

**REPUBLIC OF KENYA**  
**COUNTY ASSEMBLY OF KILIFI**  
**THE HANSARD**

**Wednesday, 13<sup>th</sup> July, 2016**

*The House met at the County Assembly Chamber, Malindi Town, at 2.30 p.m.*

*[The Speaker (Hon. Kahindi) in the Chair]*

**PRAYERS**

**COMMUNICATION FROM THE CHAIR**

**HON. MEMBERS BIOMETRIC REGISTRATION**

**The Speaker** (Hon. Kahindi): Good afternoon Members. From today you are required to register for the biometric finger recognition. So as soon as we finish the plenary you will be required to go upstairs and then you come down here to register so that your finger prints are taken... Hon. Kombo, make your request.

**REQUEST FOR STATEMENT**

**INCOMPLETE BENESI WATER PAN IN RURUMA WARD**

**Hon. Kombo:** Thank you your honour. I beg to seek a Statement from the County Executive Member in charge of Water through the Chairperson, Water and Sanitation Services. I would like to know if the County Executive Member in charge of Water is aware that the rehabilitation of Benesi water pan in Ruruma Ward was stopped before completion and the contractor removed all the machinery from the site. Whether he is aware that the base of the water pan is not even and has a lot of mud that needs to be cleared and there is a tree that still lies at the base. Whether he is aware that there is a screen (purifier) that is fitted below the base of the water pan and it is at risk of being covered by mud once the rains come thus render it useless.

I beg to know whether he is aware that the spill way is placed at a far level which is not logical to its importance hence endangering people at the neighborhood when the water pan collects water. If yes, what measures has the Department taken to ensure that the excavation and completion of this project is completed before the advent of the long rains? Thank you. Attached in the Statement is the complaint letter that I raised to this effect. Thank you.

**The Speaker** (Hon. Kahindi): The Chairperson for Water hon. Hassan is present. He will take up that matter.

**Hon. Hassan:** Thank you, Mr. Speaker, Sir. I was not aware but I promise the hon. Member that if I am given at least one week I will come with a genuine answer.

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**The Speaker** (Hon. Kahindi): Thank you. Unfortunately we will be proceeding on a short recess. I believe you will follow up the matter and bring back the Report on the material day when we resume from recess. Is that okay with you hon. Nafthali Kombo?

*(Hon. Kombo stood at his place and nodded in affirmation)*

Thank you.

## MOTION

### VOTE ON ACCOUNT

**Hon. Mangi:** Mr. Speaker Sir, I beg to move a Motion on vote on account to this Plenary:-

THAT, pursuant to the provision of the Section 134 of the Public Finance Management Act, 2012, the withdrawal from County Revenue Fund of Ksh 2, 952, 115 501.50 made up in the manner set out in the Vote on Account Schedule laid before the County Assembly, be authorized for the purpose of meeting expenditure necessary to carry on services of the Kilifi County Government during the financial year ending on 30<sup>th</sup> June, 2017 until such a time the Appropriation Act for the financial year 2016/2017 comes into operation.

I call upon hon. Jared Kaunda Chokwe Burns to second. Thank you, Mr. Speaker Sir.

*(Hon. Kaunda stood at his place to second)*

*(Question proposed)*

**The Speaker** (Hon. Kahindi): Thank you. Hon. Chokwe Kaunda kindly proceed.

**Hon. Kaunda:** Thank Mr. Speaker Sir, for giving me the opportunity to contribute towards the Vote on Account. I would like to congratulate the Chairperson of Budget for coming up with this Vote on Account. Mr. Speaker Sir, just the other day we passed the Budget and as everyone knows, it normally takes time before the Appropriation Act comes into operation. If the Vote on Account is not in place, then services are going to be put on hold and we understand that salaries of many of the employees in Kilifi County, not forgetting the Members of the County Assembly, will go home without even a penny and this will bring issues and problems everywhere especially when we know we have loans to pay back.

Again, the issue of health are very important; services need to be carried out and we cannot do without money. There are medicines and many other things that need money in order for them to operate well and very safely. On the issue of garbage collection; if there is no money and people are not put in operation, all our towns are going to stink. This is why I support the Vote on Account and I call upon every hon. Member to support so that we have money coming down in place for the operation of services in Kilifi County. Thank you Mr. Speaker Sir.

**The Speaker** (Hon. Kahindi): I do not seem to have any request to speak. Is anybody trying to access the system or not? Yes, hon. Teddy Mwambire.

**Hon. Mwambire:** Thank you very much Mr. Speaker for giving me an opportunity to share my position in regard to this Motion.

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Mr. Speaker, there is no dispute with this because looking on how issues are at the moment in this county, we have no other leeway rather than supporting the Vote on Account. I believe the moment we pass this Motion will also give an avenue for Members now to sit and deliberate with the Executive so that we can iron out the issues on the budget so that at least we can pass it and proceed to get the aspirations of the great people of Kilifi.

We are not doing this because we like it but it is because we have reached a position whereby I cannot go further and we cannot do anything. So if we want to survive and make sure that the essential services are rendered in this County, it is through supporting this Vote on Account and I believe the Leader of Majority and his Deputy and the rest even Leader of Minority and the Minority Whip will demonstrate support for this Motion so that this county can move forward. With those few remarks Mr. Speaker, I believe my colleagues will see light and support the Motion.

