon. Khatri): Who is the Secretary General? Is it you?

Hon. Mumba: It is Busaka.

The Speaker (Hon. Khatri): Can you bring him here?

Hon. Mumba: He cannot enter in this House...(Technical Hitch).

The Speaker (Hon. Khatri): So is that my office?

Hon. Mumba: But it has been received here.

The Speaker (Hon. Khatri): By who? But...

Hon. Mumba: The signature and the stamp all is here and you know this is the truth of the matter.

(Interruption)

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

Hon. Samba: Hon. Speaker, the people of Mombasa elected us to perform our duties and to work for them and today we have to bring this thing to an end. The issue of three people going and sitting somewhere, they purport to be talking of party affairs we will not accept that.

The Speaker (Hon. Khatri): Hon. Samba please address me.

Hon. Samba: Yes am addressing you Chair.

The Speaker (Hon. Khatri): Yes.

Hon. Samba: Hon. Speaker, the issue of party affair should be discussed...

(Interruption)

The Speaker (Hon. Khatri): I think Hon.ourable you can just sit down when the other Members are on the floor.

Hon. Mumba: Hon. Speaker they told me to come and show you the letter.

The Speaker (Hon. Khatri): But there is no evidence showing that! My office i have a stamp which is going to be received.

Hon. Mumba: But you cannot say the letter did not come, it has come to the Clerk of Mombasa County Assembly and it has been received and stamped.

The Speaker (Hon. Khatri): That is not my office, just sit down please.

(Interruption)

Yes Hon. Samba.

Hon. Samba: Yes Hon. Speaker we could have been called for a meeting and whoever calls for a party meeting is always a Chief Whip and also i fail to understand why the purported appointee of the office is the one who is also making noise, is the one who insist she has not declared her interest. Hon. Speaker this House is not for ODM, this House is for the purpose to serve the interest people of Mombasa but somebody cannot hold this House hostage because of the party issues of which we are Members, we are never invited, we did not have any meeting anywhere, there was never a resolution that Members agreed upon, they cannot come here and tell us about Geoffrey Busaka, where as we are life Members, we have never been called for a meeting and that is...

(Interruption)

Hon. Mumba: Geoffrey Busaka is the Secretary of the party in Mombasa do not say you don't know Geoffrey Busaka when you are a Member of ODM. Don't start lying!

The Speaker (Hon. Khatri): Hon. Member, i think Hon. Member now what you are doing its too much and am going to take action on you please if you keep on misbehaving in this House! We are not in a market here! Yes have you finished Hon. Samba? Yes Hon. Shebe Athuman.

Hon. Shebe Athmani: Ahsante sana Mheshimiwa Mwenyekiti. Kwanza nimesimama hapa nikitambua kuwa hii ni Nyumba ya sheria na utaratibu Mheshimiwa Mwenyekiti; Mheshimiwa mwenza wa Shimanzi yeye ni mmoja wapo wa Wanachama kama sisi ambaye tunatoka katika mrengo wa ODM kwa hivyo yeye hawezi kuwa Mwanachama zaidi kutushinda sisi, kila mtu hapa ni mwanachama wa ODM na ana haki ya kupata taarifa, ana haki ya kupata ujumbe wowote ikiwa unatafikana kufika katika Bunge hili basi kuna utaratibu wa sheria. Kuna Kiongozi wa Wengi katika Bunge hili Mheshimiwa Mwenyekiti ambaye ni muhusika mkuu kuhakikisha kuwa anakuwa kiunganishi cha kati ya chama chetu cha ODM na vile vile Bunge letu la Kaunti na wewe vile vile ndio Raisi wa Bunge hili. Kwa hivyo ikiwa Mheshimiwa yeyote na sizungumzii kwa muktadha wa Mheshimiwa mwenza aliyesimama hapa na kelele nyingi za chura, Mheshimiwa Kiongozi yeyote ambaye atasimama hapa... Mheshimiwa Mwenyekiti tafadhali naomba unilinde.

(Loud consultation)

The Speaker (Hon. Khatri): Yes continue.

Hon. Shebe Athmani: Natoa mada hii nikasema Mheshimiwa mwenza.

Hon. Mumba: Mheshimiwa anatumia lugha chafu.

Hon. Shebe Athmani: Mheshimiwa sijatumia lugha chafu, Mheshimiwa Mwenyekiti naomba unilinde, niko chini ya himaya yako.

The Speaker (Hon. Khatri): Yes continue Honourable.

Hon. Shebe Athmani: Ahsante. Mheshimiwa mwenza najaribu kutoa muktadha wa hulka yake, kuwa hili Bunge si yeye peke yake ambaye ni muhusika kwa hivyo mtu yeyote Mheshimiwa Mwenyekiti nazungumza kwa mapana, mtu yeyote ambaye ana ujumbe inatafikana upitie sheria. Kwa hivyo naomba hili Jumba sheria na utaratibu wake uweze kufuatwa na kama kuna mabadiliko yeyote basi wahuika na sisi waheshimiwa ambao tunaongoza katika chama cha ODM ndio tuko wengi Bungeni, kwa hivyo ingefaa sisi tujulishwe Mheshimiwa Mwenyekiti na kama ni uamuzi wa kubadilisha Kiranja wa Bunge ama Kiongozi wa Wengi katika Bunge hili basi ni Waheshimiwa sisi ndio tutakuwa na nafasi hiyo ya kuweza kuchagua. Chama kitaleta taarifa kama kawaida na utaratibu wa chama Mheshimiwa tunaufuatilia na tunaaheshimu lakini kusiingizwe njia za filifinyange ambazo hazifwati utaratibu Mheshimiwa Mwenyekiti tumekataa.

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

Hon. Mohamed Hatimy: Mheshimiwa hii ni *issue* baina ya Chama na Wanachama, nataka maneno haya yakome kuzungumzwa hapa hivi sasa, mimi kama Mwenyekiti wa chama nitakuja kwa ofisi yako kuyazungumza haya maneno kwa njia inayofaa...

(Applause)

Kwa hivyo Mheshimiwa Mwenyekiti nataka kuwaambia Wanachama kuwa suala la chama si suala la kuzungumzwa ndani ya Bunge; kuna utaratibu kufuatwa na mimi nitakuja kwa ofisi yako wewe kama Spika tuangalie jambo hili tutalimaliza kwa njia gani na sio kwa watu kuteta Mheshimiwa Spika. Ahsante.

The Speaker (Hon. Khatri): Thank you Hon. Mohamed. Yes Hon. Bwire are you on point of information ?

Hon. Bwire: Yes it is a point of information Mr. Speaker though the Chairperson, our ODM Chairman has just ruled out but i just want to question his appeal; that kindly Mr. Speaker anything that concerns the Hon. Members of this House should get the consent of the Hon. Members of this House as well. We will not allow a two, three people meeting to decide on behalf of fourty two Hon. Members of this House. So i just want to put it straight even if Mr. Chairman we will take that initiative of sitting with you kindly involve the whole membership of this House. Thank you Mr. Speaker.

