



COUNTY ASSEMBLY OF MOMBASA

OFFICIAL REPORT

Thursday, 11th July, 2019
The House met at 2:39p.m.

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

PRAYERS

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

STATEMENTS

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE FOR TRADE, TOURISM AND INVESTMENT
HON. KIZITO OPEYA ON CONDUCT OF BUSINESS BY EAST AFRICA SUB SAHARA COMPANY WITHIN
THE COUNTY

Yes Hon. Kizito Opeya, the Chair for Trade, Tourism and Investment?

(Silence)

Any other Member in the Committee of Trade, Tourism and Investment? Yes Hon. Mohamed Mohamed do you have the response? Hon. Amur I think you are in the Committee of Trade as well?

Hon. Mohamed Hatimy: Yes I am a Member of Trade, Tourism and Investment.

The Speaker (Hon. Khatri): Yes Hon. Mohamed Mohamed you are a Member as well?

Hon. Mohamed Hatimy: Yes Mr. Speaker.

The Speaker (Hon. Khatri): Do you have the response?

Hon. Mohamed Hatimy: Yes I do have the response. Mr. Speaker I request the Honourable Assembly to give us more time because we are still waiting for response from the Department, so we need more time Mr. Speaker. Thank you.

The Speaker (Hon. Khatri): How long?

Hon. Mohamed Hatimy: I think one week is okay for us.

The Speaker (Hon. Khatri): Ok, so we are giving you one more week. Yes Clerk, next Order please. Yes Hon. Faith.

Hon. Mwende: Mr. Speaker I guess in this House there is no Hon. Sebby, it is Hon. Faith not Hon. Sebby and...

(Interruption)

The Speaker (Hon. Khatri): Hon. Sebby? Who said Hon. Sebby?

Hon. Mwende: I heard Chairman Hatimy saying that... I was the one who brought the Statement and it is with a lot of concern Hon. Speaker because our women are being forced to pay Kshs.120 and now they are going County wide. As I was talking with some of my colleagues even Hon. Bwire told me they have reached in his place, so it is a matter of urgency they have to treat it as an urgent matter. Thank you Mr. Speaker.

The Speaker (Hon. Khatri): Thank you very much Hon. Faith. Yes Hon. Charles Kitula?

The Chief Whip (Hon. Kitula): Ahsante Mheshimiwa Spika. Tungependa kupata muongozo kutoka kwako Mheshimiwa Spika maana desturi hii inayoendelea katika Bunge hili itakua sio sawa; ikiwa Mwenyekiti hayuko ni sababu gani yeye imemsababisha kutokua katika Bunge? Naibu wake nae pia hayuko, sababu gani imesababisha Naibu wake kutokua katika Bunge? Hivi sasa nimeona Mwanachama ametoka pale kuja kupatiwa ripoti na Karani, hio ni ishara kwamba hata hawa katika mikutano hawakukaa, tungependa kupata muongozo wako ili tabia hii isirudie katika Bunge hili Mheshimiwa Spika. Tafadhali toa muongozo tuweze kupata majibu yanayostahili kutoka kwa Mwenyekiti au Naibu wake Mheshimiwa Mwenyekiti. Ahsante sana.

The Speaker (Hon. Khatri): Thank you Hon. Charles Kitula. Hon. Members I think we have the other Member of the Committee who is Hon. Amur, I think you wanted to say something. Do you have the response?

Hon. Murfad Amur: Mr. Speaker with all due respect my colleague Hon. Hatimy had already request for one week yet in the absence of any Member as long as the Committee is there he can present on behalf of the Committee. I want it to be clear, it is not that we are not working but Mr. Speaker offices are there to stay, if the Committee is there then it does not mean that the Chair or the Vice Chair is not in, the entire Committee will blame the Chair. We are here and we can represent on behalf of the Committee Mr. Speaker. Thank you.

The Speaker (Hon. Khatri): Thank you Hon. Amur. Hon. Amur the Hon. Member is just saying that we should take this thing serious when people are bringing Statements, so when we ask for one week we should have them by that time.

