

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI
THE HANSARD

Tuesday, 29th September, 2015

*The House met at the Temporary Chambers at the defunct Malindi Municipal Council, Malindi
Town, 2.30 p.m.*

[The Deputy Speaker (Hon. Mwambire) in the Chair]

PRAYERS

PAPERS LAID

REPORT ON THE MARIAKANI DAIRY COOPERATIVE LIMITED

Hon. Gambo: Thank you Mr. Speaker, Sir. I take this opportunity on behalf of the Committee on Agriculture, Livestock and Fisheries to table a Report on the Mariakani Dairy Cooperative Limited. I call upon hon. (Ms.) Asha Chiku to second.

(Hon. (Ms.) Chiku stood at her place to second)

(Hon. Gambo laid the report on the table)

**COOPERATIVE DEVELOPMENT 1ST PERFORMANCE REPORT 2014/15 AND HALF
YEAR PERFORMANCE REPORT**

Hon. (Dr.) Chitibwi: Mr. Speaker, Sir. I wish to table a Report of the Cooperative Development 1st Performance Report 2014-2015 and half year Performance Report. I call upon hon. Daniel Mangi to second.

(Hon. Mangi stood at his place to second)

(Hon. (Dr.) Chitibwi laid the report on the table)

The Deputy Speaker (Hon. Mwambire): Thank you, the two Reports will be scheduled for debate at the optimal time by the House Business Committee. Next order please Clerk?

MOTION

KILIFI COUNTY ANNUAL DEVELOPMENT PLAN

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Hon. Mangi: Thank you Mr. Speaker, Sir. I feel privileged to present to this Assembly the Report of the Budget and Appropriations Committee on the Kilifi County Annual Development Plan for adoption. Mr. Speaker, this Report was tabled on Tuesday 8th September, 2015. Thank you Mr. Speaker, Sir.

The Deputy Speaker (Hon. Mwambire): Who is seconding?

(Hon. Hassan stood at his place to second)

Thank you Hon. Hassan for seconding. Honourable Members the Report as tabled by the Committee on Budget and Appropriations is up for debate. Yes hon. Hassan kindly give your contributions on the Report please.

Hon. Hassan: Nimeshukuru sana Mheshimiwa Spika kwa kunipatia nafasi hii adimu. Mimi ninaona kuna haja sana Waheshimiwa kuunga mkono Ripoti hii kwa sababu iko kwa uwazi kwa kila mtu kulingana na Kaunti yetu na hali ya mtiririko kutoka kwa Serikali kuu. Mimi nimesimama kuunga mkono na ninaomba Waheshimiwa kwa heshima na taadhima tuiunge mkono Ripoti hii tafadhali. Asante Mheshimiwa Spika.

The Deputy Speaker (Hon. Mwambire): Yes hon. (Dr.) Mzungu Chitibwi.

Hon. (Dr.) Chitibwi: Mr. Speaker, Sir, I want to start by stating that, this Honourable House has been given a very difficult task because we are all new to this system of governance. We all know that we did not follow the proper steps earlier on but this time round we want to follow the correct path. As we embark on this exact path, we want to ask the Executive to do what is required of them and at no time should this County Assembly be left in chaos. We all know a number of things have been delayed because of this Report and I want to urge my fellow Members to pass this Report so that a number of issues can be taken care of. I believe it is in the interest of this House and that of the people of Kilifi County. Thank you Mr. Speaker, Sir.

The Deputy Speaker (Hon. Mwambire): Yes hon. Gambo Onesmus.

Hon. Gambo: Asante Bwana Spika kwa kunipa nafasi hii ya kuweza kuunga mkono Ripoti hii ambayo imeletwa na Mwenyekiti wa mipangilio ya kifedha. Bwana Spika, ni haki kabisa kwamba tuweze kuunga mkono mipangilio ambayo imeweza kupangwa. Hakuna mji wala nchi ambayo inaweza kuendelea bila kuwa na mipangilio Bw. Spika. Sasa imefikia kwamba tunataka kuanza maendeleo ya Kaunti yetu ya Kilifi. Bw. Spika, hivyo yaliyo ndani ya ripoti hii Bw. Spika ndiyo yatatuwezesha kuwa na maendeleo katika Kaunti yetu. Hivyo mimi nimesimama kuunga mkono kwamba ripoti hii ni ukweli na ni haki na ndiyo itatuwezesha kuwa na mwelekeo na mipangilio ambayo Kaunti yetu ya Kilifi itaweza kuonekana kwamba imeshika kasi kimaendeleo. Asante Bw. Spika. Nimesimama kuunga mkono Ripoti hii.

The Deputy Speaker (Hon. Mwambire): hon. (Ms.) Mbeyu.

Hon. (Ms.) Mbeyu: Thank you Mr. Speaker, Sir. I rise to support the adoption of this report. Mr. Speaker, I want to thank the Chairperson and the whole Committee of Budget and Appropriations for bringing this report to this House in time. I think it's high time that the House adopts this report so that we can work within the timeline of the Budget and Appropriations of Kilifi County. Thank you.