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

Hon. Mwaka Bakari: Ahsante sana Bwana Spika. Nilitamani sana wakati dada ama Mheshimiwa Sheila alipokuwa akiongea ili niweze na mimi kuchangia lakini namshukuru Mwenyekiti wetu wa ODM Bwana Hatimy na palipo na mzee hapaharibiki jambo ameweza kuweza kututuliza lakini nataka kusema nikiangalia hisia ya Nyumba hii ni vile ni mama yeye ndio anaongea ama anataka hicho kiti ndio tunaona kuna maonevu. Tunasema mama yeye huwa kila siku ni mstari wa mbele kwa hivyo tunasema hicho Kiti cha Kiranja wa Bunge ni cha mama na kitakwenda kwa mama, kama vile barua ya chama ilivyoandikwa, tutafuatiliza taratibu zilizovyo lakini nina imani ya kwamba hicho kiti kitakwenda kwa mama.

(Applause)

The Speaker (Hon. Khatri): Thank you Hon. Mwaka but i think Hon. Hatimy has said and there are rules and procedures to follow in this House; like you can see it is very clear even in the Standing Orders number 16 sub-section 4. If you look at the Standing order they are very clear in this House; you do not just come here and make noise Hon. Prischilla please respect this House and do not think you have a big mouth to come and shout here, all of us have mouths here to talk, give respect to this House. We know very clearly what you did last week and i was told by the Deputy Speaker and do not think that if we did not take any action on you that we are scared of you, we are not scared of you so just know that very clearly, if you go and look at Standing order 104 it has all the powers, let me read for you..., Standing order 104 gross disorderly conduct.

(The Speaker (Hon. Khatri) read Standing Order 104)

- 1) Conduct is grossly disorderly if the Member concerned;
 - (a) Creates actual disorder,
 - (b) Knowingly raises a false point of order,
 - (c) Uses or threatens violence against a Member or other person,
 - (d) Persists in making serious allegations without, in the Speaker's opinion, adequate substantiation,
 - (e) Otherwise abuses his or her privileges,
 - (f) Deliberately gives false information to the County Assembly,
 - (g) Votes more than once in breach of these Standing orders,
 - (h) Commits any serious breach of these Standing Orders; or
 - (i) Acts in other way to the serious detriment of the dignity or orderly procedure of the County Assembly.
2. The Speaker or the Chairperson of Committees shall order any Member whose conduct is grossly disorderly to withdraw immediately from the precincts of the County Assembly,

So please Hon. Priscilla follow the proper channel of this House. Yes Clerk? Next Order?

NOTICE OF MOTION

AIR TRAVEL GUIDELINES FOR STATE AND PUBLIC OFFICERS

Yes Hon. Mohamed Mohamed Hatimy? Please give the Notice of the Motion.

Hon. Mohammed Hatimy: Thank you Mr. Speaker I wish to give the following Motion. Mr. Speaker Sir I seek to move the following Notice of Motion;

THAT AWARE That the County has limited financial resources, given the new governance structure that have occasioned devolution of funds;

NOTING THAT Public and State officers constitute a significant part of the government;

COGNIZANT of the fact the government has to cater for their official duties, including transport and other facilitation within and outside the County;

CONSCIOUS of the need to reduce the burden on the taxpayer;

THEREFORE, the County Assembly of Mombasa hereby resolve as follows:

1. THAT, all State and public officers and Departments with the exception of the Governor, Deputy Governor and the Speaker using air transport during official trips within the County should travel in economy class including international flights, unless they meet their own costs for their upgrade;

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2. THAT this decision takes effect immediately and all respective accounting officers take necessary action to implement without exception.

Thank you Mr. Speaker.

The Speaker (Hon. Khatri): Thank you Hon. Mohamed Hatimy. Yes Clerk next order?

STATEMENT

Yes Hon. Mwalimu Fadhili?

The Deputy Speaker (Hon. Mwalimu): Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika nimesimama kuomba kupitia Kiti chako, uruhusu Nyumba hii iweze kuzungumzia janga la Likoni Ferry ambalo lilitokea siku ya Jumapili tarehe 29 mwezi wa September mwaka, 2019. Mheshimiwa Spika tukijua ya kuwa wiki hio moja ya nyuma tulikuwa hatuko katika Bunge hili, tumetoka katika shughuli za kuwakilisha Kaunti ya Mombasa katika shughuli za michezo. Twaomba ruhusa yako Mheshimiwa Spika.

The Speaker (Hon. Khatri): Yes Hon. Fadhili you may continue.

The Deputy Speaker (Hon. Mwalimu): Ahsante sana Mheshimiwa Spika. Mheshimiwa Spika sisi kama watu wa Mombasa tuko na huzuni kwa yale ambayo yaendelea kutokea katika Ferry yetu ya kivuko cha Likoni. Mheshimiwa Spika 2016 mwezi wa Juni kuna gari, Station Wagon, ikiendeshwa na dereva kwa jina Joel Masindano, na yeye mwenyewe alikuwa anafanya kazi Kpa kama Accountant iliweza kuanguka ndani ya Ferry na Bwana huyu aliweza kupoteza maisha yake.

Mheshimiwa Spika mwaka wa 2016 tena mwezi wa tisa, dereva na msaidizi wake waliponea chupuchupu hapo hapo katika Ferry ile. Mheshimiwa Spika mwaka 2017 mwezi wa Novemba kuna gari ya Manager wa CDF Likoni kwa jina Mohamed Nyambwe..., Nyembwe, ahsante ndugu yangu Mheshimiwa Mwamwiri. Gari lile lilipata shida kidogo na iliingia ndani ya kivuko kile; Mheshimiwa Spika mwaka wa 2018 mwezi wa Mei kuna Petrol tanker ambayo pia iliwahi kuingia ndani ya Ferry lakini nusra dereva alinusurika kifo Mheshimiwa Spika.

Mheshimiwa Spika matukio yanafuatana yakizidi kufuatana, mwezi wa Julai 2019 kuna dereva kwa jina Salim Musa na msaidizi wake Katana Ali pia aliweza kuponea walikuwa wanaendesha lori la Mombasa Maize Millers ambalo liliweza kuingia ndani. Mheshimiwa Spika kutoka Julai na Septemba ni miezi michache tu, Septemba 29, 2019 tumeweza kumpoteza Bi Mariam Kigenda na mtoto wake ambao mpaka leo hii bado wapo chini ndani ya bahari chini kina kirefu hicho walichoingia na bado shughuli za uokoaji zinazidi kuendelea lakini mpaka leo hii.