**The Speaker** (Hon. Kahindi): Thank you hon. Teddy Mwambire. Yes, hon. Chai.

**Hon. Chai:** Thank you very much hon. Speaker for giving me the chance to stand in support of the Motion which has been brought before us by hon. Mangi. I think it is time that at least money can be released so that programmes of the county can continue. There is a need for money everywhere and without money the county shall stall if we are going to wait until the budget starts to be implemented.

It will be prudent enough for us to stand in support so that we can get money because now I have seen a Motion of adjournment; going for a short recess without money will be a bit hard...

*(Loud consultations)*

**The Speaker** (Hon. Kahindi): He has pressed a wrong button...

**Hon. Chai:** Thank you very much Mr. Speaker. I thought there was an interjection. Thank you for pressing the wrong button I thought he did not want some money to go with during the holidays. It will be very important that for the few days when we will be at home, we will be meeting with our electorate and it will be very important if my pockets are a bit full. I stand here in support of the Motion. Thank you very much.

**Hon. Gambo:** Asante sana Bw. Spika kwa kunipatia nafasi hii kuweza kuchangia Hoja hii. Hata wakati tukitayarisha bajeti hii kulikuwa na vuta nikuvute ambapo tuliona Gavana wetu na maofisaa wetu katika wizara mbali mbali walikuwa na tashishwi na bajeti ile. Mimi naamini kwamba wakati huu pia tukipeleka bajeti ile ili iweze kutiwa kidole na Gavana kuna haja aweze kuwa mwangalifu zaidi; aone anatia kidole bajeti ambayo anaweza kueleza. Lile tunaona ni kwamba huenda ikachukua muda kabla hajaitia kidole na muda ule ambao atachukua huenda ukasambaratisha huduma ndani ya serikali yetu ya Kaunti ya Kilifi. Kuna haja ya kupitisha sheria ya kupata kutumia fedha kwa wakati huu ambao tunasubiri Gavana aweze kupitisha bajeti ile ambayo tumemkadiria. Hakuna haja ya kuleta taharuki ndani ya serikali yetu ya Kaunti ya Kilifi kwani wakati tukipitisha Hoja hii basi fedha zitakuwako.

Bw. Spika, kuna miezi fulani iliyopita kulikuwa na heka heka na baada ya muda mfupi tukaona madaktari hawakuweza kupata mishahara yao. Mimi ninaamini tusipopitisha Hoja hii basi madaktari wetu pia huenda wakachukua fursa hiyo kugoma kuja hospitali. Sote tunajua kwamba kwa mda mfupi madaktari wakikosa kuja hospitali huenda tukasababisa vifo vya watu wengi na pia kusababisha taharuki katika Serikali yetu ya Kilifi.

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Mimi nimesimama kuunga mkono kwamba tupitishwe fedha hii ya muda ili tuweze kuona kwamba serikali yetu haitayumbayumba kwa wakati huu tukiwa tunasubiri Gavana aweze kutia kidole kwa ile bajeti ambayo tumempelekea ili tuweze kuendelea na serikali yetu bila kuwa na hofu wala msukosuko wala kuyumbayumba kokote kule. Mimi nimesimama kuunga mkono kwamba fedha hizi ziweze kupitishwa na tuweze kuendesha serikali yetu ya Kaunti ya Kilifi. Asante Bw. Spika.

**The Speaker** (Hon. Kahindi): Thank you hon. Gambo.

**Hon. (Ms.) Mbeyu:** Thank you Mr. Speaker Sir. I rise to support this Motion. May I take this opportunity to congratulate my Chairperson for Budget and Appropriations, hon. Daniel Mangi for this option and how he is vast with financial issues and he is not worried with the delay. He has come up with this Motion and it is my belief that the House is going to pass this Motion so that the County Assembly and the Kilifi County Government programmes take off. This is because everything is at a standstill. We are told the votes under IFMIS (Integrated Financial Management Information System) are all deleted, if I should use that word, and nothing can be transferred.

I believe that if we support this Motion, we will be able to continue with our programmes though half way our budget, but we will be better placed. One, for the health budget, we all know that if we delay for one week most of our people in Kilifi will suffer; there will be no drugs, no salaries and so many other issues. This Motion is a priority for us to pass it so that these programmes can continue as we wait for the Appropriation Act to be signed. Thank you, Mr. Speaker.

**The Speaker** (Hon. Kahindi): Thank you.

**The Leader of Minority** (Hon. Pascal): Thank you Mr. Speaker Sir, for giving me this opportunity to also contribute to this Motion that is on the Floor. Allow me to take this time to congratulate the hon. Chairperson for Budget and Appropriations Committee for taking the appropriate measures to salvage an alarming situation that needs a concrete intervention. We all understand that all the spending was closed down on the 30<sup>th</sup> of June this year and as we now go to the new financial year, all operations need to be resurrected so that we can take our course throughout this new financial year. We understand that the recurrent expenditure cannot be accessed without us passing the appropriation budget. I want to believe that this is an opportune time for hon. Members to actually support this Motion. A death on this Motion will actually mean that we will have to close down business as far as financial spending is concerned.

We all understand that there are so many issues that are affecting Kilifians today. An example is the looming hunger crisis that is experienced in the very hard hit areas of Bamba, Kaloleni, Ganze, Mwanamwinga and Kayafungo. To be able to intervene we need to have enough finances so that we can actually assist our people. This is an opportune time for hon. Members to actually support this Motion so that we can at least have the recurrent expenditure on our hands for us to be able to implement all the necessary projects. Thank you Mr. Speaker, Sir.