So please the Honourable House let just take this thing serious and next time when we ask for time we make sure that we have the response. Yes Clerk, next Order?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE OF FINANCE HON. MOHAMED HATIMY ON
STATUS OF MAJAONI ROAD, BAMBURI WARD

Yes Hon. Mohamed Mohamed Hatimy please give the response.

Hon. Mohamed Hatimy: Ahsante Mheshimiwa Spika. Mheshimiwa Spika naomba yule aliyeleta hii Taarifa akubali tu *consolidate* na Taarifa ya Mheshimiwa Bwire kwani lile jambo lililoulizwa ni lile lile twangoja ripoti ya *status* ya bajeti ya mwaka uliopita *Financial year* ya mwaka uliopita ambayo tumewaeleza, tumewaambia pia watupatie sababu gani zile kazi ambazo hazikufanywa pia watuandikie.

Kwa hivyo ilikuwa naomba asubiri kidogo nafikiri wiki ijayo ndio tutakuja na jawabu, hapo ndio tutaweza kujibu hili suala Mheshimiwa Spika. Nasubiri kutoka kwa Idara zote watueleze ile bajeti iliyopita na hii ikiwa haikulipwa pia itakua imo kwenye ile ripoti ambayo itakuja.

Hivyo basi Mheshimiwa Spika kupitia kwa Kiti chako naomba unipatie tena muda wa wiki moja jambo hili ili tuweze kulimaliza. Ahsante.

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

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Hatimy. So it is upon the Honourable Chairs to take matters seriously whatever that has been raised by the Honourable House please Committees take note and take charge and respond back to this Honourable House within the stipulated time.

Yes Clerk?

RESPONSE TO STATEMENT BY CHAIRPERSON COMMITTEE OF EDUCATION, INFORMATION
TECHNOLOGY AND MV 2035 ON STATUS OF KWA HOLA ECDE CENTRE

Yes Hon. Ibrahim Omondi?

Hon. Omondi: Thank you Mr. Speaker Sir. As I can see a sign of success ahead because you have just referred me as Hon. Hatimy but I am Ibrahim Omondi. Mr. Speaker Sir I stand with your permission to give a response on a Statement that was raised by the Member of Kipevu Ward Hon. Faith Mwendu on issues concerning the status of Kwa Hola ECD Centre.

Mr. Speaker Sir the response was indeed communicated from the respective Department but we had a meeting and we did deliberate intensively on that particular response that was given by the same Department but our findings was that the response did not meet the merits of what we expected from the Department, and therefore as the Committee we decided that the particular response should not see the light of day, and in this particular Honourable House and therefore we threw that particular response away.

The recommendation that we made by the Committee was that the Chief Officers of the Department to appear before the Committee on Tuesday morning.

This is to allow them to give a very comprehensive reports on the same which will satisfy the Member and also not only the Member because this issue is touching on various ECD centres in our County. That is where we are thank you Mr. Speaker Sir.

(Applause)

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Ibrahim and I can see also the Hon. Member who brought this Statement from Kipevu Ward, she is very much satisfied by your response so the House will be waiting for the response as you have said you found that it has no merit, so we will be waiting for the response that the Committee will see that it got merits to see the floor of the House so that the people from Kwa Hola and Kipevu Ward at large will start enjoying the services of Education Department and the County at large.

Hon. Omondi: Most obliged Mr. Speaker Sir. I also stand on Standing Order 41(2) (c) and I would like to give a Statement if am allowed Mr. Speaker Sir?

The Deputy Speaker (Hon. Mwalimu): Just a minute Hon. Ibrahim am consulting...

(Consultations)

The Deputy Speaker (Hon. Mwalimu): Okay proceed.