Tunapoongea hapa Mheshimiwa Spika bado watu wale hawajaweza kutolewa; cha kusikitisha maboti ambayo kwa kimombo wanayaita, *rescue boats* za Kenya Ferry kwa hivi sasa tunapoongea hazifanyi kazi zipo lakini hazifanyi kazi Mheshimiwa Spika na Kenya Ferry haina waokoaji ama ma divers wa kuwaamini, wana imani ama wanaweka imani kwa *local divers* ili kunapotokea majanga waweze kuwasaidia kwa shughuli kama zile. Mheshimiwa Spika tukiangalia jinsi matukio yalikuwa yanazidi kutokea yasikitisha kama idara kama ile itakosa kuweka mikakati ambayo itaweza kusaidia panapotokea janga lengine kama lile.

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Mheshimiwa Spika tumeona kuwa mwezi wa saba na tisa kumetokea majanga ya kufuatana; twachelea tena twachelea sana ikiwa hatutaingia kama Serikali ya Kaunti kushirikiana na Serikali Kuu kuparekebisha mahali pale twasikitika na twaweza kuzidi kupoteza maisha ya wananchi wetu ama kuhatarisha maisha ya wananchi wetu. Naomba Nyumba hii Mheshimiwa Spika, kama serikali tuweze kushirikiana na kuweka mikakati, tuna imani kuwa tulipigana kama Kaunti ya Mombasa ili tuichukue Kenya Ferry iwe chini ya uangalizi wa Mombasa Kaunti, lakini serikali kuu iliweza kukataa. Nina imani Mheshimiwa Spika lau ingekuwa iko chini ya uangalizi wa Mombasa kungekuwa kuna utaratibu wa mwafaka zimewekwa na mambo haya mengi yasingeweza kuweza kutokea; naomba wenzangu tushirikiane kwanzo katika huzuni huu na vile vile tuwe tutakuja tuweke tukae chini tuweke mikakati mwafaka ambayo itaweza kusaidia kivuko kile cha Ferry. Ahsante Mheshimiwa Spika.

The Speaker (Hon. Khatri): Thank you Hon. Fadhili. Yes Hon. Musa the Majority Leader?

The Leader of Majority (Hon. Mwidani): Ahsante sana Bwana Spika. Nikiongezea kumuunga mkono Mheshimiwa Fadhili Mheshimiwa Spika kwa kweli Kenya Ferry imezembea, kwa sababu hata ukiona muundo wa zile Ferry zilivyo undwa ni za kulinda usalama, lakini kwa sababu ya uzembe ndio maafa yanatokea! Kwa sababu Mheshimiwa Spika ukitazama Ferry kama Jambo imeundwa ya kwamba ikiwa gari zinapanda kule mbele lazima ainue ile *ramp* yote iwe juu ndio hata kama gari imeshindwa kwenda mbele itaizuia na inapo ondoka inatajikana pia ule mlango uinuliwe mpaka juu. Bwana Spika yasikitisha sana kwamba hio milango imetengezwa kuzuia kwa magari kutotoka ama kuingia ndani ya maji lakini wakati saa ile wanafanya *operation* wanachukua tu ni kitu cha kawaida Ferry inaenda, mlango bado uko chini, sasa unakuta hata kukitokea ajali ni rahisi tu gari kuingia kwenye maji.

Bwana Spika nafikiri iko haja sisi tunaomba Mungu ile *rescue* ifanyike imalizike lakini iko haja, Kamati yetu iweze kuwaita watu wa Kenya Ferry tujue ni uzembe gani wanaotumia kutoinua ile milango na ile milango imetengezwa kuinuka ili iweze kufunga. Sasa wamechukulia kila kitu ni rahisi na ndio unaona maafa yanayotokea, kwa hivyo Bwana Spika sisi kama viongozi wa Likoni hili jambo linatusikitisha sana, nafikiri iko haja ya Kamati yetu iweze kuwaita wale wasimamizi wa Kenya Ferry, watueleze ni sababu gani hawawezi kutumia zile sheria zilizowekwa za kufunga ile milango. Ahsante Bwana Spika.

The Speaker (Hon. Khatri): Thank you Hon. Musa Mwidani, Majority Leader. Yes, Hon. Mwamwiri?

Hon. Athman Mwamwiri: Ahsante Mheshimiwa Spika. Mheshimiwa Spika nasimama na simanzi kwa mkasa uliokumba taifa hili hususan kivuko cha Ferry. Mheshimiwa Spika nikituma risala zangu kwa jamaa, ndugu na familia za walioathirika, nawaombea kwa Mwenyezi Mungu awape nguvu na subra katika swala hili la uokozi unapoendelea, lakini Mheshimiwa Spika serikali ya Kenya iko na sababu ya kujibu haya yaliojiri.

Katiba yetu ya mwaka, 2010 sehemu... ama Fourth Schedule ama ratiba ya nne sehemu ya pili ya Katiba yetu kipengele cha tano (a), kilikuwa bayana ya kwamba majukumu ya Ferry na Bandari ziwe chini ya serikali Gatuza ama ziligatuliwa kwa sababu katika Ferry wahusika na maisha yanayovuka pale na shughuli zinazoendeshwa pale ni za wakaazi na wananchi wa serikali Gatuza.

Serikali ya kitaifa imeng'ang'ania kubakia Ferry mikononi mwao lakini kiuhakika hawajakuwa na nia njema wala juhudi za kuhakikisha wanalinda maslahi na maisha ya watu wa Mombasa. Mheshimiwa Spika Ferry zinazoshughulika pale ni tatu ambazo ziko na thamani za kuwa katika bahari na nyenginezo kampuni za bima zimekataa kuzi *insure* kwa sababu ziko katika hatari za majanga zinapofanya shughuli katika bahari.

Serikali yetu tumeng'angania Ferry zile zinaangusha watu kila siku, zinaangusha magari kila siku ikiwa tu ni kusubiria nusra ya Mwenyezi Mungu lakini lolote linaweza kutendeka kutokana na Ferry zile. Mheshimiwa Spika hali kadhalika katika mipangilio yao ya uajiri kama idara chini ya Wizara ya uchukuzi wa kitaifa, wamezingatia zaidi kuweka wajaza misuli ama *bouncers* pale kulinda na ku *control crowd* ama kulinda mkusanyiko wa watu pasi kuzingatia la muhimu ya kwamba ni kulinda maisha ya watu.

Mheshimiwa Spika ilipaswa kila Ferry katika shughuli yake ya siku iwe na wana uokozi ama *divers* angalau wawili ili likitokea la dharura iwe kuna watu wanaweza kuchukua hatua mara moja. Mheshimiwa Spika gari lile lilielea kwa takriban dakika tatu hadi tano, pasi na hatua yoyote kuchukuliwa licha ya kwamba ma *bouncers* walikuwa pale lakini kwa uzani walio nao hata mtu angejaribu angezama wao wa kwanza gari likafuata baadae.

