

REPUBLIC OF KENYA
KIAMBU COUNTY ASSEMBLY

THE HANSARD

Wednesday, 25th July, 2018

The County Assembly met at the Assembly
Chamber at 2.30 P.M.

(The County Assembly Deputy Speaker (Hon. Phillip Mubea) in the Chair)

PRAYER

PAPERS

**REPORT OF THE PUBLIC INVESTMENTS AND ACCOUNTS
COMMITTEE ON THE CONSIDERATION OF THE AUDITOR
GENERAL'S REPORT FOR THE FINANCIAL STATEMENT OF THE
COUNTY EXECUTIVE OF KIAMBU FOR THE FINANCIAL YEAR
ENDED 30TH JUNE, 2016**

*(Paper laid by Chairperson Public Investments and Accounts Committee,
Hon. Erick)*

Deputy Speaker, (Hon. Mubea): Hon. Member, the Reports will be availed through the Sergeant-at-Arms office. We can all collect them for our consideration.

POINT OF ORDER

(By Specially Elected MCA, Hon. (Ms.) Mwago)

Deputy Speaker, (Hon. Mubea): Yes, Hon. Margaret Mwago!

Specially Elected MCA, (Hon. (Ms.) Mwago): Mr. Speaker, I just want to inform my Chairperson that when you lay a Paper, you should lay it on the Table of the Assembly. Not laying it and then staying with it, you Table it.

Deputy Speaker, (Hon. Mubea): Chairperson, you are well guided!

*(Chairperson Public Investments and Accounts Committee, Hon. Erick
lays the Paper on the Table)*

(Laughter)

Deputy Speaker, (Hon. Mubea): We are still in the learning process.

NOTICE OF MOTION

AUDITOR GENERAL'S REPORT ON THE FINANCIAL STATEMENTS OF THE COUNTY EXECUTIVE OF KIAMBU FOR THE YEAR ENDED 30TH JUNE, 2016

Chairperson, Public Investments and Accounts Committee, (Hon. Erick): Thank you Mr. Speaker!

Mr. Speaker, I beg to give Notice of the following Motion;

That, in accordance with the provisions of Article 229 (8) of the Constitution, this Assembly adopts the Report of the Public Investments and Accounts Committee on consideration of the Auditor General's Report on the Financial Statements of the County Executive of Kiambu for the year ended 30th June, 2016 Tabled before this Assembly on Wednesday, 25th June, 2018.

Thank you!

STATEMENTS

ENVIRONMENTAL DEGRADATION IN MWIHOKO, KIHARA, NDENDERU AND MUCHATHA WARDS, KIAMBU COUNTY

Mwihoko MCA, (Hon. King'ara): Thank you Mr. Speaker Sir!

Honorable Speaker, pursuant to Standing Order 56 (3), I hereby request for a Statement from the Chairperson of the Sectoral Committee on Water, Environment and Natural Resources regarding rampant environmental degradation in Mwihoko, Kihara, Ndenderu and Muchatha Wards in Kiambu County.

Honorable Speaker, over the years...

Mr. Speaker, would you allow me to go over it again so that the Chairperson of the Water Committee can be attentive because it is addressed to him?

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Deputy Speaker, (Hon. Mubea): Chairperson Water Committee, there is a very serious issue here that affects your Committee, and the Hon. Member wants your attention. So please, pay attention.

Chairperson, Water, Environment and Natural Resources, (Hon. Gacharah): Mr. Speaker, I apologize!

Deputy Speaker, (Hon. Mubea): Read your Statement again.

Mwihoko MCA, (Hon. King'ara): Honorable Speaker, pursuant to Standing Order 56 (3), I hereby request for a Statement from the Chairperson of the Sectoral Committee on Water, Environment and Natural Resources regarding rampant environmental degradation in Mwihoko, Kihara, Ndenderu and Muchatha Wards in Kiambu County.

Honorable Speaker, over the years, there has been an accumulation of waste deposits in the above mentioned Wards. The waste deposits consist of biomedical, sewerage from residential apartments and solid waste which are either released into the rivers across the Wards or dumped in undesignated areas. Due to the increasing population in those Wards, residential flats have been on the rise but there still lack a proper mechanism of waste disposal. While every person is entitled to a clean and healthy environment, this has not been the case for the residents who continue to be exposed to hazardous environment.

Honorable Speaker, in view of the above, the Chairperson should enquire into and report on:-

- (i) The urgent measures the County Government is taking to stop the rampant environment degradation in the above mentioned Wards, and;
- (ii) The necessary measures the County Government is taking to ensure that residential buildings across the County do not discharge waste into the roadside drainage systems and rivers; including random inspection of residential flats and suing building owners for lack of provision of appropriate sewerage disposal system.