Hon. Omondi: Thank you very much Mr. Speaker Sir. It is a very touching issue which I want to direct to the Chair Labour Committee. Mr. Speaker Sir, we have had a culture where most of the employees in the companies where they are working especially the transport companies, are being handled like *ugali* if I may use that particular term whereby you simply mingle it and put it in your mouth. As I want to emphasize to use that term to emphasize Mr. Speaker Sir if you may allow me.

Mr. Speaker Sir I want this to serve as an example, it is a company called Abebe Transport, situated in Port Reitz, this company dismissed employees without notice, without them being paid their duties and without proper reasons as to why they have been dismissed. I know this has been happening to very many companies in our Wards but I want to direct this to the Chairman of Labour to come with a lot of force to address this particular issue Mr. Speaker Sir, so that it shows an example to other companies which are doing that.

Mr. Speaker Sir the following people one Derrick from Mshomoroni, two Kennedy from Miritini, three Christine Juma from Airport Ward and very many others which I have not mentioned have fallen victims of this particular company and therefore I request the Chairman of Labour to investigate intensively; I may use the word intensively because it seems there are a lot of activities which are going on in that particular company which are not at par with our Constitution or with our County government Constitution. Thank you Mr. Speaker Sir.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Ibrahim and I think the Chair Labour is around, you will share with the Labour Chair plus the Committee the names of the company and affected individuals, so that the Labour Committee may fast-track and bring back the response on that issue. Yes Hon. Samba? Yes Hon. Bwire before Hon. Samba?

Hon. Bwire: Thank you Mr. Speaker. Mr. Speaker I also happened to a Member of the said Committee and as a Member am concerned with the terms that have been used by the Hon. Member. Mr. Speaker, we may not be able to get the full meaning of intensively or something maybe he clarifies before you direct the Committee to have a sitting together kindly please, am sure my Chairman is also not conversant with it the term used by the Member.

The Deputy Speaker (Hon. Mwalimu): Okay thank you Hon. Raphael Bwire. Yes Hon. Ibrahim?

Hon. Omondi: Mr. Speaker Sir.

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Use your microphone.

Hon. Omondi: Sorry with your respect and your permission, I would like the Member to clarify to enlist the terms Mr. Speaker Sir that he could not understand so that I may clarify those terms to them. Thank you.

Hon. Bwire: With your permission Mr. Speaker I may repeat he has used the term maybe my fellow colleagues can pronounce but am unable 'intensively', *combanies* you see Mr. Speaker '*combanies*' those are the terms I mean I cannot be able to clarify maybe you come out clear Hon. Member. Thank you.

Hon. Omondi: Hon. Member from Mishomoroni...

(Interruption)

The Deputy Speaker (Hon. Mwalimu): Junda, Junda...

(Laughter)

Junda Ward.

Hon. Omondi: Yeah Junda Ward, sorry for the term Mr. Speaker. With due respect it has been captured well with the Hansard the term I used Mr. Speaker they should be investigated intensively. I said, intensively; yes Mr. Speaker Sir unless if there is a question about it, the meaning of investigating intensively is actually getting all the information, going deep into it not just doing... its going deep and even reaching to the owner of that particular company and getting the right report, *ndani ndani kabisa*. Thank you.

The Deputy Speaker (Hon. Mwalimu): I think the concern by the Hon. Member is how you pronounce it; your pronunciation. Yes Chair?

Hon. Thoya: Thank you Mr. Speaker. I am happy that some of my Members seek for clarifications but to me is in-depth clarification, in depth investigation.

But sometimes when Hon. Ibrahim Omondi emphasizes on it you will hear as if it is from America today but we will do the in-depth investigation and I should believe in 14 days we are going to be back with the report. Thank you for those vocabularies but we will do a fair job to your Statement. Thank you.

The Deputy Speaker (Hon. Mwalimu): Thank you.

Hon. Omondi: Point of Information Mr. Speaker Sir.

The Deputy Speaker (Hon. Mwalimu): Information on what and the Chair of Labour has said that.

Hon. Omondi: Point of Information Mr. Speaker Sir! I do not want words to be put in my mouth. Mr. Speaker Sir I want to be heard very carefully I used the term *intensively* and it is the right term Mr. Speaker Sir...