Mheshimiwa Spika hii ni utepetevu na kupoteza rasilimali ya taifa kulipa watu ambao madhumuni yao na jukumu lao halipo katika kujali na kulinda maisha ya watu; kama Gatuzi ipo hali ya kuingilia kati kwa sababu maisha wanayo hatarisha ni maisha ya watu wetu na ni sisi tuna kila sababu ya kuchukua hatua, hata kama itatulazimu kuingilia majukumu yao na kuhakikisha tumeweka misimamo na zile Ferry zote ambazo hazina haja ya kuwa baharini ziweze kuondolewa mbali, zisiweze kubeba maisha ya watu wetu ya kuweka athari ya kuangamia ili tu kwa faida ya serikali kuu Mheshimiwa Spika.

Mheshimiwa Spika juzi limetendeka lile Mheshimiwa Naibu wa Spika ametaja orodha ya majanga yaliotendeka, akisahau lile janga kubwa la mwaka 1994 ambalo liliangamiza maisha ya watu wa Mombasa na hadi leo familia zile hakuna faida ama fidia ya walioweza kulipwa. Hali hii Mheshimiwa Spika itaendelea hadi lini? Wakati umefika sisi kama serikali, kusema tosha tusimame kulinda haki za watu wetu na maisha ya watu wetu na kuhakikisha kila yanayostahiki kutendeka, basi kama Gatuzi tumelitekeleza pasi kuzingatia ni nani yuko ama kigezo gani kitakachokuwa mbele yetu. Ahsante Mheshimiwa Spika.

The Speaker (Hon. Khatri): Thank you Hon. Mwamwiri the Likoni Ward. Yes, Hon. Samba?

Hon. Samba: Thank you Hon. Speaker. First of all let me congratulate the Member who came up with this discussion; the latest victim happens to come from my Ward and also she happens to be the person that I know at a personal level, that is why most of the time I avoid discussing this issue. But the issue that we are discussing here is an issue that at least may bring some solutions.

Hon. Speaker I will be brief in words and I would suggest that if at least through the initiative of the County government we have the swimmers and rescuers there who will stand by because as for the information that we heard because we were not around, we heard that the car took almost twenty minutes before it sunk and that is quiet unfortunate. It is a situation that maybe could have been handled well, so I would like through the request that Mover have he should also added at least we have a rescue team that will be deployed there permanently.

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Otherwise I take this opportunity to send my condolences to the family and we are mourning together, I do not have much to say. Thank Hon. Speaker.

The Speaker (Hon. Khatri): Thank you Hon. Samba. Yes Hon. Leyla?

Hon. Nyache: Ahsante sana Mheshimiwa Spika. Umenipata *offset* lakini wacha tu nichangie...

(Interruption)

The Speaker (Hon. Khatri): Sorry offset, your mind is not in this House or you do not know what are the Members discussing?

Hon. Nyache: Nimesikia, lakini...

(Interruption)

The Speaker (Hon. Khatri): It is okay, then it is fine if you do not have anything to say it is okay...

(Interruption)

Hon. Nyache: Wacha nichangie Mheshimiwa Spika.

The Speaker (Hon. Khatri): Okay, continue.

Hon. Nyache: Ahsante Mheshimiwa Spika. Pia mimi naunga mkono swala lililokuja na Mheshimiwa Fadhili; hiyo taarifa aliyoleta siku ya leo ni ya kuhuzunisha sana na inamgusa kila mtu kwa hivyo mimi ningependa wakati Feri imebeba watu na inaondoka kuwe kuna wazamiaji wawe na kidau pale wakifuata hiyo Feri kwa sababu ya ajali, ajali inaweza kutokea wakati wowote Mheshimiwa Spika. Tunaomba watu wa kusaidia, watu ambao watatumbukia kwa maji kama huyo mama vile alivyotumbukia na mwanawe pamoja na hilo gari lao, kungekua kuna hao watu wa kusaidia kusema la kweli huyo mama labda angeokolewa kwa sababu yasemekana hiyo gari imekaa kama dakika tano hivi si kungekua na wazamiaji hapo wangesaidia Mheshimiwa Spika! Kwa hivyo tunaomba sana hiyo Idara ya Feri iangalie kwa makini wakati wanavyobeba wananchi wetu maana yake ni wa Kaunti na hata Kenya nzima pia. Kwa hivyo tunahitaji uangalifu sana katika hiyo Feri na waweke wazamiaji wa kuweza kusaidia hatari kama hizo za maji. Ahsante sana Mheshimiwa Spika.

The Speaker (Hon. Khatri): Thank you Hon. Leyla Nyache. Yes Hon. Mgwisho?

Hon. Hamadi Mgwisho: Ahsante sana Mheshimiwa Spika. Nimesimama kwa masikitiko makubwa sana kwa sababu katika wale watu wanaovuka na Feri nafikiri sisi ni kila siku tunavuka na Feri twaomba dua zenu. Mheshimiwa Spika haya yaliyotokea lawama kubwa twaliwekea kwa Kenya Ferry na Serikali Kuu.

Hii ni kwa sababu jambo hili ambalo lilitokea sisi tuko karibu sana na wanajeshi hawa wa wanamaji, ni jambo la aibu sana kuona kwamba Jeshi la Wanamaji liko karibu pale na hawakuweza kuchukua hatua yeyote! Tunavyosikia ni kwamba Jeshi la Wanamaji ni kwamba haliwezi kufanya jambo lolote mpaka au kupigwe simu kutoka wapi ndio waweze kuchukua hatua. Mheshimiwa Spika Feri ambazo twazitumia sisi ni huo usingizi wa popo, ni hatari tupu; Feri zote zikitembea waona katika ile milango yao yote iko kwenye maji na Feri ambayo iko salama ni hiyo moja tu Jambo, nyengine zote zile utaona tu zacheza cheza kwenye maji.

Kwa hivyo Wasimamizi wa Kenya Ferry ni lazima waangaliwe sana ili tuweze kuisafisha ile Kenya Ferry na serikali kuu iweke vikwazo zaidi ili tuone kwamba sisi tunaotumia Feri za Likoni tuko na usalama wa kutosha Mheshimiwa Spika. Nashukuru sana kwa Mheshimiwa ambae ameleta taarifa hii ili tuweze kulizungumza hili janga ambalo limetokea ndani ya Likoni. Kuna hatari kubwa sana; kuna mengi ambayo yametokea, hii ni gari moja imetumbukia Mheshimiwa Spika lakini kutaweza kutokea jambo ambalo hatuombi litokee lakini litakapotokea hakuna kitu ambacho chaweza kufanyika. Angalia leo hii ni siku ya tisa hakuna kitu ambacho kimepatikana mpaka sasa kwa sababu mipangilio yetu bado iko chini sana.