Thank you Mr. Speaker Sir!

POINT OF ORDER

(Kihara MCA, Hon. Muthondu)

Deputy Speaker, (Hon. Mubea): Is your Point of Order on this Statement?

Kihara MCA, (Hon. Muthondu): Mr. Speaker, I want a clarification. Which Kihara is the Member referring to?

Deputy Speaker, (Hon. Mubea): Hon. Member for Mwihoko, I can see you have captured Mwihoko, Kihara, Ndenderu and Muchatha Wards.

Mwihoko MCA, (Hon. King'ara): Thank you Mr. Speaker Sir!

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I would like to inform this House of some preliminaries that were done before this. I had initially written a Statement of Mwihoko Ward alone, but I noted that there was a Member of the Water Committee who had a similar request for Statement, and we consolidated it into one request for Statement. That is why the other Wards appear there. The Hon. Member for Ndenderu who is a neighbor to Kihara Ward is the said Member. He is in the House and maybe he can confirm that we consolidated the two requests for Statements.

In view of all this, I do not have any ill motives against the Member for Kihara Ward; neither do intend to demean him. In case the inclusion of his Ward in my request for Statement seems like it is undermining him, I wish to expunge it with all the necessary steps that are taken.

Deputy Speaker, (Hon. Mubea): Had you consulted the Hon. Members for Kihara, Ndenderu and Muchatha on this issue?

Mwihoko MCA, (Hon. King'ara): Mr. Speaker Sir, as I have indicated, I intended to request for a Statement for Mwihoko Ward alone, and Hon. Solomon from Ndenderu had a Statement regarding the other Wards. I believed he had consulted them in doing so, and in case he had not done so, I will restrain myself to my earlier intention.

Deputy Speaker, (Hon. Mubea): Hon. Member for Kihara, you have heard the Hon. Member for Mwihoko. He means good to your Ward. He can see that there is a lot of solid waste in your Ward.

Kihara MCA, (Hon. Muthondu): Mr. Speaker Sir, I do not think so.

Mr. Speaker Sir, I was not consulted by either the Member for Mwihoko or the Member for Ndenderu. They should not purport to represent Kihara people.

Mr. Speaker, will you please tell the Member to expunge the name Kihara from that Statement. I am able to request for a Statement if need be. In future, I would request the Members not to interfere with other Wards without consulting the representative Members of those Wards.

Deputy Speaker, (Hon. Mubea): Your sentiments are well noted!

POINT OF INFORMATION

(By Chief Whip, Hon. Njore)

Chief Whip, you have something to say?

Chief Whip, (Hon. Njore): Yes!

Thank you Mr. Speaker!

It is a Point of Information to the Hon. Member for Kihara. I seek your indulgence to give a ruling if the Hon. Member for Mwihoko is not right to bring an issue touching on Kihara Ward which he does not represent.

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Mr. Speaker, from where I sit, whenever you are elected in Kiambu County and you come to this House, when you are in this Assembly, you necessarily do not represent the Ward that you were elected in. You are an MCA representing Kiambu County, and the member for Mwhiko can even point a problem in Biashara Ward even without my knowledge.

(Applause)

Mr. Speaker, I also request the Chair to ask the Member to withdraw the statement where he says that Kihara be expunged from that Statement because the Hon. Member for Mwhiko is a representative of Kiambu County in this Assembly, and he can bring any issue without consulting the elected Member for Kihara.

Deputy Speaker, (Hon. Mubea): Chief Whip, as much as I may want to hear what you have said, I think each and every Member here was elected in a particular Ward, and we do not have a Member who cuts across all Wards. So I think the Hon. Member for Kihara has got his right, in that the Hon. Member for Mwhiko does not represent him in the Assembly.

But nevertheless, the Hon. Member for Ndenderu you have been mentioned that you are the one who brought about all these issues, so maybe you can try and resolve this problem.

Ndenderu MCA, (Hon. Kinuthia): Thank you Mr. Speaker Sir!

It is important to note that there are shared resources within the Wards. We have River Njoro that cuts across Ndenderu and Muchatha, and if medical toxic waste is being deposited around the river, then it behooves representatives from the area to raise the issue, not with the Member for Kihara, neither is the issue raised with the Chairperson for environment, but ultimately the issues are being raised with the people who have been charged with safeguarding our environment.