**The Speaker** (Hon. Kahindi): Thank you.

**The Leader of Majority** (Hon. Mwingo): Thank you Mr. Speaker, Sir. May I also stand to support this Motion which has been brought by our able Chairperson for the Committee of Budget and Appropriations, hon. Daniel Mangi. What we are doing today is totally procedural and may I inform my fellow hon. Members that the Government of Kilifi which is being led by His Excellency the Governor, Amason Jefwa Kingi, is also in concurrence with what we are doing today.

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So, I totally stand to support this Motion on the Vote of Account because we all understand the situation we are in at the moment which is not good and without the passage of this Motion we are going to suffer. May I urge my fellow hon. Members to stand firm and support this Motion so that we can be in a position...

**The Speaker** (Hon. Kahindi): Yes hon. Foleni, you have an intervention?

**Hon. Foleni:** Thank you Mr. Speaker, Sir. I have stood here briefly to interject on what the Leader of Majority is trying to put across. He started his speech by saying he wanted to inform us that even the Governor is in concurrence with whatever he is trying to put across to this House this afternoon. Probably the Leader of Majority should go a notch higher to tell us why the Governor has not assented to the Appropriation Bill. This is because if at all he is in a position to tell us that the Governor and the Executive are totally in concurrence with what is happening here today then he should also tell us when is the Governor going to append his signature in regards to this important budget that we all passed. Thank you Mr. Speaker, Sir.

**The Speaker** (Hon. Kahindi): Thank you hon. Foleni. That is a very normal question that the Leader of Majority should be able to answer. Yes, make your request again so that we proceed.

**The Leader of Majority** (Hon. Mwingo): Thank you Mr. Speaker. Actually I am very happy with the question that has been put by my fellow hon. Member but he was too fast because I was still going on and I was coming to that but because he wants to know the reason why the Governor has not signed, Mr. Speaker, I will endeavour to reply. We know very well that we had several issues with the Budget and that is why we had the meeting at Mnarani Hotel to deliberate on certain issues concerning the Budget. The Governor is trying to take his time because there are some issues that need to be ironed out and immediately these issues have been ironed out then I am sure the Governor will be in a position to sign that Budget. So, may I inform my hon. Member that...

*(Hon. Foleni stood on a Point of Information)*

**The Speaker** (Hon. Kahindi): Yes, hon. Foleni.

**Hon. Foleni:** Mheshimiwa Spika...

**The Speaker** (Hon. Kahindi): No, no, you started in English.

**Hon. Foleni:** Hon. Speaker, the Leader of Majority is not telling us the truth. He is trying to play ball on this County Assembly. I remember when we went for our meeting in Mnarani club we had ironed out the issues that were supposed to have been ironed out regarding the Budget. What other issues is he talking about? Is there anything that the Leader of Majority is trying to hide? Can he please come forward and tell us what is cooking between him and his Excellency, the Governor, because we are not ready to accept what he is trying to put across. Thank you.

**The Speaker** (Hon. Kahindi): Thank you hon. Foleni. Hon. Majority as much as I want to protect you, it seems you have some explanation to do. Just proceed to respond.

**The Leader of Majority** (Hon. Mwingo): Mr. Speaker, I think we understand very well by the time we were at Mnarani Hotel, we had very many deliberations with his Excellency, the Governor. He was trying to put across that there were other projects that the amount had been reduced. So, that is why the Governor wanted that money to be left the way it was. Those are the things that the Governor was trying to deliberate with the hon. Members because suppose that

Budget did not have those challenges, I do not think the Governor would have asked us to meet in Mnarani. That is why we had to meet to deliberate on those issues. Mr. Speaker...

**The Speaker** (Hon. Kahindi): There is a point of information. The Minorities are really on it today...

**The Leader of Minority** (Hon. Pascal): Thank you Mr. Speaker. I also want to put across a question to the Leader of Majority. According to what he is putting across, does the Governor still have time to actually interfere with the Budget that this hon. House passed? Thank you.

**The Leader of Majority** (Hon. Mwingo): Mr. Speaker, it is not to interfere but to agree. So, there are some issues that the Governor needs to agree with the hon. Members but he is not interfering with the Budget.

**The Speaker** (Hon. Kahindi): I have an intervention from hon. Hassan. Let us take it please.

**Hon. Hassan:** Asante mheshimiwa Spika. Inaonekana kiongozi wetu wa wengi hajakuwa tayari na haya maswali. Swali ni kwamba, inaonyesha kwamba Gavana bado hajakubaliana na yale malengo yetu ama yale tuliyoyapitisha? Na kama hajakubali ni lini atakubali? Hiyo tu.

**The Speaker** (Hon. Kahindi): Yes, hon. Mwingo.

**Hon. Mwingo:** His Excellency, the Governor, is not yet ready and he is still taking his time going through those changes we made. So, may I call upon my fellow hon. Members to support this Motion. Thank you, Mr. Speaker.

**The Speaker** (Hon. Kahindi): Thank you. Hon. Foleni you want to rise on a Point of...

*(Laughter)*

Order or a Point of Information?