Kwa hivyo Mheshimiwa Spika langu ni sikitiko kubwa, kubwa sana na la zaidi pia niko pamoja na familia ambayo ilifikwa na janga hili, twawapa pole sana na Mungu awapatie subira. Ahsante Bwana Spika.

The Speaker (Hon. Khatri): Thank you Hon. Mgwisho. Yes Hon. Shebe?

Hon. Shebe Athmani: Ahsante sana Mheshimiwa Mwenyekiti maana yake ilikua nishachoka, na kwa kutambua kusimama kwangu nimekusanya takriban alama zangu nataka kuzitungumzia katika vitengo vitano. Kwanza kabisa ni kutambua Mheshimiwa Mwenyekiti hekima yako ya kuruhusu Bunge hili kuweza kuzitungumzia Taarifa hii ambayo imeletwa mbele yetu na Mheshimiwa Naibu Mwenyekiti.

Pili, rambi rambi zangu za dhati Mheshimiwa Mwenyekiti kwa familia ya marehemu., tatu Mheshimiwa Mwenyekiti kuna kulinda, kuna kukinga, kuna kuwajibika na kuna kuhudumia. Je, kama Serikali ama kama Mashirika Kenya Ferry yanazingatia maisha ya mwanadamu Mheshimiwa Mwenyekiti? Tukilizungumzia swala la maisha ya mwanadamu Mheshimiwa Mwenyekiti ukizingatia maisha ya mwanadamu hayana *spare* wala *repair*. Kwa hivyo mimi naona kuna ukiritimba mkubwa katika Idara ya Feri; kwanza haithamini yale maisha ya mwanadamu Mheshimiwa Mwenyekiti, lazima kuwe kuna tatizo maana yake nikiangalia vipi mtu atazama maji? Namshukuru Mheshimiwa Naibu ametupatia historia ya haya masuala kuwa Mheshimiwa kosa likafanyika mara moja halijakua kosa lakini likifanyika zaidi ya mara tatu tutaliita vipi Mheshimiwa Mwenyekiti?

Kwa hivyo mimi naona Mheshimiwa Mwenyekiti hili Shirika, *Wallahi* halithamini maisha ya mwanadamu; nataka Waheshimiwa wenza tukilizungumza hili suala tuangalieni hii roho na tuangalie kama ni gari kama ni vitu vyengine *material things* Mheshimiwa Mwenyekiti, tofauti ni mbingu na ardhi. *Wallahi* ni masikitiko watu wamedhalili hapa dakika tano, sita gari iko juu, ni masikitiko makubwa sana! Mheshimiwa Mwenyekiti umefikia wakati Serikali yetu ya Kaunti iweze kulizingatia hili suala ni kama ushirikiano utakuwepo katika hii Idara ya Kenya Ferry na Serikali ya Kaunti kwa sababu lazima tuwafanye wawajibike hawatafanya vile wanavyotaka Mheshimiwa Mwenyekiti haya ni maisha.

Kwa hivyo mimi naona katika kitengo cha maisha kwanza ya mwanadamu wamefeli pakubwa alama nitawapatia ni sufuri bin sufuri! Naja kwa kukinga Mheshimiwa Mwenyekiti, *Wallahi* ramp iko chini gari ziko juu, watu wako juu ya Feri, tunasema kuzuia ni bora kuliko kutibu Mheshimiwa Mwenyekiti, wamefeli katika nyanja hiyo. Ukiangalia katika Feri ile viokoa ama zile *floaters* hakuna na hazitoshi; kwa hivyo tukiangalia pia katika kitengo cha kukinga hawana mikakati kabambe, watafikana waweke watu pale, waogeleaji, wapigaji mbizi mithili ya samaki Mheshimiwa Mwenyekiti wao wametujazia watu miraba minne pale chembilecho mwanalsafa mwenza Mheshimiwa Mwamwiri, huyu wa miramba minne maji atayapiga vipi?

Pili ukiangalia katika maswala ya uwajibikaji wao kama Kenya Ferry Mheshimiwa Mwenyekiti ukiangalia zile nafasi ni masikitiko na hii ripoti unaijua; kuna kijana anaitwa Musa, *Wallahi* Mungu atamlipa na ni bora alipwe na Mungu kuliko kulipwa na mwanadamu kwa sababu ni masikitiko yule kijana amesaidia maisha ya wengi tangu wakati wa Feri ya Mtongwe. *Wallahi* amepatiwa ahadi za ajira, amengoja milele Mheshimiwa Mwenyekiti naona *Wallahi* atakufa bila kilele! Kwa sababu nini, katika swala la wale ambao wanawajibika kupatiwa zile ajira Mheshimiwa Mwenyekiti *Wallahi* kuna vijana wa Pwani ukivuka kule ukivuka huku, kusini kaskazini watu wachapa maji lakini tumekuwa kuwekewa watu leo wa kuoga na maji ya beseni, akiona maji ya bahari atayaweza Mheshimiwa Mwenyekiti?

(Applause)

Kwa hivyo mimi nina uchungu, *Wallahi* nina uchungu na hili suala la Feri nasikitika; kwa hivyo mimi naona ni wajibu wa Serikali ya Kaunti na nina imani na kiongozi Gavana wetu na wewe kama hili Bunge tuhakikishe kuwa kutakua na uhusiano kabambe wa kuifanya ile Idara iwajibike. Mheshimiwa naja na kuwajibika nishamaliza; kuhudumia huduma za Feri zenyewe Mheshimiwa Mwenyekiti si za kuridhisha! *Wallahi* tusemeni ukweli watu wanalipa ushuru kama Wapwani, wanalipa ushuru kama wakaazi wa Mombasa na Kenya nzima, je huduma inaridhisha? Hatuoni thamani ya kulipa ushuru Mheshimiwa Mwenyekiti ikiwa *Wallahi* huduma ni zile; tuangali hili suala, tusilifumbie macho jamaa, leo mimi nashukuru Mheshimiwa Naibu Mwenyekiti kuleta hili suala katika Bunge hili, tungekua tumetendea dhuluma kubwa wakaazi wa Mombasa ikiwa hili suala *Wallahi* hatungelizungumzia Bungeni Mheshimiwa na nashukuru hekima yako ya kuruhusu hili suala lizungumziwe. Si masuala ama nini, ni suala la kuwa mimi *Wallahi* nikizungumza roho yangu yaniuma kwa sababu najua athari ya haya masuala.