We also have a shared resource with Kihara Ward, which is Karura River, and the dumping is also being done along Karura River. So when I say that we have parts of Kihara Ward that have toxic waste being deposited on by people who, mind you, are taking all this medical waste from Kenyatta National Hospital, Mater Hospital and bringing those toxic wastes into Kiambu County, in areas bordering Ndenderu and Kihara, in areas bordering Muchatha and Ndenderu, I think who raises those issues is a small matter. All we need to focus on is the environment is being degraded in a big way, and whoever notes those issues, whether they are from Cianda, Karuri, Muchatha or Ndenderu, should raise those issues through the proper channel, and that is the Committee of Environment to the relevant authorities.

Mr. Speaker, these are issues I know, and I shared with the member for Kihara, that the environmental officers on the ground are not able to stamp their foot on the ground and address. These issues are bigger, and that is why we need the intervention of the Governor, the House and the CEC.

Mr. Speaker, given the technicalities of the House, and me being a Member of the Water and Environment Committee, I might not have been the most appropriate person to convey the same

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message to the Executive. So that is why we settled on the Hon. Member for Muihoko because he had a similar issue.

Let us rise above these turf wars and focus on the bigger picture, that our people are being exposed to toxic waste.

(Applause)

I have relatives in Kihara, and I can stand up for them. My grandmother came from Muchatha, and I can stand up for them. This is a bigger issue than just where you were elected.

What I want to request is the indulgence of the Chair; please expunge the comments of the Hon. Member for Kihara from the Hansard, because the image that is portrayed out there when the public consumes such comments, then it is bad on the entire House because we are not focusing on the needs of our people, rather we are focusing on where you are the big boss.

(Applause)

I might be the big boss in Ndenderu, but if there are problems emanating from Kihara, why should I not raise them here without incurring that wrath of the Member of the big boss in Kihara? Let us focus on big issues in this House.

Deputy Speaker, (Hon. Mubea): Your sentiments are well taken, and for us to have a way forward on this, as much as I agree with the sentiments of the Hon. Member for Kihara, it is important that he should have been consulted on this issue.

So, as I direct the same Statement to the Chairperson of the Committee on Water and Environment, I wish the Committee involves all the relevant Members of the County Assembly who have been mentioned in this Statement so that they sit down, consult and see the way forward, and look at the issues that are being raised here and see how they can be tackled.

In view of this, the Hon. Member for Kihara, I know in one way or the other, you might not have been consulted, but your Ward and your people will eventually benefit. As the Hon. Member for Muihoko said, it was not in bad taste that he did this. So you shall be consulted by the Chairperson so that you can consult on the issues that have been raised in that Statement.

Chairperson!

Chairperson, Water, Environment and Natural Resources, (Hon. Gacharah): Thank you Mr. Speaker Sir.

Let me reiterate that my Committee is willing at any given time to act and respond to any Statement. But I would also wish to urge the Members that whenever they are doing the request for Statement, to be clear and specific, so that at least we are also able to respond on that, because what has manifested here lacks clarity and coordination.

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Nonetheless, we will take it up as a Committee, and we are going to respond, and I hope, though I am not anticipating a debate, when we shall be giving our response, that the division which has been manifested here will not be the case because of lack of clarity.

Mr. Speaker, within 21 days, we shall respond. Thank you!

Deputy Speaker, (Hon. Mubea): Chair, it is important to note that there is no division that has been manifested here. It is only a Member who has raised his dissenting views, and they need to be considered. So, as you consider the Statement, you should consider wholesomely all the Wards that have been mentioned.

Hopefully, you can also look at what may be happening even across the County as the Hon. Chief Whip has intimated.

So, within 21 days, please let us have the response.

Hon. Member for Ndenderu, you had a Statement and I can see you around.

MPANGO WA MSAADA KWA UGATUZI NCHINI KENYA UNAOJULIKANA KAMA KDSP KWA MWAKA WA FEDHA 2017/2018 NA 2018/2019

Ndenderu MCA, (Hon. Kinuthia): Asante Bwana Spika kwa nafasi hii!

Mheshimiwa Spika, kuambatana na kanuni simamizi ya bunge ya gatuza ya Kiambu 56 kitengo cha tatu, nachukua fursa hii kuomba kauli kutoka kwa mwenyekiti wa kamati ya Bajeti na makadilio ya matumizi kuhusu mpango wa msaada kwa ugatuzi nchini Kenya unaojulikana kama KDSP kwa mwaka wa fedha 2017/2018 na 2018/2019.