**Hon. Foleni:** On a Point of order but let me put it off first.

**The Speaker** (Hon. Kahindi): Okay. Hon. (Ms.) Chiku.

**Hon. (Ms.) Chiku:** Thank you Mr. Speaker, Sir. I rise to support the Motion. All said and done, we have no alternative but to support this motion. We cannot afford to hold this county at ransom that everything has to go to a standstill but to go ahead and vote for this Motion. As for what hon. Chai said, we are soon proceeding for recess and we cannot afford to go without any *chums*.

**The Speaker** (Hon. Kahindi): Are you sure that is a parliamentary word?

*(Laughter)*

**Hon. (Ms.) Chiku:** Yeah, if I say *chums* it becomes stronger to me than to say money...

**The Speaker** (Hon. Kahindi): Yes, hon. Stanely Kenga, you have an intervention?

**Hon. Kenga:** Thank you very much Mr. Speaker. The first time I heard from hon. Chai on the issue that we cannot go for recess until we have coins, I thought it was a mistake that he did not realized he was making. Now, I am hearing it from hon. (Ms.) Chiku and I do not know whether it is the way we are supposed to be paid. That is what is coming out. So, I do not know whether we are in Order to allege that we cannot move to recess because the Budget is not in operation. So, we need to pass it so that we are paid money to go on recess? I have not been receiving money, Mr. Speaker, all the time we have been going on recess...

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**The Speaker** (Hon. Kahindi): Just take a seat hon. (Ms.) Chiku. If I am getting what hon. (Ms.) Chiku is saying is that the only organ that can salvage the situation is the County Assembly. If you go on recess without doing this, then it means the system is paralyzed unless of course hon. (Ms.) Chiku has something else. Are you referring to the County Assembly Members because that is how I got it that the power vests on the County Assembly to salvage the situation? In the absence of that, there will be no money.

**Hon. Kenga:** Mr. Speaker what was coming out very clearly is that we cannot go on recess without money. It is like we have to be facilitated for us to go on recess.

**The Speaker** (Hon. Kahindi): No, no, in fact I can confirm that you are going on recess without anything. I confirm on record that you are going on recess without a single cent.

*(Laughter)*

So, it is not about us but it is about the entire County Government. I think that is what you need to put across. The power to allow the County Government to run is purely vested on the County Assembly to pass the Vote on Account. Otherwise, I can still confirm that you are going on recess without anything. Yes, proceed hon. (Ms.) Chiku.

**Hon. (Ms.) Chiku:** Thank you Mr. Speaker. Actually I had not finished before hon. Kenga intervened but what I meant is that we are going home for recess, the general elections are around the corner and campaign machinery is on a high gear. We are not going to sit at home doing nothing. We would like to use that opportunity to start campaigning. I am saying this because, when I look at this House with 53 Members in 2017, the women are going to be half of this. We will not have a problem of gender because we will nominate many this time. That is why I am saying the campaign is on high gear. All the ladies are out to make sure that we snatch all these seats. That is why he is saying we will need some money, not to go and eat but to go and work with that money. In view of this, I ask the hon. *Akois* to support this Motion. Thank you. Once we support this Motion hon. *Akois*, then we have *pesa pap*. Thank you.

**The Speaker** (Hon. Kahindi): I have so many interjections I do not know which one...

*(Laughter)*

...but what I know for sure is that the women are now rejuvenated. We know Britain has a woman Prime Minister, KPA (Kenya Ports Authority) has a woman Managing Director, Germany has a women Vice Chancellor and in November we are going to have Hilary Clinton.

*(Applause)*

Honestly, just remove the interjections and let's just proceed. They are just too many. Hon. Hassan, please let us have your contribution.

**Hon. Hassan:** Asante sana mheshimiwa Spika. Mimi kama mwakilishi wa Wadi ya Matsangoni, nimesimama kuunga mkono hii bajeti tuiptishe. Waheshimiwa wawakilishi wenzangu, mbali na kwamba tunataka shughuli za Kaunti ziendelee pamoja na Bunge letu tukufu, hii pia ni moja ya katika zile kazi zetu tatu ambazo ziko katika Katiba na sheria za Bunge. Kwa hivyo ni wajibu wetu kupitisha hii bajeti. Kuna wengine wanalalamikia maswala ya kampeni, lakini wao hawana haja ya kufanya kampeni kwa sababu wao watarudi tu. Kwa hivyo, nimesimama kuunga mkono swala hilo.

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**The Speaker** (Hon. Kahindi): Hon. Mangi, just make your submission so that we proceed.

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

**Hon. Mangi:** Thank you Mr. Speaker, Sir. First and foremost, let me take this opportunity to thank the hon. Members for supporting this very important Motion. It is dictated in the Public Finance Management Act (PFMA) that when the Budget estimates are approved by the County Assembly and there is an uncertainty and discontentment between the County Assembly and the Executive, then the only option is the Vote on Account. The County Assembly has one duty to stamp its authority and ensure that we have normalcy so that the County Assembly and the County Government at large can execute its mandate without any interaction. I am informed by the County Assembly and the County Executive accounts read 0:00.

This means that even your vehicle may not move tomorrow. There is no fuel and as hon. Members, we have to execute our oversight role. Now that we are going for recess, it is very prudent for the Committees to sit and execute their mandate but because of that, we are not going to undergo that very important role. It is not only necessary but it is mandatory for this House to stamp its authority and approve this Motion. The approval of this Motion will pave way for the services of this County Assembly and the Executive to come to normalcy.

