

**REPUBLIC OF KENYA**  
**THE COUNTY ASSEMBLY OF MOMBASA**

**OFFICIAL REPORT**

Thursday, 15<sup>th</sup> February, 2018

The House met at 2:49p.m.

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

**PRAYERS**

**The Speaker:** We may be seated Hon. Members. Next order.

**STATEMENT**

Yes Hon. Kombe Nzai.

STATUS OF BURSARIES WITHIN THE COUNTY

**Hon. Nzai:** Thank you Mr. Speaker I would like to bring a statement on the status of bursaries within the County. I seek to know from the Chairperson, Committee on Education, Information Technology and MV 2035 on when the County Government will start the disbursement of bursaries, considering that it has already been a month since the students returned to their respective educational institutions. Thank you, Mr. Speaker.

**The Speaker:** Thank you Hon. Nzai. Hon. Members I direct that the Chairperson Committee on Education Information Technology and MV 2035 bring response to the statement in the next sitting hour, that is on Thursday next week at the same time as pursuant to Standing order 41(1).

*(Applause)*

...Next order.

**The Speaker:** Yes, Hon. Moses Aran.

PROGRESS OF THE CLEANING EXERCISE WITHIN THE COUNTY WHICH HAS BEEN CONDUCTED BY  
THE COUNTY GOVERNMENT

**Hon. Aran:** Mr. Speaker Sir, I seek to know from the Chairperson, Committee on Energy, Environment and Solid Waste, on the progress of the cleaning exercise within the County, which has been conducted by the County Government. Thank you Mr. Speaker.

**The Speaker:** Hon. Members again I direct that the Chairperson, Committee on Environment, Waste Management and Energy bring the response to the statement on the next sitting hour, that is Thursday next week at the same time. Next order?

Yes, Hon. Mwaka Bakari.

COUNTY GOVERNMENT POLICY ON SPONSORSHIP OF WARD TOURNAMENTS AND WHAT  
MEASURES AVAILABLE ON THE SAME

**Hon. (Ms.) Mwaka Bakari:** Thank you Mr. Speaker, I seek to know from the Chairperson, Committee on Youth, Gender, Sports and Cultural Affairs on if the County Government has any policy in regard to the sponsorship of Ward tournaments and if not, what measures they would take regarding the same.

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**The Speaker:** Thank you. Hon. Members I direct that the Chairperson Committee on Youth, Gender, Sports and Cultural Affairs bring the response to the statement on the next sitting hour, that is Thursday next week at the same time. Yes Clerk? Yes Hon. Fatma Kushe.

**Hon. (Ms.) Fatma Swaleh:** Ahsante sana Mheshimiwa Spika. Mimi pia ilikuwa nina ombi...

*(Interruption)*

**The Speaker:** Can you state under what Standing order you are standing please.

**Hon. (Ms.) Fatma Swaleh:** Mheshimiwa Spika kama ninavyojua leo ni siku ya *Statements* kwa hivyo naona niko sawa. Mheshimiwa Spika...

*(Interruption)*

**The Speaker:** Which Standing order is that?

**Hon. (Ms.) Fatma Swaleh:** Standing order 41 *Mheshimiwa Spika...*

*(Interruption)*

**The Speaker:** Sorry, can you read for me Standing order 41, what is Standing order 41 saying?

**Hon. (Ms.) Fatma Swaleh:** Naomba Mheshimiwa Hatimy aweze kunisomea anisaidie Mheshimiwa Spika. 41 *During the statement a Member of the County Assembly...*

*(Interruption)*

**The Speaker:** Excuse me can you state the Standing order Hon. Member, state which Standing order are you reading?

**Hon. (Ms.) Fatma Swaleh:** Standing order number 41.

**The Speaker:** Yes.

**Hon. (Ms.) Fatma Swaleh:** Standing order number 41 (c), *a Member may request of a statement from...*

*(Interruption)*

**The Speaker:** Standing order 41, 2(c).

**Hon. (Ms.) Fatma Swaleh:** *Yes, a Member may request for a Statement from the Committee Chairperson relating to matters under mandate of the Committee and the Speaker may either appoint a day for the Statement or direct that the Statement be issued on the same day.*

**The Speaker:** Thank you, so Hon. Member you may give your Statement next Thursday. Thank you.

*(Applause and Laughter)*

**Hon. (Ms.) Fatma Swaleh:** Mheshimiwa Spika nakuomba kwa heshima na taadhima kwa sababu Alhamisi ijayo sitakuweko niko nina miadi na daktari kwa hivyo ni donda ambalo linaniuma. Kwa hivyo Mheshimiwa Spika nakuomba unione huruma uniangelie kwa jicho la imani niweze kuizungumza.

**The Speaker:** Thank you, yes Hon. Fadhili Mwalimu.

**The Deputy Speaker** (Hon. Fadhili Mwalimu): Point of order Hon. Speaker. The Hon. Member is going against your directive, you have already directed that the Statement to be issued next Thursday same time and by you giving her a chance to continue it will be going against your direction, thank you.

**The Speaker:** Thank you. Hon. Fatma I think you said next Thursday you will not be here and I have not seen any letter in my office stating that you will not be here next Thursday so my direction is that you will give your statement if you are not there next Thursday first I have to see that letter and then you may issue the statement the other coming Thursday. Yes Hon. Fatma Kushe?