(Laughter)

And if there is somebody doubting that word was used wrongly this time we are digital.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Nyiro? Hon. Ibrahim let Hon. Nyiro raise concern.

Hon. Nyiro: Maybe because of where I come from I do not suffer the problem of pronunciation so maybe I will be able to help the term Hon. *Bomoa* used; was it *intensively* but you are pronouncing it *indensively* so that is where the problem is, so intensive and in-depth is the same thing...

(Applause)

Yes *kwa kina na kwa upana*; intensively and in-depth. Thank you but you are pronouncing it *indensively*, *combany* that is the problem.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Nyiro. Hon. Ibrahim you are out of order! Consult on a low tone. Yes Hon. Tobias Samba?

Hon. Samba: Hon. Speaker thank you. I am standing on a Standing Order 41 (2) (c) if you may allow me.

The Deputy Speaker (Hon. Mwalimu): Proceed.

Hon. Samba: Thank you. I would like to seek a Statement from the Chair of Education and ICT on bursary of college and universities. Hon. Speaker I do not know the reasons why when it comes to the issue of bursaries we need to put pressure and mind you we have done the main budget and two supplementary budgets of which as at now if the bursary is to help maybe others who are in form fours last two years they have been benefitted.

But we do not know when will this trend stop so I just want the Hon. Member for Education at least to tell the House when exactly will the bursaries for colleges and universities be distributed.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Tobias Samba. Yes Hon. Ibrahim Omondi, putting in mind that we are in a new financial year what happened to the previous college bursaries?

Hon. Omondi: Thank you Mr. Speaker Sir for the chance again. I would request for a period of one week so that I may respond on it. Thank you.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Chief Whip?

The Chief Whip (Hon. Kitula): Thank you Mr. Speaker. Mr. Speaker am standing under Standing Order 41 (2) (c).

The Deputy Speaker (Hon. Mwalimu): Proceed.

The Chief Whip (Hon. Kitula): I seek to know from the Chairperson Committee on Education, Information and Technology and Mombasa Vision 2035 on the case of Shadya Muslim who was offered a chance to study cognitive neuroscience in *Noteria* university in England this child is indeed of help from the department to enable her pursue the degree. Thank you Mr. Speaker.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Ibrahim any response?

Hon. Omondi: Mr. Speaker Sir thank you again I would also request for a period of one week so that I may respond Mr. Speaker Sir. Thank you.

The Deputy Speaker (Hon. Mwalimu): Well noted, yes Hon. Feddis Mbura?

Hon. Mbura: Ahsante sana Mheshimiwa Spika ningeomba kupitia *Standing Order* 41 (2) (c).

The Deputy Speaker (Hon. Mwalimu): Okay proceed.

Hon. Mbura: Nikitaka kujua *Chairman* wa *Education* katika lile jengo la Mwakirunge ECDE walienda kuzuru na kusema kweli sijapata ripoti mpaka leo na watoto wanapata shida; darasa moja linasomewa na watoto 120. Kwa hivyo ningetaka kujua, je walipoenda pale walipata shida ni nini na kwa nini lile jengo halijafunguliwa na lina muda gani? Ahsante sana Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Yes Hon. Ibrahim, any response?

Hon. Omondi: Mr. Speaker also I would request for one week so that I can give a comprehensive report on that. Thank you.

The Deputy Speaker (Hon. Mwalimu): Well noted. Yes Hon. Bwire?

Hon. Bwire: Thank you Mr. Speaker. Mr. Speaker we are fond of this one week, two weeks, three weeks the Committee on Education had site visit long way back before even we went for recess they ought to have the report as we speak now.

Mr. Speaker, they have never reported back to the House I do not know whether they reported back to House because there was a Statement they were to go on a site visit and bring back the report to this House and I do not know the reason as to why the Chairman is keeping on asking for one week, two weeks and yet is in possession of the said report.