Mheshimiwa Spika, KDSP ni mpango wa Benki kuu ya Kenya wa kupeana fedha ambayo inatarajia kusaidia serikali za maeneo ya ugatuzi kuboresha utoaji wa uduma kwa mda wa miaka mine kutoka mwaka wa 2016 – 2020. Mpango huu unasaidia kujenga uwezo na kuboresha taasisi kwa maeneo tano muhimu.

Eneo la kwanza muhimu ni usimamizi wa fedha ya uma, eneo la pili muhimu ni rasilimali watu na usimamizi wa utendaji. Eneo la tatu muhimu ni ugatuzi na uhusiano wa kiserikali kati ya serikali kuu na serikali za maeneo gatuza. Eneo la nne la muhimu ni masomo ya uraia na ushirikishaji wa uma kwa kufanya maamuzi.

Mgawo uliopewa kwa kila eneo gatuza kulingana na mkataba wa fedha uliotiwa sahihi katikati ya serikali kuu na serikali 47 za maeneo gatuza ulitarajiwa kusaidia katika kujenga uwezo na kusaidia kwa mipango ya utekelezaji.

Mheshimiwa Spika, kulingana na maneno yaliyotajwa hapo mbeleni, mwenyekiti wa Kamati ya Bajeti na makadilio ya mmatumizi ya uma anatarajiwa kudurusu na kuripoti;

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1. Mipango ambayo ilitekelezwa na serikali ya Kaunti ya Kiambu kutumia mgawo wa KDSP kwa mwaka wa fedha 2017/2018, sanasana ukirejelea eneo la tano kuu, ambalo ni masomo kwa uma na kujenga uwezo katika uhusishaji wa raia kufanya maamuzi;
2. Mipango ambayo seriikali ya Kiambu inatarajia kufanya ikitumia mgawo wa KDSP wa mwaka 2018/2019 ukirejelea maeneo yote Matatu, na pia matarajio ya kutumia kitengo cha pili cha mgawo huu wa benki kuu ya dunia wa milioni 236.

Asanteni!

Deputy Speaker, (Hon. Mubea): Natumai Mwenyekiti wa Kamati la Bajeti yuko?

(Kimya)

Naibu?

Natumai kwamba umesikiza yale mambo ambayo Mbunge wa Ndenderu amesema? Unaweza kutupe muda amabao unaweza kutupa majibu?

Vice Chairperson, Finance, Budget and Appropriations Committee, (Hon. Karuga): Nashukuru sana Bwana Spika, na bila shaka nimeskiza kwa kina Mheshimiwa mwenzangu.

Bwana Spika, kwa niaba ya Mwenyekiti, ningeomba tupatiwe siku 21 ili tuweze kupata hayo majibu.

Asante!

Deputy Speaker, (Hon. Mubea): Sawa kabisa!

We can proceed!

I can see that maybe one of these fine days we will do a debate in Swahili. It might be very interesting.

MOTION

ADOPTION OF THE FIRST REPORT OF THE COMMITTEE ON POWERS AND PRIVILEGES ON THE REVIEW OF THE SPEAKER'S RULES

Member, Powers and Privileges Committee, (Hon. Kagiri): Thank you Mr. Speaker!

Mr. Speaker Sir, I beg to Move the following motion;

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That, this Assembly adopts the First Report of the Committee of Powers and Privileges on the review of the Speaker's Rules, tabled before this Assembly on Tuesday, July 24, 2018.

Honorable Speaker, as I move this Motion, I begin by sincerely thanking the Members of the Committee for their commitment to the work of this Committee. Their commitment during the review of the Speaker's Rules and expediting the submission of their Report to the Assembly, only demonstrates the commitment of the Members of the Committee to facilitate the Assembly and its Committees to fulfill their mandates. We also thank the Office of the Speaker and the Clerk for facilitating the Committee to undertake this assignment.

Honorable Speaker, the First Assembly domesticated the National Assembly Speaker's Rules to regulate the conduct of Members as well as strangers within the precincts of the Assembly. Further to this, the then Speaker, while making a Communication on appropriate dress code stated that the Assembly through the relevant Committee would embark on reviewing those rules with a view to customizing them. Unfortunately, at the lapse of the First Assembly, the said review was not conducted and therefore the Assembly continues to rely on the adopted National Assembly Speaker's Rules.

Honorable Speaker, in the Second Assembly, the Speaker while making a Communication on dress code directed that the Committee of Powers and Privileges embark on reviewing the County Assembly of...