The Deputy Speaker (Hon. Mwambire): hon. Nzaka.

Hon. Nzaka: Thank you Mr. Speaker, Sir. I rise to support the report which has been presented by my fellow honourable Chairperson Daniel Mangi for the job well done and his entire team. Mr. Speaker, Sir, the Annual Development Plan is mandatory for the County Government to have as per the Public Finance Management Act. After the passage of this

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document, it will allow us to access funds from the treasury Mr. Speaker, Sir. This is a plan which has been taken from the CIDP that is County Integrated Development Plan Mr. Speaker, Sir. So I support hon. Mangi for the good job he has done. He has taken his energy, time and his entire team to bring this document Mr. Speaker, Sir. So I urge my fellow honourable Members to pass this report so that we can access funds from the treasury. As we speak Mr. Speaker, Sir, we cannot access any development funds in our County without passage of this report. So there are some projects which as per now the contractors need to be paid their funds but every fund to be released has an Act which guides the fund for the County Mr. Speaker, Sir. So, I urge my fellow honourable Members who from the mood of this House, I am seeing they will support the passage of this Report. Thank you Mr. Speaker, Sir.

The Deputy Speaker (Hon. Mwambire): hon. (Ms.) Kwekwe.

Hon. (Ms.) Kwekwe: Thank you Mr. Speaker, Sir, for giving me this time to support the report. I stand to support the adoption of this Report. Actually we passed this Report in order to get this plan, money and get our things done in our County. So let us support this Report and continue with our work so that our people of Kilifi will get something from the County. Thank you Mr. Speaker, Sir. I support this Report.

(Applause)

The Deputy Speaker (Hon. Mwambire): Yes hon. Nixon Mramba.

Hon. Mramba: The people of Bamba Ward did us proud on the 4th of March, 2013 by electing hon. James Daniel Mangi to this Assembly. I highly congratulate him and the people of Bamba for doing us great. Mr. Speaker, this is the document which has passed the Budget Committee under the stewardship of hon. Daniel Mangi although it came to this Assembly a bit late because the procedure was that this plan comes to this Assembly before the budget. Nevertheless, we are on track and I believe we are going to pass this without any problem but in future let it be a wakeup call, Mr. Speaker. We are doing it for now and we are not ready to do it the second time. Let the Executive wake up now and bring it before the budget day. Mr. Speaker, I wish to support. Thank you.

(Applause)

The Deputy Speaker (Hon. Mwambire): hon. Pascal Tuva.

Hon. Pascal: Thank you Mr. Speaker, for giving me an opportunity to contribute on this Motion. Mr. Speaker, I stand to support the adoption of this Report and it is because this Report contains the plan that the County should follow especially in implementing the projects in the entire County which I believe is the main mandate of this County in service delivery. Mr. Speaker, we understand that if we can remember the day we were passing the budget each and every Member of the County Assembly was articulate and busy ensuring that each and every project in his/her Ward was factored in this budget and that will culminate into the success of all the projects that we have planned in the various Wards. So I believe by adopting this Report we will actually be doing a very positive indication to the public out there because I believe that by doing all the projects down there we will have served our people better.

Mr. Speaker, we understand that in the previous years there has not been equal development plans or proper devolutions of doing programmes in the various Counties. So as we factored or took care of the whole County in implementing these projects which have been captured in this report, I believe each and every area will have been catered for and each of every

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area of Kilifi County will have been given an opportunity to get the right resources that we have planned as the County Assembly. Mr. Speaker, I stand to actually support the adoption of this Report but again to give caution because it seems like we have climbed a tree from the top. This Report should have come to this Assembly first and then the passage of the budget would have followed so that it would have been in line with the law. Mr. Speaker, what I would kindly urge the Chairperson of Budget and the entire Committee Members is to ensure that they push and as the House we also push to ensure that the Executive does what is rightfully supposed to be done. Thank you. I stand support the adoption of this Report.

The Deputy Speaker (Hon. Mwambire): Hon. (Ms.) Chiku.

Hon. (Ms.) Chiku: Thank you Mr. Speaker, Sir. I rise to support this Motion. I do not want to say much. I would not have sat here and kept quiet without congratulating the Budget committee for the great work which they have done. The Annual Development plan Mr. Speaker, is a very vital document and as the former speaker on the floor said, we are working from top to bottom. This Assembly is new and we are learning and by doing so we will be able to move higher. Once again, let me thank the Committee for the good work. Thank you very much indeed.

The Deputy Speaker (Hon. Mwambire): Honourable Members, allow me to call upon the mover of the Motion to respond.

(Question that the Mover be now called upon to reply, put and agreed to)

Hon. Mangi: Thank you Mr. Speaker, Sir. May I begin by thanking all honourable Members who have giving their support for the adoption of this Report. Mr. Speaker, the Annual Development Plan is more or less a duplicate of the Budget that we approved. The difference is that while the Budget has exact amounts for the projects that we have to undertake, the Annual Development Plan has the names of the projects that have to be executed by the Executive.