Even when the issue which was raised by Hon. Faith they ought to have answered it here because they already have the report so I would wish just to call upon the Hon. Chair on Education and other Chairpersons kindly let us be serious we are here as the representatives of the people and we are always delaying the issues of development.

I would wish to end this scenario and call upon everybody who is assigned the responsibility to take it with a lot of seriousness. Thank you.

The Deputy Speaker (Hon. Mwalimu): Okay thank you and well noted so Hon. Chair as you have requested for one week the House will be waiting for your response and we will not tolerate any further postponement. Yes Hon. Member from Mikindani Ward, Thoya?

Hon. Thoya: Thank you Mr. Speaker. I want to seek a Statement from the Board representatives; I believe they are not here but you may send this message to them what plans do they have in equipping the Department of Public Relations so that they can be capturing the information in this plenary very well. I understand they do not have even a single camera, is very absurd for those people to be using mobile phones and whatsoever, so what plans do they have to equip that said Department in the County Assembly of Mombasa.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Thoya. Yes Hon. Faith?

Hon. Mwende: Ahsante sana Mheshimiwa Spika nasimama katika Kanuni ya 41 (2) (c). Mheshimiwa Spika ningeomba kujua kutoka Kamati ya Maji Mwaka wa bajeti iliopita Wodi ya Kipevu ilipangiwa visima vitatu na mpaka leo hii sijaona kisima hata kimoja. Naomba kujua hiyo pesa iliwekezwa wapi? Na ni kwa nini hiyo kazi haijatendeka? Ahsante sana Bwana Spika.

The Deputy Speaker (Hon. Mwalimu): Thank you. The Water Committee will respond on that issue in two weeks time. Yes Hon. Ogutu?

Hon. Ogutu: Ahsante sana Mheshimiwa Spika. Ningependa kusimama kwa hicho hicho kipengele ambacho kimemruhusu Mheshimiwa wa Kipevu; kuna barabara zangu ambazo niliomba taarifa hapa; barabara ya Changamwe Police Station, barabara ya Changamwe Industrial Area, barabara ya Changamwe (??) hiyo barabara Mheshimiwa Spika iko Wodi ya Port Reitz na imewekwa Changamwe na inasemekana imejengwa.

Sasa nataka niambiwe na hiyo Kamati hizo kazi zitafanyika lini? Manake ni pesa ambazo zimetumika tayari. Ahsante sana Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Ogutu and the Committee on Transport will respond on that issue in two weeks time. Hon. Ibrahim you had given us your Statement not unless you are up on information because we gave you a chance and you raised your Statements.

Hon. Omondi: Mr. Speaker Sir it is a very burning matter I would like you to allow me to give another Statement because it is a very heavy issue which is very much eating up, if you will allow me.

The Deputy Speaker (Hon. Mwalimu): Proceed.

Hon. Omondi: Thank you Mr. Speaker Sir. Mr. Speaker Sir I want to know from the Chair on Environment about the garbage collection which have been asked here more than five times; the garbage that had not been collected for more than seven years in a place called Saratoga so I would like to know from the Chair what are the plans to remove that particular garbage. Thank you.

The Deputy Speaker (Hon. Mwalimu): Hon. Ibrahim what you convey to the Chairman Environment is that garbage has not yet been collected for the last seven years?

Hon. Omondi: Exactly.

The Deputy Speaker (Hon. Mwalimu): Thank you. Hon. Members it is a privilege that I had given to the Members noting that today the Thursday will be the last for the Hon. Members to give their Statements because in our next calendar will be having Statement times on Wednesday. So I had given this opportunity but as per our procedures you are supposed to notify the Speaker on whatever that you want to raise or Statement in what you want to give in this Honourable House. So thank you for the Statements and let us move to the next order. Yes Clerk?

ADJOURNMENT

Hon. Members there being no other Business the House stands adjourned until Tuesday 16th of July, 2019 at 10:00a.m.

The House rose at 3:13p.m.