I again thank the hon. Members for their wisdom, decorum and cooperation in this perspective, where we are in a rough situation. Last but not least, we have not had any demonstration in our county since we came to exist as a County Assembly or Government. We have also tried our best to safeguard the welfare of our staff. This is therefore to say that it is very important at this particular moment to approve this Vote on Account to ensure that salaries will be given out in good time and by so doing we shall be motivating our staff and doing the duties that we are expected to do as an Assembly. Thank you.

**The Speaker** (Hon. Kahindi): Thank you hon. Chairperson for your eloquent submission on this matter. Hon. Members, a Motion has been moved by the hon. Chairperson of the Budget Appropriations Committee on the Vote on Account and the same has been deliberated. I now put the question.

*(Question put and agreed to)*

## MOTION

### THANKS FOR THE SENATORIAL ADDRESS

**The Speaker** (Hon. Kahindi): Yes, this is a resumption of debate. Hon. Leader of Majority.

**The Leader of Majority** (Hon. Mwingo): Thank you Mr. Speaker for giving me this chance to move the following Motion for the second time:-

THAT, pursuant to Standing Order 20 (6), The thanks of the County Assembly be recorded for the exposition of public policy contained in the address of the Senator delivered on Monday, 11<sup>th</sup> July, 2016.

May I call up on hon. Ms. Mbeyu to second.

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*(Hon. Mwingo on 12.7.2016)*

*(Resumption of debate interrupted on 12.6.2016)*

*(Hon. (Ms.) Mbeyu stood at her place to second)*

**The Speaker** (Hon. Kahindi): Hon. Hamza, please this is a resumption of debate and you already made your contribution yesterday from my records in the system. Thank you. Yes hon. (Ms.) Mbeyu.

**The Speaker** (Hon. Kahindi): Point of interjection from hon. Kaingu.

**Hon. Kaingu:** Asante sana Bw. Spika, nia yangu ilikuwa ni kuchangia hoja hii.

**The Speaker** (Hon. Kahindi): Yes, but what you have done is that you have pressed the interjection...

**Hon. Kaingu:** Kuna yale mambo ya kitaalamu naona yameharibika.

**The Speaker** (Hon. Kahindi): Just proceed. I understand.

**Hon. Kaingu:** Asante sana Bw. Spika. Hata mimi vile vile katika Ripoti hii ya Bw. Seneta aliyoisoma Jumatatu hapa Bungeni naiunga mkono mia kwa mia kama mwakilishi wa Wadi ya Kaloleni. Mambo yote ambayo alichangia Bw. Seneta ni kweli na ya kusikitisha. Msimu wa 2014/2015 mapato ya Kaunti yalikuwa yako juu, lakini kufikia sasa yamedidimia. Ukikumbuka Bw. Spika huko nyuma kama Bunge tulipitisha kwamba lazima tufanye mabadiliko ndio tukanuia ile Kampuni ya Rain Drops ambayo ilikuwa inakusanya mapato tukasema ikae kando. Nadhani kama wabunge tulifanya wajibu...

**The Speaker** (Hon. Kahindi): Yes there is an interjection from hon. Kenga. What do you rise on?

*(Hon. Kenga stood on a Point of Order)*

**Hon. Kenga:** Thank you very much Mr. Speaker. I am standing on a Point of Order. The hon. Member in his contributions is trying to tell us that local revenue for the financial year 2014/2015 was higher than what the county has been able to collect in the subsequent years; that is 2015/2016 and 2016/2017 as we move forward. I do not know whether he is right and if so then he has to substantiate.

**Hon. Kaingu:** Asante sana Bw. Spika. Mimi naonelea Ripoti ambayo imeletwa na Bw. Seneta afwatiliwe, na mimi vile vile kama mjumbe nilifwatilie ...

**The Speaker** (Hon. Kahindi): Hon. Kaingu, there is an issue that hon. Kenga has risen on. He is asking that you have made sentiments that the revenue collection in the year 2014/2015 was high and now it is going down and whether you have any proof of the same?

**Hon. Kaingu:** Bw. Spika, ni vitu ambavyo vinajieleza vyenyewe kwa sababu ukiangalia hotuba ya Bw. Seneta ni kweli. Ni vitu ambavyo hata mimi najua. Asilimia 19.3...

**The Speaker** (Hon. Kahindi): Yes hon. Teddy Mwambire, you want to intervene?

**Hon. Mwambire:** Mr. Speaker, I am standing on a Point of Order. The Member on the Floor I suspect is out of Order because he is the Chairperson for the Public Investments and Accounts Committee. He claims to be supporting the Senator's speech 100% and the Senator in his speech clearly stated that this Assembly has done very little in regard to oversight.

Mr. Speaker, the Chairperson on Public Investments and Accounts goes ahead to demonstrate that this Assembly is the one which stopped the operations of Rain Drops. I am

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getting contradictions; if he claims that we stopped Rain Drops it means we discovered that there was something wrong and it is the County Assembly which acted without even the assistance of the Senator. Now I am wondering if he is supporting 100% then I don't think he ought to be the Chairperson of the Public Investments and Accounts Committee because he is the one who is failing this County Assembly in safe guarding the welfare of this county. Let him be very clear on that.