Mr. Speaker, the Annual Development Plan has to be approved along with the Budget. This is therefore to say when we approve the budget we also have to approve the Annual Development Plan at the same time, because they should be in the same time line. The only problem this time round is that we received the Annual Development Plan very late Mr. Speaker. In fact it has been overtaken by events to the extent that the Clerk's Office had to say that this document had been received by the County Assembly awaiting passage so that the Controller of Budget could release funds to this County.

At this moment Mr. Speaker, already funds for development are being released from the Controller of Budget knowing that we are to approve this document. I again concur with honourable Members, that the Executive has been taking us for a ride on monetary time line issues and as an Assembly we will not tolerate such instances in the future. We are giving caution to the Executive to strictly adhere to the budgetary time lines so that as an Assembly we may approve and pass documents that are related with financial matters in good time so that we follow the law.

Mr. Speaker, I appeal to honourable Members to support the adoption of this document so that the Controller of Budget may continue to release the development funds without any challenges. Mr. Speaker, Thank you for this particular moment and again I call upon Members to support. Thank Mr. Speaker.

The Deputy Speaker (Hon. Mwambire): Honourable Members, I now put the question that this Motion be adopted.

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(Question proposed)

(Question put and agreed to)

(Applause)

BILL

Second Reading

THE KILIFI COUNTY MICRO FINANCE (MBEGU FUND) BILL, 2015

Hon. (Dr.) Chitibwi: Mr. Speaker Sir, The Kilifi County Micro Finance Mbegu Fund Bill, 2015, tabled for the First reading on Tuesday 8th September 2015 after which the Speaker committed it to the Sectoral Committee on Planning, Trade and Cooperatives and directed that the committee scrutinizes the Bill and submits a report in 20 calendar days.

Pursuant to Article 196 (1) (b) Standing Order 123, the Committee invited interested members of the public in the dailies to submit their memorandum and any presentation to the Clerk of the County Assembly of Kilifi and/or attend public participation forums at every Sub-County level on the Kilifi Micro Finance (Mbegu Fund) Bill, 2015 by Thursday, 24th September, 2015. The Committee further held consultative meetings with the County Executive Committee Member for Trade, Industrialization, Cooperative Development, Tourism and Wildlife, the Chief Officer and his legal team on 10th and 11th September, 2015 and held a stakeholders meeting on Thursday, 24th September, 2015.

Mr. Speaker, Sir, the Committee received Memoranda on the Kilifi County Micro Finance Fund (Mbegu Fund) Bill, 2015 from; Kenya National Chamber of Commerce and Industry and Mr. Shee Abdalla Shee (Malindi Elder).

The Fund shall provide financial support to entrepreneurs and groups that support strategic interventions which directly and indirectly have the potential to trigger growth and sector wide impact.

The Fund shall address un-employment in the County. The Fund is geared to attract and facilitate investment in the trade through micro and small enterprises that benefit the entrepreneurs. The Fund shall also provide funds to entrepreneurs and groups to facilitate marketing of products and services both in domestic and international markets.

The Fund targets to financially strengthen the capacity of:-

- All business entrepreneurs including women, youth, and persons with disabilities, engaging in legal businesses.
- Registered groups including women groups, youth groups and self-help groups

The Fund shall be managed and administered through:-

- Kilifi County Micro Finance Fund Board.
- Sub-counties Micro Finance Fund Committee

Mr. Speaker, Sir, once the Report is adopted in this honourable County Assembly, the Kilifi County Micro Finance (Mbegu Fund) Bill, 2015 shall therefore be structured as follows;

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- **Part I** of the Bill sets out the preliminary matters including the commencement date and the definition of various terms used in the Bill.
- **Part II** of the Bill establishes the Micro Finance Fund and how it will receive its monies and the purpose among other matters.
- **Part III** of the Bill establishes the board and Sub-County Committee, how it will be set up its members, functions, power among other ancillary matters.
- **Part IV** of the Bill establishes the Administration of the Fund, how it will create the office of fund manager, expenditure and disbursement of the fund.
- **Part V** of the Bill establishes the report and publications, how they are suppose to be submitted and audited.
- **Part VI** of the Bill provide for the general provisions including penalties and regulations

Mr. Speaker, Sir, I wish to confirm that the purpose of the Bill takes care of the residents of Kilifi County for the provision of seed capital for micro and small enterprises within Kilifi, for their business development and linkages to market and in accordance with article 2017 (4) (b) of the Constitution and Section 116 of the Public Finance Management Act as regards establishing of Funds and administration thereof.

Thank you Mr. Speaker, Sir.

The Deputy Speaker (Hon. Mwambire): Who is seconding that?

(Hon. Mangi stood at his place to second the Report)

ADJOURNMENT

The Deputy Speaker (Hon. Mwambire): Honourable Members, there being no other Business to transact at the moment, this Assembly adjourns until tomorrow Wednesday 28th at 2.30 p.m. May God bless you and have a good evening.

The House rose at 2:56 p.m.