Mheshimiwa nazungumzia kuhusu suala la mwisho nikifunga jamvi langu na ajira; kuna Mashirika matatu mahusika, takriban manne, matano Mheshimiwa Mwenyekiti. Kuna Kenya Ferry Service, kuna Coast Guard ambayo imeundwa juzi tu, kuna Kenya Navy wakifanya *drill* yao pale na nazungumzia kuhusu Kenya Ports Authority. Hizi in Idara husika za Serikali ambazo zina uwezo wa ki rasilmali na ki ujuzi na ki utaalumu. Je wamefanya nini *Wallahi* katika lile jambo? Ni masikitiko ukiangalia katika hizi Idara juzi Mheshimiwa Mwenyekiti imeundwa *Wallahi* takribani nafasi 4000 za ajira, zimetoka Wapwani wangapi, watoto wangapi wa Mombasa wameandikwa katika zile nafasi? Mheshimiwa watu wajua kupiga maji; mtu akitoka Fort Jesus kule wampata Madhubaha, akitoka huku wampata Mtongwe lakini nafasi hakupata watu wametolewa *from no where*! Ikiwa ni Mjalu atoka Pwani apewe ile nafasi bora atoka Pwani na yuwajua kuogelea lakini mtu asione maji ya bahari akashika mkono akakimbia.

Mheshimiwa mimi nafungia hapa, naomba unielewe nimezungumza kwa hisia kwa sababu hili jambo limenishika maini. Ahsante.

(Applause)

The Speaker (Hon. Khatri): Thank you Hon. Shebe Athmani. Yes Hon. Milka Moraa?

Hon. Ngare: Thank you Mr. Speaker for giving me this chance so that I can also give my contribution on the same. I want to say that it is with a heavy heart or heavy hearts that we are all discussing the tragedy that took place at the Likoni Ferry which consumed a lady and her daughter and we have lost hope that we shall ever retrieve those bodies for a proper burial.

I want to congratulate the Deputy Speaker who thought of bringing the Statement to this House for this discussion because we have been away from the station and today was the most ideal day to discuss it as Hon. Members of this House. He has clearly narrated the many incidents that have taken place at the Ferry and the number of people that we have lost. And surprisingly, nothing much has been done, meaning that the Kenya Ferry Services which unfortunately is not a devolved function have a lot of negligence. I am sure that if the Kenya Ferry Services had been given to the County as we saw that our Governor responded very fast and went there to assist. If indeed it was under the County as a devolved function I am sure we would have improved the services at the Ferry.

The negligence at the Ferry shows that we are a helpless people especially the citizens crossing the Ferry every morning and every evening too and back to their homes. The car as we saw and witnessed on the clip that was circulating all over must have stayed afloat for about 10 minutes. And the 10 minutes if we had proper measures of assisting people who get into such kind of calamities that car would have been prevented from being swept away. It is just God for us and everyone for himself, we are helpless! A young boy attempted to swim to go and assist the mother and her child, I think these are the kind of people who are supposed to be identified, given more training and employed to continue giving services that was a real heroic action, we have not seen much from the national government or we did not see it for so long.

Now we are requesting that we have more input whereby we have more preventive measures than rescue efforts because we want people not to die so that we can strive to rescue them, so we need the government to put in more preventive measures as my colleagues have said, we do not have a speedboat there, for example if we had a speed boat it would have taken more than a minute to reach the car and take it and bring it back to the shore but we did not see any sign of that. We need to have divers there so that the divers can be at a base or move with the ferry as they go to the other side and back to this side so if such an incident happens then the divers can get in closely and save lives of many people who would not perish in that ferry.

So my final word is that even as the mission looks almost impossible we are going to get the bodies and it is due to the negligence of the Kenya Ferry Services so we need to put in more effort and emphasize on having the preventive measures that we have talked about and as an Assembly we could decide tomorrow to pay our last respects at the ferry where they are all camped where the family is and also give our sympathy and condole with the family, if you can allow we go together as Mombasa County Assembly. Thank you so much Mr. Speaker and we do empathize with the family and give our condolences in advance.

The Speaker (Hon. Khatri): Thank you Hon. Milka Moraa. Yes Hon. Naliaka?

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Hon. Wafula: Ahsante sana Bwana Spika kwa kunipa nafasi hii angaa na mimi niweze kuchangia kidogo kwa masikitiko nikiwa kama Mama Kiongozi, kama mama wa wale waliopoteza maisha yao na hata dada bado ninalia hadi wa sasa. Na ningependa kusema hivi kwa masikitiko makubwa maana hata tukienda katika shule za Msingi na hata sekondari zile ambazo ziko na ile ambayo tunaita *swimming pool* utapata ziko na *life savers* manake wanajua kila wakati kuna watu kujisahau, kuna watu hata kupata *muscle pull* na watu wakaweza kupoteza maisha, kwa hivyo kuna ile ambayo iko *standby* kuokoa kwa wakati kama huo.

Bwana Spika inasikitisha kuwa Kaunti nzima ya Mombasa hatuna *life savers* katika vivuko vyetu maana tunajua kabisa kivuko cha Likoni ni kivuko kikubwa ambacho hakijaanza leo wala jana kwa hivyo ningetia tu mkazo ya kuwa hata Kaunti ya Mombasa tuwajibike kupitia katika kitengo cha uchukuzi, maana uchukuzi vile mwenzangu Moraa amesema kitengo cha uchukuzi kiweze kukaa chini na watu wa Feri na mashirika mengine husika wakaweze kuleta njia mbadala ambazo zitaweza kutumika ili kuingia ajali kwa feri Bwana Spika maana tunajua ajali haina hodi wala haibishi na wakati wowote itatokea. Kwa hivyo tuwe watu wenye kumakinika na maisha ya wanadamu. Ningependa pia kusema jambo hili ya kuwa sisi pia kama Kaunti na hata taifa kwa jumla tutie mkazo kwa mambo ya *disaster management* maana tumekuwa hapa tunaulizana wakati wa majanga ya mafuriko tunaulizana tunakaa vipi ili kukabiliana na majanga ya mvua wakati wa mafuriko na lakini hatujawahi kufikia kuhusiana na majanga ya kuzama katika bahari yetu. Kwa hivyo Bwana Spika ningependa tu kuchochea ya kwamba kitengo cha Uchukuzi na vitengo vyengine ambavyo vitahusika vikae chini vipate njia ambayo itakuwa suluhu na suluhu ya kudumu Bwana Spika. Ninasema ni Ahsante.

(The Speaker (Hon. Khatri) exited the Chair)
(The Deputy Speaker (Hon. Mwalimu) in the Chair)

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Naliaka. Yes Hon. Mwaka Zahoro, I think she will be the last person to contribute.