**Hon. Kaingu:** Nafikiria Bw. Spika nilikuwa sijamaliza hoja yangu na bado nilikuwa niko katikati. Kwa hivyo, kuingia katikati na kuuliza maswali hukupata ile nakili sahihi na nilikuwa naendelea. Nilikuwa nataka kuonyesha katika hotuba hii ya kwamba mapato kule nyuma yalikuwa yako juu. Lakini kufikia sasa yameteremka na nakala iko hata katika hotuba ya Bw. Seneta.

*(Hon. Nzaro stood on a Point of Order)*

**Hon. Nzaro:** Mr. Speaker, I rise on a Point of Order. I think you should guide us on how we should take this debate because I think the Member should be given an opportunity to air his views so that we can form an opinion at the end of it. Thank you.

**The Speaker** (Hon. Kahindi): He was still on the Floor. I am judging that...

**Hon. Nzaro:** Yeah but through the numerous interruptions of his submissions then we are not going to go for that.

*(Applause)*

**The Speaker** (Hon. Kahindi): Now raising a Point of Order is procedural until the Speaker rules that Member out of Order, then his speech comes to an end. I have not ruled him out of Order. So I can allow anybody to exercise their constitutional right.

*(Applause)*

When a Member rises on a Point of Order and you realize that the person who was on the Floor is still talking, it implies that he is being protected otherwise he will be shut down. So let us hear him and I think that is why I have not said he is out of Order.

**Hon. Kaingu:** Asante sana Bw. Spika. Nashukuru sana kwa kunilinda katika wakati huu wa shida ambayo imenikumba lakini nilikuwa naeleza tu ile picha ambayo iko katika Ripoti hii. Kwamba mapato kule nyuma yalikuwa yako juu ukilinganisha na sasa na hiyo ni kwamba kama Wabunge tulifanya kazi yetu na tukapitisha, lakini yaliyojiri kwenye korti na huko nje yalikuwa ni mengine. Vile vile katika hotuba hii, ndio nasema naunga mkono kwa sababu ukiangalia mambo kama ya mtambo wa korosho kuna ukweli kwamba kuna umuhimu watu wa Kaunti ya Kilifi waweze kunufaika na rasilimali kama hii lakini haiku; ilikufa kabisa. Ukiangalia matumizi ya magari tunaona kwa macho; hiyo si kwamba ati naongea kitu ambacho sikijui...

**The Speaker** (Hon. Kahindi): Yes hon. Stanley Kenga, on what Point of Order are you rising?

*(Hon. Kenga stood on a Point of Order)*

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**Hon. Kenga:** I am rising on a Point of Order that the Member who is on the Floor and Mr. Speaker, this is serious business of the Assembly that we are doing today. He has either to substantiate or withdraw and apologize because being guided by the speech on page 5, on local revenue; you will realize that in the financial year 2014/2015 our local revenue was Ksh. 545,499,050. In the financial year 2015/2016 it was Ksh. 586,170,588 which shows an increase. Why is he deceiving this hon. House that there is a decrease yet as per the speech that is before us there is an increase?

**The Speaker** (Hon. Kahindi): You are both referring from the speech, is it?

**Hon. Members:** Yes.

**The Speaker** (Hon. Kahindi): Okay so hon. Kaingu which part of the speech are you reading that says revenue collection has declined?

**Hon. Kaingu:** Ni katika ile sehemu ya mapato pengine itachukua mda kuangalia hapa...

*(Laughter)*

Lakini hiyo iko hapa.

**The Speaker** (Hon. Kahindi): You know I have been very patient hon. Kaingu. You need to get serious with this business. Sit down, sorry... you are both referring from the speech? What does the speech say? Does it indicate that revenue collection has declined or has it indicated that revenue collection has increased?

**Hon. Kaingu:** Mimi pengine kama mumeninukuu vizuri ni kwamba kufikia sasa mapato hayaridhishi...

**The Speaker** (Hon. Kahindi): This debate is about the speech of the Senator. It is not about the general feeling that we have and when you make reference, you make reference to the speech so that if the Senator said that revenue collection has gone down he indicated his figures, and you are reading from the speech, which I have allowed you to make reference to. What does it say? What does the Senator say in the speech? Because, you will be mis-quoting him if he said that there was an increase even if it was for Ksh. 100 and you are here telling us that there was a decrease then you will be offending his speech.

**Hon. Kaingu:** Vile najua ni kwamba kuna 19.3% kufikia 2014...

**The Speaker** (Hon. Kahindi): What does the Senator say in his speech as far as revenue collection is concerned?

**Hon. Kaingu:** Ndio hii basi...

**The Speaker** (Hon. Kahindi): Can you proceed to read?

*(Laughter)*

Let us allow hon. Kaingu to read.

**Hon. Kaingu:** Pengine imenakiliwa kiingereza, "the county annual growth of its equitable share of the national shareable revenue has however declined from 19.3% in financial year 2014/2015 to 7.9% projected in 2016/2017".

**The Speaker** (Hon. Kahindi): Thank you. Now you have made reference to the speech because you know this discussion is about the speech. It is not about your personal feelings and that is why the Standing Orders were drafted in a manner that you are given three consecutive sittings just to examine and interrogate the speech. So I will not allow any references to be made

from elsewhere. You have both read from the same speech and it says what you have read. Hon. Stanley you...

**Hon. Kaingu:** Kumalizia Bw. Spika...

**The Speaker** (Hon. Kahindi): Yes hon. Kaingu, you are still on the Floor, but just take a seat. Let us hear what hon. Stanley Kenga has to say.

