



COUNTY ASSEMBLY OF MOMBASA

OFFICIAL REPORT

Wednesday, 30th October, 2019
The House met at 10:05a.m

(The Deputy Speaker (Hon. Fadhili Mwalimu) in the Chair)

PRAYERS

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

PETITIONS

PETITION FROM EAST ACTION BUSINESS COMMUNITY MOVEMENT ON THE STANDARD GAUGE RAILWAY (SGR) MONOPOLY

Hon. Members, Pursuant to Standing Order 195, I have received a petition from East Action Business Community Movement on the Standard Gauge Railway (SGR). Hon. Members, Pursuant to Standing Order 202, I now commit this Petition to the Committee on Transport, Infrastructure and Public Works for consideration. The Committee shall within sixty days respond to the Petitioner, by a way of a Report and table the same before the floor of the County Assembly and also Hon. Members just to remind you the other Petitions that were committed to this Honourable House, make sure Committees the House receives the Reports on the same. Thank you. Yes, Clerk?

PETITION FROM JUA KALI MOMBASA ASSOCIATION ON JUSTICE AND COMPENSATION FOR LOSS OF BUSINESS AND PROPERTIES

Hon. Members, pursuant to Standing Order 195 we have a petition from Jua Kali Mombasa Association, on Justice and Compensation for loss of businesses and properties. Hon. Members, pursuant to our own Standing Order 202, I now commit this Petition to the Committee on Trade, Tourism and Investment committee, Committee on Justice and Legal Affairs and Committee on Transport, Infrastructure and Public Work and Committee on Labour. The Committees named shall within sixty days respond to the Petitioner by a way of a Report and table the same before the floor of the County Assembly. So I will want the Chairs of these Committees mentioned to work as joint Committees and make sure the Petitioners get the response in time. Yes, Clerk?

PAPER

QUARTERLY REPORTS AND FINANCIAL STATEMENT FOR THE FINANCIAL PERIOD ENDED SEPTEMBER 30th, 2019.

Yes, the Leader of Majority party?

The Leader of Majority (Hon. Mwidani): Thank you Mr. Speaker for giving me this chance to lay Paper on Quarterly Reports and Financial Statement for the Financial Period ended September 30th, 2019. Thank you Mr. Speaker.

(Paper laid)

The Deputy Speaker (Hon. Mwalimu): Hon. Members, the Quarterly Reports and Financial Statements tabled by the Leader of Majority for the year ended September 30th, 2019 stands committed to the Committee on Finance, Budget and Appropriations for consideration. Yes, Clerk? Yes Hon. Chief Whip?

The Chief Whip (Hon. Kitula): Mheshimiwa Mwenyekiti ningependa kupitia Kiti chako na usaidizi wa Makarani, kulingana na kipengele cha 166 kuhusiana na *quarterly reports*, haijaweka wazi endapo kuna sheria rasmi ya kwamba any *quarterly report*, inapelekwa katika Kamati lakini vile vile baada ya Kamati, Ripoti yao inastahili kuja katika Bunge hili kwa mda gani? Sasa ningependa kupitia Kiti chako na usaidizi wa Makarani wa Bunge waweze kutueleza vizuri, maana nikisoma sheria ya County Government Act Section 166 imeelezea tu *executive* kuweza kuleta Ripoti katika Nyumba hii, lakini haikuzungumzia kwamba Ripoti hii inakuwa *committed through the Committee* na vile vile haikutoa mda wa kuripotiwa endapo Kamati wataiongelea, itaingia ndani ya Nyumba hii kwa mda gani, ahsante.

The Deputy Speaker (Hon. Mwalimu): Thank you Chief Whip. The Report as it has been tabled by Leader of Majority is now within the presence of Assembly and Hon. Members the Report is with you, it is just that it is taken to the Committee on Finance, but Hon. Members also are at liberty to peruse and the Committee will table a Report on the same on what the have perused and the Hon. Members will discuss, but for further clarification we will clarify further in the afternoon sitting as to when the Report is going to be discussed in this Honourable House. Yes, Clerk?

STATEMENT

DEMOLITION AT TUDOR WARD, BUXTON AREA

Yes Hon. Tobias Samba?

Hon. Samba: Yes, thank you Mr. Speaker. I am inquiring on a Statement that I had requested last week; it was done on my behalf by Hon. Bwire about the demolition at the Tudor Ward Buxton area. I did some follow up and right now Hon. Speaker it is heading nowhere and no one seems to be responsible because when I followed up with the Chair of Transport she told me that it was supposedly directed to the Department of Labour and it was an urgent issue until today it has not been addressed.

So Hon. Speaker I was requesting if you can give further instructions that will be more convincing and more favourable to my Tudor Ward people. Thank you Hon. Speaker.

The Deputy Speaker (Hon. Mwalimu): Thank you Hon. Tobias Samba for the reminder; as per our vote book the Report was supposed to be tabled in this Honourable House by 16th October, which means as we were in recess it was supposed to come this week but unfortunately, the House Business Committee have not allotted time as to when it is to come, so after consultations we will wait for the House Business Committee to allot it by next week Tuesday, they will bring the report.

Hon. Samba: Thank you Hon. Speaker.

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

The Chief Whip (Hon. Kitula): Mheshimiwa Spika kwa sababu mimi ni Mwanachama wa Kamati ya House Business na jambo hili nimelipata kupitia wiki hii baada ya House Business na ningependa uongozi wako kupitia Kiti chako, endapo utanipatia ruhusa hii ili niiseme katika Bunge hili siku ya leo mchana. Mheshimiwa Spika, kwa sababu ni jambo ambalo linaumiza wananchi wetu na Kaunti yetu ya Mombasa Mheshimiwa Mwenyekiti, ni kuhusiana na maswala ya kitengo cha Inspectorate. Saa hizi imefikia wakati wakubwa katika Inspectorate wanaandika watu ambao sio wafanyi kazi wa Kaunti katika vizuizi, imefikia wakati hivi sasa katika wakubwa wa Inspectorate...

(Interruption)

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

The Chief Whip (Hon. Kitula): Yes?

The Deputy Speaker (Hon. Mwalimu): It is as if you are introducing another issue and yet you are a Member of the House Business Committee.

The Chief Whip (Hon. Kitula): Ningependa ruhusa yako endapo nitaiandika siku ya leo mchana iweze kuja katika Bunge Mheshimiwa Spika kwa ruhusa yako.

The Deputy Speaker (Hon. Mwalimu): Hon. Chief Whip as much as the procedures of this House are concerned, you will wait for the House Business to allot the day, as to when you are going to discuss the issue that you have raised, in as much as there is a misuse and abuse of offices as you have said, but just draft the Statement and take it to the Clerk and the House Business Committee will decide as to when it is going to come to this House. Let us follow our Parliamentary procedures. Yes, Hon. Thoya?

Hon. Thoya: Thank you Mr. Speaker. I think you have ruled the Statement by Hon. Samba that is going to be allocated time next week, it is going to be prudent if you categorically put it is it the Transport Committee or it is Labour Committee?

The Deputy Speaker (Hon. Mwalimu): As per the vote book, it was Transport Committee that was supposed to bring a Report, so the Table Clerks will communicate to the Committee concerned on whatever that has transpired today on issues on the pending Petition and the pending Reports. Yes, Clerk?

ADJOURNMENT

Hon. Members the House stands adjourned until Wednesday 30th October, 2019 at 2:30p.m.

The House rose at 10:21a.m.