**Hon. (Ms.) Fatma Swaleh:** Standing order number 40 Mr. Speaker.

*(Interruption)*

**The Speaker:** Sorry.

**Hon. (Ms.) Fatma Swaleh:** Under Standing order number 40.

**The Speaker:** Hon. Fatma I think we are done with that. Yes Hon. Shebe Athman.

RETRENCHMENT OF MORE THAN 300 WORKERS WITHOUT PAY IN JOMVU KUU WARD  
FOR JOINING UNION.

**Hon. Shebe Salim:** Thank you Mr. Speaker Sir. I rise under Standing order number 41, 2(c). Mr. Speaker Sir, I kindly ask your indulgence on a matter which is of great concern to my electorate in Jomvu kuu Ward. Mr. Speaker Sir two companies in my Ward have suddenly retrenched more than 300 workers without pay and others have found themselves in the wrong foot from the employers by joining the so called union which I think the Constitution is very clear that every worker has a right to join any union in this country. So Mr. Speaker I kindly ask the Chairman of Labour to give a thorough statement concerning the issue. Thank you Mr. Speaker Sir.

**The Speaker:** Yes, Hon. Shebe was it a statement or what? You know read Standing order 41...

*(Interruption)*

**Hon. Shebe Salim:** Yes Mr. Speaker.

*(Interruption)*

**The Speaker:** But you didn't tell us if you wanted to give a statement or?

*(Interruption)*

**Hon. Shebe Salim:** Yes, I was inquiring Mr. Speaker for...

*(Interruption)*

**The Speaker:** Because you just continued reading you were not asking me for the permission.

**Hon. Shebe Salim:** I have done that Mr. Speaker Sir.

**The Speaker:** How?

**Hon. Shebe Salim:** Mr. Speaker I ask your indulgence on a matter, I have already stated that.

**The Speaker:** Okay, but I have not given you the permission to continue giving the statement.

**Hon. Shebe Salim:** Okay thank you Mr. Speaker.

**The Speaker:** I think this House you must ask for permission first and when permission is granted then that is when you can continue, you just do not stand and proceed.

**Hon. Shebe Salim:** Thank you Mr. Speaker, I ask your permission.

**The Speaker:** Okay.

**Hon. Shebe Salim:** Point of order Mr. Speaker.

**The Speaker:** Okay, so I think you can give that statement next week Thursday the same time.

**Hon. Shebe Salim:** Okay thank you.

**The Speaker:** Thank you, Yes Hon. Thoya.

**Hon. Thoya:** Ahsante Bwana Spika, nafikiri mimi nina ombi ambalo najaribu kulitoa kwa sababu hii kitu mnasema *Standing order* wengi wetu tunazidi kuisoma na kuna yale mambo ambayo ni ya dharura kwamba haikuingia kama *statement* lakini pia inakosa uvumilivu wa takriban wiki nzima inakuwa ni dharura. Ningeomba wakati mwingine muweze kutuelewa kwamba sisi bado tunasoma, kwa sababu kile ambacho Mheshimiwa Fatma angekuwa nacho suala zima ni kuwa je linaweza kuvumiliwa kwa takriban siku saba kufikia wiki ijayo...

(Applause)

...ila kwamba hakupeleka kule na wengine hata hatujui hizi *statement* zaingia vipi ama ni nini lisitumiwe kama kigezo cha kwamba yeye anawachwa nje. Ningependa kwamba tuweze kuhurumiwa wakati tunazidi kufanya hayo marekebisho tusome tuwe wanafunzi wazuri lakini anaweza kuwa ana jambo ambalo ni la dharura ambao kuvumilia takriban wiki moja itakuwa ni ngumu kwa Nyumba hii kuirekebisha na ilhali tulikuwa tunaweza kurekebisha ndani ya siku moja. Huyu Mheshimiwa Shebe pia analo lakini kwa sababu halikuingia hapa kwa sababu zengine zinakuwa tunawa *dismiss on technical grounds* kwa sababu hatuna uzoefu na hiki kitabu cha kanuni tunawekwa kando tu. Kwa hivyo Bwana Spika ningependa kwamba muweze kuelewa kwamba sisi pia tunazidi kusoma na isije tukawekwa kando hivi hivi *technically* naomba muweze kuiangalia hiyo japo kuwa tayari umeisukuma sote hatuko ngazi moja; kuna wengine ambao wanajua kupeleka Miswada wengine lazima tuanze kutafuta tafuta, wengine saa hizi wamekuja ndio wanaona kumbe kila mmoja anastahili kuongea kuhusu *statement*, kwa hivyo tusimcheke sana Mheshimiwa Fatuma lile aliloko nalo wiki ijayo tukakosa kurekebisha. Ahsante.

**The Speaker:** Ahsante sana Hon. Thoya lakini nataka kurekebisha kwa hapo; Mheshimiwa Fatma alikuwa hapa katika Bunge la kwanza na anajua sheria vizuri sana, kusema kuhusu Mheshimiwa Shebe naweza kubaliana na wewe lakini ukiniambia kuhusu Mheshimiwa Fatma alikuwa hapa katika Bunge lililopita na anajua kanuni na sheria vile zafaa kufuatwa. Kwa hivyo ni sawasawa afuate sheria inavyotakikana na tukisoma *Standing order* leo tuko kwa Bunge zaidi ya miezi sita ndio kila siku tunasisitiza tusomeni hizi *Standing order*, tukisoma ndio tutakuwa na ufahamu na pia kazi yetu itakuwa rahisi hapa ndani ya Bunge. Ahsanteni, Clerk?

#### ADJOURNMENT

Hon. Members the Assembly stands adjourned until Tuesday 20<sup>th</sup> February, 2018 at 2:30p.m.

The House rose at 3:07p.m.