Hon. Mwaka Zahoro: Ahsante Mheshimiwa Spika kwa kunipa fursa hii kuchangia. Mheshimiwa Spika kwanza ningependa kutoa salamu zangu za rambi rambi kwa familia ya Bi. Mariam iliopatikana kwa ule mkasa na tumesoma kwenye vyombo vingi vya habari kuwa ameacha bwana na mtoto mwingine wa kiume, Mungu awajaze imani katika kipindi hichi na *InshaAllah* miili yao itapatikana ili wapate maziko wanayostahili. Mheshimiwa Spika kama vile ulivyotangulia kusema kumekuwa na matukio kadha wa kadha katika kivuko cha feri kuanzia mkasa mkubwa uliotokea wa 1994 hadi wa sasa visa mbali mbali vinaendelea kutokea pale tukifahamu kuwa Katiba ya Kenya inaipa jukumu serikali yenyewe na Idara ya usafirishaji pale feri ambao ni Kenya Ferry Services jukumu la kuhakikisha usalama wa maisha kwa wanaotumia kivuko kile.

Mheshimiwa Spika inasikitisha kuona kwamba tutapoteza maisha ya vizazi vyetu kadri ya siku zinavyosonga, mimi kama mtumizi wa feri nimetumia feri maisha yangu yote na nitaendelea kutumia feri. Mimi ni mzaliwa wa Likoni lakini unapata nimekuwa na hofu Mheshimiwa Spika nikivuka tangu hii ajali itokee unapata unakuwa na hofu mwanadamu hujui ni nini kitatokea na ikifika wakati wa *rush* ndio kabisa Mheshimiwa Spika. Hivyo basi ni jukumu la idara ya Kenya feri na serikali kuu kwa jumla kwa sababu imekataa kugatua huduma za feri ilhali Katiba ya Kenya Harbours zote na Ferries zinafaa ziwe katika simamizi ya Gatuzi za Kenya.

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Hivyo basi ni jukumu lao kuhakikisha wanaotumia kivuko kile wako katika hali ambayo ni salama isiokuwa na utata; Mheshimiwa Spika kunafaa kuwe na wapiga mbizi na *speed boat* ambayo itasafirisha Feri inapokwenda upande wa Likoni na inapokuja upande wa Town ili kuhakikisha maisha ya mwanadamu yanalindwa, maisha ni kitu ambacho mtu hayafai kumtoka hivi hivi katika utepetevu wa idara ya Feri tunayoipata pale. Kwa hivyo Mheshimiwa Spika tuhakikishe kuwa idara inajukumika, idara iulizwe maswali ili wananchi waweze kutumia kivuko kile katika hali salama. Tunataka kujua kama watumizi wa feri nani avishwe msalaba katika matatizo yanayokumba idara ile, kwa hayo Mheshimiwa Spika nasema ahsante.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Members for reacting on the tragedy of the Likoni Channel. I would ask the Committee concerned to take the views from the Hon. Member and act upon them. Yes Clerk?

MOTION

REVIEW OF COUNTY ASSEMBLY STANDING ORDERS

Yes Hon. Athman Mwamwiri?

Hon. Athman Mwamwiri: Thank you Mr. Speaker. Mr. Speaker I beg to move the following Motion. Mr. Speaker Sir, I beg to move the following Motion as amended.

WHEREAS, Section 14 (a) of the County Government Act, 2012 provides that a County Assembly may make Standing Orders consistent with the Constitution and the Acts regulating procedures of the County Assembly;

WHEREAS, the current Standing Orders now in use at the County Assembly were formerly in use at the National Assembly and were to be used pursuant to section 14 (7) of the County Government Act, 2012 as Interim Standing Orders until the County Assembly makes its own Standing Orders;

WHEREAS, after the County Assembly adopted the Interim Standing Orders in 2013, gaps, deficiencies and omissions have been observed in the current Standing Orders which require fixing;

WHEREAS, with the passage of time and usage there is need to review and fill the gaps, omissions and inadequacies in the current Standing Orders;

NOW, THEREFORE, the County Assembly of Mombasa hereby resolves as follows:

1. THAT, the Committee of Rules and Procedures to undertake a review of the Standing Orders to update them, incorporate best practices from the National Assembly and other jurisdictions;
2. THAT, the Committee of Rules and Procedures shall within 90 days of approval of this resolution table necessary amendments to the Standing Orders in this County Assembly for consideration and approval;

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3. THAT, once amendments are approved by the County Assembly the complete Standing Orders be published and circulated within 90 days thereof.

I asked Hon. Shebe Athman aka *Mukono* to second the Motion. Thank you.

Hon. Shebe Athman: I second Hon. Speaker. Thank you.

The Deputy Speaker (Hon. Mwalimu): I now propose that a Motion by Hon. Athman Mwamwiri on review of County Assembly Standing Orders to be debated in this Honourable House. Yes Hon. Athman Mwamwiri?

Hon. Athman Mwamwiri: Ahsante Mheshimiwa Spika. Hoja ilioko mbele yetu ni hoja inayojitosheleza na naomba Bunge hili kwa pamoja tuweze kuafiki ya kwamba Kanuni na mtindo tunaotumia katika Bunge hili ilikuwa ni mtindo wa kuazima kutoka kwa Bunge la Kitaifa ambalo Bunge lenyewe la Kitaifa limeachilia mbali kutumia kanuni hizo kwa sababu zimekuwa na mapungufu mengi. Kwetu sisi Mheshimiwa Spika ni hujuma kugandia kwa kanuni ambazo waanzilishi na watengenezaji wa Kanuni hizo wamezitupilia mbali hivyo basi Mheshimiwa Spika ni wajibu wetu kama Bunge aghalabu Bunge la Pili kuweza kuja kutengeneza kanuni na mtindo wa Bunge letu ambazo zitakidhia haja na matakwa na maslahi ya Bunge letu na Wabunge au wawakilishi wa Bunge hili.

Mheshimiwa Spika tumeona mapungufu mengi ya utekelezaji wa Kanuni zile ambazo ni Kanuni za kuazima na ikiwa sisi kama Bunge la Pili tutamaliza hatamu yetu ya miaka mitano pasi kuwa na kanuni basi itakuwa ni aibu kwa Bunge hili. Hivyo basi ninaomba Waheshimiwa wenza kwa pamoja tuweze kuliafiki hili na kulipatia majukumu Kamati ya Kanuni na mtindo waweze kulishughulikia hili na kutengeneza Kanuni mpya ambazo zitaweza kukidhi haja zetu na za Bunge hili. Ahsante sana Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Hon. Athman Shebe?

Hon. Shebe Athman: Yes thank you Mr. Speaker for giving me this opportunity to contribute to this Motion which was brought forward by Hon. Mwamwiri. My point is to really welcome this Motion; I fully support it Hon. Speaker and it is long overdue; if you can see this Motion we are really behind the schedule, we need to update everything according to the system, our rules and regulations everything has to be aligned according to the time because time always change so I fully support this Motion and I hope Hon. Members we are going to give this Motion a life. Thank you.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Mohamed Hatimy?