(Interruption)

POINT OF ORDER

(By Ndeiya MCA, Hon. Gacharah)

Deputy Speaker, (Hon. Mubea): What is your Point of Order?

Ndeiya MCA, (Hon. Gacharah): Thank you Mr. Speaker!

Is the Hon. Member who is actually my friend and younger brother, in order? Rather than debating, he is reading the Report.

Is he in order, yet the Standing Orders are very clear that when it is debate time you can only refer, but you should not read a Report? Is he in order to keep on making reference rather than debating?

Deputy Speaker, (Hon. Mubea): I can see that the Hon. Member is actually just referring to a brief that he has on the Report. He is not reading, it is just that he is always looking down. He is just referring.

(Applause)

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Hon. Member you can proceed!

Member, Powers and Privileges Committee, (Hon. Kagiri): Thank you Mr. Speaker for coming to my rescue. The Hon. Member for Ndeiya, who is actually my uncle...

(Laughter)

Honorable Speaker, in the Second Assembly, the Speaker while making a Communication on dress code directed that the Committee of Powers and Privileges embark on reviewing the County Assembly of Kiambu Speaker's Rules since it was not done by the First Assembly.

The Committee began the task and held several meetings in consultation with an officer from the National Parliament. In addition the Committee carried out a comparative study in other Common wealth jurisdictions on conduct of Members, admission and conduct of Strangers in Parliament as it reviewed the Speaker's Rules.

Honorable Speaker, as I move this Motion allow me to highlight some of the Key Observations made by the Committee as it reviewed the Speakers rules which are captured in the Report:

The Committee observed that;

1. There was need to emphasize the manner in which photography, use of phones and video recording of Plenary and Committees' Sittings should be covered;
2. The Assembly to build a different lounge or waiting room for visitors so as to avoid unfettered contact with the Honourable Members;
3. Security checks at the entrance of the County Assembly need to be enhanced. That is having proper checks for vehicles and persons getting into the precincts of the Assembly;
4. In addition to the Media section provided in the public gallery, the Assembly provide an official Media Room where the media can follow proceedings in the Chamber and record the audio feed;
5. The Sergeant-At-Arms office should ensure that the Speaker's Rules are strictly adhered to;
6. The Committee should also have regular interactions with Members of staff on how best to implement various rules and regulations that affect Honourable Members.

Honorable Speaker, the Committee after making these observations made recommendations to the Speaker's Rules borrowing the best practice from the National Parliament of Kenya as captured in the report. Further to this, the report has an annexure of the revised County Assembly of Kiambu Speaker's Rules and I urge the Honourable Members to be fully conversant with them.

As I finalise, I urge all Members support the Motion, and now call Upon Hon. Joel to second the Motion.

Thank you Speaker!

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Deputy Speaker, (Hon. Mubea): Hon. Member for Ngecha Tigoni!

Member, Powers and Privileges Committee, (Hon. Munywa): Thank you Mr. Speaker, I was not aware that I would second, but first I would like to thank the Member for ably moving the Motion on the floor of the House. We held several meetings in the Committee on Powers and Privileges, we looked at the Speaker's rules in different Common Wealth House and we adopted what we thought was good for this House.

Mr. Speaker, mine is to just thank Members of the Committee for the dedication and good work they put in and since the Members have gone through the report of the Committee, I wish to request the Members to support this report as it has taken care of most of the things that we thought were not there, when we came in. Thank you and I second.

(Question Proposed)

Members to debate on the same. Yes, Chief Whip!

Chief Whip, (Hon. Njore): Thank you Mr. Chair, mine is to first support this Motion of the adoption. If I remember very well, there is a time in my capacity as the Whip had a problem with the dress code of some Members in this Assembly, but on the same, I seek to ask the mover to give a clarification on what was the resolution of the Committee, specifically on dress code, because I have the report here and the dress code is just mentioned and no proper details have been availed if I am not wrong Mr. Speaker.

If I quote in Chapter 1, of Kiambu County Powers and Privileges (6), Members are required not to enter the Chamber, Launch or Dining Room, without being properly dressed. The Committee has not provided us with details of what proper dressing is, for Hon. Members who are men and women and we may seek to know, what exactly they said about dressing and what proper dressing means, because, if they do not give us details, the whole vocabulary of proper dressing will not have a difference with what we have today. Thank you Mr. Speaker.

Deputy Speaker, (Hon. Mubea): So, are you in support?

Chief Whip, (Hon. Njore): After clarification.

Deputy Speaker, (Hon. Mubea): No, you can only support or ...Hon. Mover, can I consult with you?