**Hon. Kenga:** Mr. Speaker, there are two different issues and as the Chairperson of the Public Accounts and Investments Committee, he is misleading the House. The 19.3% is talking about equitable share of the national shareable revenue. He was talking about our local revenue. Mr. Speaker, I am directing this House to go to page 5 of this speech.

**The Speaker** (Hon. Kahindi): Okay, let us go to page 5 and interrogate. Hon. Kaingu, if you are misleading the House, I will rule you out of Order.

**Hon. Kaingu:** Bw. Spika, katika ile Hoja ya mapato pengine kama utaniruhusu naweza kuitoa hiyo hoja.

*(Laughter)*

...lakini ukweli wa mambo nilikuwa natoa picha kwamba hali saa hii iko sawa sawa katika kaunti yetu...

*(Laughter)*

**The Speaker** (Hon. Kahindi): Okay! Let me...

**Hon. Kaingu:** Na Seneta wetu alikuwa ana haki ya kuja kutuelezea mambo kama haya...

**The Speaker** (Hon. Kahindi): Oder! Oder! Hon. Kaingu, Order! You know it seems there are Members who have really come of age in terms of discussions and it is very hard to challenge their intellect. When you are debating a speech either by the Governor, the President or anybody else, you need to contain yourself to what is contained in the speech. So if the hon. Member who has left his speech behind has talked of mangoes, you cannot start talking of oranges. You interrogate the speech unless you have any other figures which can be justifiable. If the Senator in his wisdom has said that local revenue has increased even if it is with a thousand shillings, then you can approve or disapprove that but you cannot say "he said that revenue collection has gone down". Are we together hon. Kaingu?

**Hon. Kaingu:** Ndio.

**Hon. Speaker** (Hon. Kahindi): So, if he has said in the local revenue and I saw his local revenue F/Y 2012/2013 - Ksh. 173,700, 90; F/Y 2013/2014 -Ksh. 459,575,703; 2014/2015 -Ksh. 545,499,050; F/Y 2015/2016 -Ksh. 586,170,588. Now despite the fact that their figures might be increasing at a very slow rate but that cannot change...

*(The Speaker (Hon. Kahindi) mic went off)*

...because if you say you support it then you must support the fact that he has said there is an increase even though it is dismal increase. If you say it is going down then you are not speaking the rightful way.

**Hon. Kaingu:** Bw. Spika, nashukuru kwa kunisaidia katika shughuli hii. Mimi nilikuwa natoa picha yangu; nilikuwa natoa kwamba hali ilikuwa si nzuri kuhusiana na mapato.

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Nimegusia mambo mengine vile vile hasa kiwanda cha korosho ambacho nimesema ni rasilimali yetu na tulikuwa tunaitegemea lakini hali haikuwa sawa kila kitu kilisambaratika.

Kwa hivyo, kwa kifupi, Bw. Seneta alitoa changizo zilizokuwa zinakubalika isipokuwa sisi waheshimiwa tukubali na tuweke kasi hali ya uchunguzi wetu ili kuangalia pesa hizi zinatumika namna gani kwa sababu najua tumelegea na lazima tukubali hapo. Tuweke ule mkazo ambao unatakikana ili tuhakikishe ya kwamba matumizi ya fedha katika kaunti yetu yako sawa. Kufikia hapo mimi nasimama kuunga mkono hotuba hii.

**The Speaker** (Hon. Kahindi): Thank you very much hon. Kaingu. Let us have hon. Lali Sadi.

**Hon. Sadi:** Thank you very much Mr. Speaker, Sir, for giving me this opportunity. May I take this opportunity to support the speech made by the hon. Senator. I am in support of the speech of the Senator for the following reasons.

First, you will note that in overview, the Senator meant to tell this House that despite the development that we have made in this County, there are small shortcomings that we need to stick to them; we need to be firm on them so that we can have a better Kilifi.

*(Applause)*

How Mr. Speaker, Sir? You will note that it is not a secret that Kilifi County has made various developments by His Excellency, the Governor, and his team and the Members of the County Assembly in various Wards. You will note that in every corner of this county there are developments but we should not fail to note that the targets of our local revenue were not met in the last three years.

*(Applause)*

Mr. Speaker Sir, this shortcoming even during our last meeting when our Governor visited, he noted that it is true we have not met our target but the Governor only mentioned that the biggest problem is that it is because of our laws governing the rates collection. We do not have substantive laws to govern collection of proper rates to our lands within Kilifi County and that the County Government is working hard on it.

The hon. Senator mentioned that it is not only about the issue of rates collection. We need to expand our sources of revenue base; we need to come out with a system of automating our revenue collection. This will make us have better revenue collection and improve our local revenue base. Mind you, if we improve our local revenue collection, even our national allocation will also increase. So I meant to say that the Senator was right to tell us that it is high time as a county we need to pull up our socks to ensure that we collect enough so that we develop this county.

On the issue of education, the Senator noted that the county and the Governor at large made a very good effort in improving education. Remember that when we started this journey we did not have laws that governed us to issue bursary because the issues of education is a national function; it is not a devolved function but our hon. Governor came up with ideas that gave birth to the Scholarship Fund. What the Senator says is that we should come up with better ways of ensuring that bursary is fairly distributed and at least we catch up with a big number of people.