Hon. Mohamed Hatimy: Mheshimiwa Spika chini ya Kanuni za Bunge nambari 28 naomba ruhusa Mheshimiwa Spika huu Mswada ambao ni wa umuhimu na naomba kwa yule aliyeleta Mswada akubaliane na mimi tu aahirishe ili Wanachama waweko hapa tuweze kuijadili huu Mswada kwa njia inayofaa Mheshimiwa Spika. Kwa hivyo kama tutaipatia umuhimu kesho kitu cha kwanza Bwana Spika tuweze kuijadili huu Mswada ili tupate kuendelea Mheshimiwa Spika...

(Silence)

The Deputy Speaker (Hon. Mwalimu): Hon. Mohamed Hatimy, do you have a seconder in your Motion under Standing Order 28 so that I proceed to put a question?

Hon. Mohamed Hatimy: Mheshimiwa Spika chini za Kanuni za Bunge 28 nimeomba ruhusa. Nimeomba ruhusa Mheshimiwa Spika!

The Deputy Speaker (Hon. Mwalimu): Yes it is a Motion that you are introducing Hon. Hatimy of which I will be supposed to put a question either the Honourable House agrees to adjourn or to proceed.

The Chief Whip (Hon. Kitula): Mheshimiwa Mwenyekiti labda kupitia muongozo wako Mwenyekiti wa Fedha atueleze sababu za kuweza kuahirisha Bunge hili. Kwa sababu Bunge hili ilikuwa *quorum* iko na hatuwezi kuzuia Wanachama wote kutotoka katika Bunge hili. Sisi tuko hapa na tayari *quorum* kulingana na Bunge limeanza ikiwa iko kwa hivyo kama hakuna *quorum* saa hii twamalizia lakini *quorum* iko kulingana na kikao chetu cha Bunge cha leo Mheshimiwa Mwenyekiti. Lakini atupatie sababu zake za kuahirisha kuhusu kikao hichi.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Kitula but under Standing Order 28 it is the Speaker to decide and not the Honourable Members to give reasons as to why he has proposed this Standing Order.

Hon. Mohamed Hatimy: Mheshimiwa Speaker I request Hon. Moses to second.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Moses?

Hon. Aran: Hon. Speaker I do second.

The Deputy Speaker (Hon. Mwalimu): Hon. Members I now stand to put a question that the House stands adjourned under Standing Order 28 as proposed by Hon. Mohamed Hatimy.

(Question put and negatived)

Yes proceed. Yes Hon. Kitula?

The Chief Whip (Hon. Kitula): Ahsante Mheshimiwa Mwenyekiti. Kulingana na hoja ambayo iko katika meza yetu katika siku ya leo kwetu sisi ni muhimu; kwa sababu Kanuni za Bunge zinatumia hapa Mheshimiwa Mwenyekiti wengi wetu hatuna ufahamu nazo na ni baadhi tu hasa wale Wabunge ambao wameingia awamu ya pili Mheshimiwa Mwenyekiti. Tukiangalia, kusema la ukweli Mheshimiwa Mwenyekiti kinachotia uchungu zaidi ambapo tulipata aibu juzi wakati Seneti walipokuja mahali hapa Mheshimiwa Mwenyekiti kwamba Kamati ya PAC katika nchi nzima ya Kenya katika Kaunti yetu ya Mombasa ndio ina Wanachama watano Mheshimiwa Mwenyekiti.

Ni jambo la aibu kwetu sisi kwa kuwa na Kamati muhimu zaidi katika serikali au katika Bunge la Kaunti kuwa na wanakamati wachache zaidi katika nchi nzima Mheshimiwa Mwenyekiti. Kwa hivyo lengo langu kuu Mheshimiwa Mwenyekiti kuangalia mambo kama hayo kwamba Kamati kama hizo ambazo ni muhimu lazima ziwe na Wanachama wa kutosha na vilevile mbali na kuwa na Wanachama wa kutosha pia kuweza kuhakikisha kwamba wajibu wao wa kikatiba wameweza kutimiza ili kuweza kuhakikisha kwamba utenda kazi kwa Wizara tofauti zinafanyika katika Kaunti hii.

Kwa hivyo mimi natilia mkazo na nina imani kwamba endapo Kamati husika itaweza ikalia chini kuweza kuangalia kwamba kitabu hichi kiweze kuwa ni muundo wa kisasa kitajadili na kuweza kuhakikisha kwamba Kamati ina watu wa kutosha ili kuweza kuhakikisha kwamba inafanya *oversight* katika Idara tofauti. Ahsante Mheshimiwa Mwenyekiti.

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

Hon. Samba: Yes Hon. Speaker I also wish to add my voice in the Motion. Hon. Speaker it is timely and as my fellow colleague has just said we are Hon. Members we should be (??) with the Standing orders and most of the Standing Orders if you go through them you will find that there are some of the words that still refers to Senate and whereas we are County Assembly. Number two when it came to composition of Committees and infact the Standing orders are the core centre, they are the key guideline that guides us when it comes to Committee composition, but you find that so many Committees we never even took part in electing or may be selecting the Committees that suit Members. So by changing the Standing orders we will also or by amending the Standing orders it may bring in some other Standing orders that maybe allow us to rearrange and to reorganise the Committee formation.

Secondly and the most important thing and may be when it will go through Hon. Speaker we should have pocket friendly Standing Orders; we are the only County that still has a baggage. This is a luggage, a very heavy load and that is why I do not know the means that it was used maybe for us not to read it or I do not know, but atleast if we have pocket friendly Standing orders we will be having them wherever we walk and wherever we will be going through the Standing orders.

So I would also urge next time we should also be having it in Swahili version, not everyone is maybe fluent in English but also Kiswahili is also a national language. So the Motion is timely Hon. Speaker and I am also party to it that supports the amendment and I support the Motion. Thank you Hon. Speaker.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Mohamed Hatimy, I saw you up?

Hon. Mohamed Hatimy: Hon. Speaker there is no quorum in this House.

The Deputy Speaker (Hon. Mwalimu): Clerk ascertain if there is quorum or not.

(The Clerk confirmed lack of quorum)

Serjeant, ring the quorum bell.

(The Serjeant-At-Arms rung the quorum Bell)

Serjeant, make sure it is only the Chief Whip who is allowed to get out of this Assembly so that to whip Members to come back into this Honourable House, the other Members are requested to sit so that the Chief Whip can try and raise the quorum of this House.

(Silence)

Hon. Mohamed Hatimy: Hon. Speaker it is already more than eight minutes.

ADJOURNMENT

The Deputy Speaker (Hon. Mwalimu): Hon. Members, under Standing Order 32 (2) this House stands adjourned until tomorrow morning Wednesday the 9th at 10:00a.m.

The House rose at 4:26p.m.