(Consultation)

The Hon. Mover has some information to share with you, maybe he can direct you to the page.

Deputy Speaker, (Hon. Mubea): Yes!

Chief Whip, (Hon. Njore): Before I stop Mr. Speaker, on the same, I have been directed on the relevant Clause, and I am happy for that, but on the same, No.9, there is about Office Accommodation:

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“The Powers and Privilege Committee, in consultation with Party Whips are responsible for allocation of offices to Members, at the Assembly Building’s”.

We may need to know what that exactly means and what are these offices that will be allocated to Members at the Assembly Building’s, in relation to Kiambu County Assembly.

Deputy Speaker, (Hon. Mubea): Hon. Chief Whip, this is very clear, that incase we do have office space, within the Assembly premises buildings, then the Committee will have to consult with the office of the Party Whips, who include the Leader of Majority, and incase we have a Minority, we consult the the Minority. So, they can only consult with you for allocation of that office space if incase, where they exist.

Chief Whip, (Hon. Njore): If the office exist.

Deputy Speaker, (Hon. Mubea): Yes, at this moment we do not have offices, but we are anticipating, that we are going to have offices in future and they will have to consult with the Whip.

Chief Whip, (Hon. Njore): Mr.Speaker, I support the Motion.

Deputy Speaker, (Hon. Mubea): Thank you, let us proceed. Hon. Member for Ndeiya.

Ndeiya MCA, (Hon. Gacharah): Thank you Mr.Speaker, I also rise to support the adoption of the report by the Committee on Power and Privileges.

To start with, it is to recognize the good work which they have done, from their report we can see that they met regularly and documentation of the minutes is clear and they have responded to most of the queries which we had in regard to matter of dressing.

Mr.Speaker, I want to draw your attention to the recommended mode of dressing. Mr.Speaker, allow me to refer to what is deemed fit in this report. Even without reference, I had made some observations. That a trouser suit and a skirt suit for ladies is what is deemed appropriate mode of dressing, two or three inches below the knees is what is deemed as an appropriate mode of dressing to this Parliament.

It was also indicated that it should not be tight in such a way that it shows the body curves, if it is so tight to show the body curves, it is deemed not fit mode of dressing. For men is a jacket which is a coat, either a suit, a broken suit and a tie, that is what is deemed appropriate mode of dressing for this Assembly.

Looking at the recommendations and observations which we agree to, I applaud them that they have come with about six observations, which are quite good. However, allow me to point at one, which is the first one. The document is not well paged, but I refer you to where we have Committee’s Observations and Recommendations.

Observation No.1, is what probably I will task the Committee to be clear on it, because the rest are clear.

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"There was need to emphasis the manner in which photography, use of phone, video recording of plenary and Committee Sittings should be covered".

To me Mr. Speaker, is still ambiguous when they say that there was need to emphasis, we really want to know that emphasis in regard to photography, what it meant.

Otherwise the rest are very clear, for example D:

"The Sergeant at Arms office should ensure the Speaker's rules are strictly adhered."

That is quite clear, but on the first one, I felt that may be there was lack of clarity, probably in future, make it clear.

Mr. Speaker, when you go to chapter one, on the regulations for conduct of Members of the County Assembly, within the precincts of the Assembly, I agree with all of them and that is why I am in support of this one, but also there is lack of clarity in point No.5, that:

"No Member may bring firearm or other offensive weapon, into the buildings or gardens. They continue to say;

"That all such weapons must be deposited with the Sergeant at Arms, at the times of entry and collected at the time of living."

Mr.Speaker, if it is clear with me, it is such that no person should bring such firearm, then we are told that it should be deposited with the Sergeant at Arms. If you look at our practice here, the office of the Sergeant at Arms office, is inside the precincts of the building, it is not at the gate. So, unless there is structure which is at the point of entry, that will forbid the entry of these firearms, but if the same case remain, the same scenario we exercise today, this means that the weapons will find their way at the Assembly buildings, because currently, if I am to deposit my firearm, the Sergeant at Arm, will do it way inside the precincts of the Assembly.

Those are the issues that I found that may be they lack clarity but they could not hinder me from supporting this report. I therefore chose to support this report but in future, these are the things the Committee should look into and address. I support.

Deputy Speaker, (Hon. Mubea): Thank you, mover you have heard the sentiments. Hon. Ann Kariuki.

Specially Elected MCA, (Hon. (M/s.)Kariuki): Thank you Mr.Speaker, I stand to support the changes that have been made by the Committee, some of them are very important, like the security. I have just been visited by someone who came all the way, he was almost entering the plenary and I think that this is a major security risk which need to be checked, because why do we have somebody enter the premises, all the way and no one is asking them where they are going and is even not known to this place. I think that is important and I support the changes that they have recommended and I hope they are going to be realized.

The other issue is on dressing, when the Hon. Member talks of tight clothes for ladies, it should also apply to men because when men wear tight trousers, they reveal what is not supposed to be seen by everyone.

(Applause)

So when we talk of tightness, let it apply to all. I support the changes and when you sit back at your Committee, come back clear on the way Members are supposed to dress. Thank you.

POINT OF ORDER

(By Hon. Karuga)

Limuru East MCA, (Hon. Karuga): Thank you Mr. Speaker for catching my eye. Indeed is true that this report is of paramount importance to us...

(Interruption)

Deputy Speaker, (Hon. Mubea): You are on a point of order! Can you raise it immediately!

Limuru East MCA, (Hon. Karuga): I request your indulgence to invoke Standing Order 119 and postpone this debate Mr. Speaker, because there are some issues that need clarity and Members do not have that clarity, so that the Committee can have ample time to bring on the report that have clarity, lest we might pass this report without clarity. Thank you.

POINT OF ORDER

(By Hon. Munywa)

Member, Powers and Privileges Committee, (Hon. Munywa): Mr. Speaker, I believe that this report is very clear and on the issue of dressing, that had been raised by the Member for Ndeiya, if you go on page 4 on Speaker's rules, there is a footnote that explains very well what the dress code means and therefore, Members should actually take time and read the report.

There is also an issue that have been raised by the Member for Ndeiya in regard to firearm. If I take you to Article 16, of the report, which talks about offensive weapons, it talks about, '*No stranger should bring a firearm*', and if it is the case of Members of this House, they are not strangers to the precincts of the Assembly and therefore they can come with them and deposit them at the Sergeant at Arms.

The other one was on photography, that, '*No stranger shall*', so we are talking about no strangers should take photographs and in the recommendations, we are talking about, if you go back to the recommendations;

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- a) There was need to emphasis in the manner in which photography...emphasis means that you are looking at the set down procedures and rules and emphasis is on that they are followed the way it should be.

Mr.Speaker, I wish you that you rule the Member for Limuru East out of order because the report is very clear and if there is any clarification, that needs to be done, we are here to do it. Thank you.

Deputy Speaker, (Hon. Mubea): Very well, Hon. Member for Limuru East, if you read through keenly, you will even find the issue of use of mobile phones, somebody who is using a mobile phone, and these rules are very clear on what should be done and what should not be done.

Actually, there are somethings that you cannot explicitly explain, in rules, some of them must come up in practice and that is why I think that most of the things are correct. If you look at what the Hon. Kariuki has stressed, it is all indicated here, that;

‘Further, the trouser or skirt should not be so tight or slim, thereby exposing the body curves’.

You know, when you talk of the body wholesomely, so if there are some curves that are being exposed, it is trying to explain most of these things. I think the Committee has done a great job in this report. The Hon. Deputy Leader of Majority you can say something.

(He Shakes His Head)

The Hon. Member for Ndumberi!

Ndumberi MCA, (Hon. Kamaguru): Thank you Mr.Speaker Sir, I also rise to support this Motion because of the good work that has been done by the Committee. On the issue of security and the rest, are well clarified and this is going to portray a very good gesture on our side as we are deliberating on our issues.

The only thing that I wanted to say especially on the use of phone, for example yesterday, there is a Member whose photograph was taken while he was asleep and was put in the whazup in the whole country. I do not know the intention of whoever took that picture, what he wanted. I think he just wanted to tarnish the name of the Member to his electorate, because I do not see the reason why you should take a picture of somebody sleeping and at the same time...

(Interruption)

Deputy Speaker, (Hon. Mubea): There is a Member on a point of order!

Ndeiya MCA, (Hon. Gacharah): Is the Member for Ndumberi in order to say that a Member was sleeping while we know he was meditating the issues of Juja?

(Laughter)

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Deputy Speaker, (Hon. Mubea): Hon. Member for Ndumberi, you are well guided, that Members do not sleep in the Assembly.

Ndumberi MCA, (Hon. Kamaguru): With my little wisdom, I think that was not the intention of whoever took the photograph because he said, this person is representing the people of Juja, vigorously and then again he is meditating, I do not see the reason. We should also guide ourselves because maybe we want to tarnish your name in a way, because when we portray that picture, this is a kind of a mockery.

On the other side of the dressing code, I think beauty is in the eyes of the beholder, so when you are talking of the longness and the tightness of the clothing, I think I have to be comfortable myself, although sometimes we just look at the ladies ourselves. On that one we need clarity and also on the colour codes because I may like colour blue, another one red, so at the end of the day, we are all going to be butterflies all-over here.

(Laughter)

So, it should be clarified that even if we are going to half suits it should not be broken with so many colours like a rainbow, thank you Mr. Speaker Sir, I support.

(Laughter)

Deputy Speaker, (Hon. Mubea): Thank you Hon. Member for Ndumberi, your points are well noted. Everything is in the report that has been laid.

Hon. Yvonne!

Specially Elected MCA, (Hon. (M/s.) Yvonne): Thank you Mr. Speaker, I would also like to support this Motion, however, I would like clarification on one of the recommendations in the Amendments to the Speaker's Rules that is Chapter 2, where it is proposed that:

"Permanent passes shall be issued to the officers of Ministries, Departments and agencies and to approve the agencies of the media or any other guest of the Speaker."

My concern with this provision is that if you issue permanent passes, you may not be in a position to know if that person has seized to work for that agency or Corporation and therefore I would like to know what was the reasoning behind this provision, because if somebody leaves that agency, it means that they would have a permanent access to this Assembly. I therefore think there should be a measure to control that. I do not believe that issuing permanent passes is the best solution but perhaps there is a better way of handling such situations. So could anybody from the Committee kindly clarify on that.

Deputy Speaker, (Hon. Mubea): I guess when they talk of them being issued with passes, they cannot be personal, they must bear the rank of an officer because, once an officer leaves that Ministry or department, the position does not move with him. I do believe that that is what they were referring to.

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Mover, you have an issue you would like to raise on that, I thought that is what you were expressing.

Member, Powers and Privileges Committee, (Hon. Njiru kamagathi): Yes, Mr.Speaker!

Deputy Speaker, (Hon. Mubea): Yvonne, I think in lay terms that is what they were actually referring to, to the ranks that are there. When you talk about the office of the Speaker, we are not talking about that person who is there at the moment, but we are talking about the office per say that is there. The office will never move but people will move from one area to the other.

Specially Elected MCA, (Hon. (M/s.) Yvonne): That is okay and in that case, I support the Motion and thou I tried to look keenly for part of the dress code and I could not find it, I believe that we will find an agreeable settlement on that in the coming days...

Deputy Speaker, (Hon. Mubea): The issue on dress code is an issue that we cannot entirely settle on, because you cannot settle on colours, you just have a brief on how decency will be, so that you at least look presentable when you are representing the people that you represent. Also in the eyes of the people that you are working with, colleagues, you are also deemed as presentable.

Specially Elected MCA, (Hon. (M/s.) Yvonne): That is a greed Mr.Speaker, and I do believe that this is an objective point of reference for everyone, on what is decent and what is not and I do believe that there will be no problems, moving forward. Having said that, I support the Motion. Thank you.

Deputy Speaker, (Hon. Mubea): The good thing is that, these things are not cast on stones and we can have periodical reviews on the same.

POINT OF ORDER

(By Hon. Karuga)

Limuru East MCA, (Hon. Karuga): Thank you Mr. Speaker, and from the look of things, Members are passionate about this and nobody has opposed this and because we might run out of quorum, I request your indulgence to invoke Standing Order 118 and request the mover to reply, Mr.Speaker.

(Applause)

Deputy Speaker, (Hon. Mubea): It is always a pleasure when we have a mood reader in the House so that he can read the mood of the Members. So, I would request the mover to reply.

Member, Powers and Privileges Committee, (Hon. Njiru kamagathi): Thank you Mr.Speaker, and I sincerely than all the Members who participated in this and I hope, and believe that the rule will be followed and now there will be no question regarding the dress code. Thank you Mr.Speaker.

(Question Put)

and Agreed To)

FIRST READING

THE KIAMBU COUNTY SKILLED LABOUR DATABASE BILL, 2018

A Bill for

AN ACT of the County Assembly of Kiambu to provide for a legal framework for identification and registration of skilled professionals within the County and for connected purposes.

Deputy Speaker, (Hon. Mubea): Hon. Members, the Bill having being read for the first time, stands committed to the Sectoral Committee on County Public Service and Administration, for consideration in accordance with the provisions of Standing Order 152.

ADJOURNMENT

Hon. Members there being no other business this House stands adjourned until Thursday, 26th July, 2018 at 2.30 P.M.

The House rose at 03.40 P.M.