The Senator also noted that during this time we have various developments in terms of ECD (Early Childhood Education) centres in various wards. Youths polytechnics have been

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given a facelift in various wards. The Governor is doing a commendable job but what the Senator is emphasizing is that we should also ensure that these polytechnics are well furnished with different equipment so that our youth can have good education and be better people for tomorrow. The Senator also said that in the ECD centres that we have constructed, it is high time we employ more ECD care givers so that they can be of help in these new institutions.

On the issues of health, the Senator commended the Governor and the county at large for the effort that they have made to ensure that in various health institutions new buildings are coming up. Everywhere you go you find out that we have a new dispensary and health centres. Today if you go to Marafa health centre it is at the status of a sub-district hospital. The effort of the Governor and his team and the County Assembly is commendable but what the Senator was saying is that the Governor should ensure in the budget allocation more money is given to the health facilities so that we will be able to improve health institutions that we have in this county so that we do not have to rely on other health institutions from our neighbouring counties.

This is the reason why the Governor had allocated quite big sums of money to various health institutions. You found that in Kilifi County hospital which is in Kilifi town he allocated quite big sums of money in that hospital to ensure that we are going to have an intensive care centre, a cancer centre and others. This is why we made the budget look like Sokoni Ward has a big chunk of money. If these institutions are developed, they are going to help people from Adu, Chakama, Mrima wa Ndege and people from all over the county are going to be assisted...

*(Laughter)*

... and in this area that is why the Senator said that in the budgetary allocation, the Governor should consider putting more money into various health institutions so that this county can be able to rely on it's own in terms of treating our patients.

Finally, I want to touch on the issue of agriculture; it is a topic that is very dear to me. I grew up in Kilifi town where my mother used to work in the Kenya Cashew Nut Factory and that is where she got money to educate us. So, basically out of the Kenya Cashew Nut Factory is where I got my education. Why this factory went down is still unknown but it is a very bad and painful experience to everybody who comes from Kilifi.

Up-to date, Kilifi town has not recovered from this problem and what the Senator was saying is that since this County Government came into being, we have not yet come up with substantive ways of ensuring that we are going to get back this factory. What the Senator was recommending was that all stakeholders including the hon. MCAs, the Government, the Executive at large and anybody who cares about this county to come up with plans of ensuring how we can be able to get back Kenya Cashew Nuts Factory and how we can drive it back to operation so that it can help the citizens of Kilifi town and Kilifi County at large.

My final submission is that, the Senator meant well for this county. All we need to do is to understand exactly what he said and try to get closer to him and seek advice from him on how best we can be able to assist one another so that Kilifi County can be a better place for our children and grandchildren. Thank you Mr. Speaker, Sir.

**The Speaker** (Hon. Kahindi): When we started listening to hon. Lali, I noticed everybody was totally silent because he took time to read the speech. I am not saying he said a good thing or a bad thing but you ask yourself if you have been able to read and understand that speech.

*(Laughter)*

**The Speaker** (Hon. Kahindi): Yes hon. Teddy Mwambire.

**Hon. Mwambire:** My Point of Order goes to hon. Lali. Although he has shared very good issues there is something that I wanted it to go to the HANSARD. Hon. Lali comes from Sokoni Ward and he is supporting the issue of Kilifi Cashew Nut Factory. Hon. Lali and the elected Member for Sokoni Ward are on record to be known that... their followers have been pushed to go and occupy the land at Mkoroshoni. I withdraw Mr. Speaker.

*(Laughter)*

**The Speaker** (Hon. Kahindi): I think hon. Teddy Mwambire you want to play smart. I must recommend hon. Lali because he has read the Senator's speech because his submissions have been very impressive. These are the kinds of debates that we as Members of the County Assembly of Kilifi should be making in this House.

*(Loud consultations)*

**The Speaker** (hon. Kahindi): Yes hon. Japheth Nzaro.

**Hon. Nzaro:** Thank you Mr. Speaker. I rise to support the address by the Senator. I will also pinpoint some of the shortfalls that I have seen. From his address, our local revenue targets have not been met for the last three years and this is the truth. On the first year when we were elected I think we put a target of local revenue of about Kshs.2 billion.

In the next financial year, we put a target of about Kshs.1.4 billion, which we never realized. If we look at our target for the last financial year, our target was Kshs.1.4 billion and we only realized Kshs.586, 000,000. So, when our Senator tells us that we should seal those loop holes in revenue collection, he is justified. This is because it is these monies that will be used in the development of these projects.

The issues of vehicles as highlighted in his address, I think at one time in this Assembly if we go back to HANSARD, we will realize that there were some Statements which were sought in this Assembly to address this issue of misuse of these government vehicles. It is not a lie because...

**The Speaker** (Hon. Kahindi): Hon. Hamza you have an intervention?

**Hon. Hamza:** Thank you Mr. Speaker, Sir. I just want the hon. Member to tell us... because he has given out some figures and I think we are very much strict to the speech. I just want to know whether he is marrying the speech with his own know-how or can he substantiate whatever is given especially on the projection of the issues of monies that were to be collected? This is because I do not think whether there are monies indicated anywhere that we have to receive. Again, I understand that he has a lot of know-how and so, I just want to know whether he is trying to marry.

**The Speaker** (Hon. Kahindi): Yes hon. Japheth Nzaro.

**Hon. Nzaro:** Thank you Mr. Speaker. I would want the Members to read carefully the speech that is before us. If you go to page 6 of that address and I will read, "The County Government has consistently failed to meet its annual local revenue target for the last three year." I think this is on record and this is what the speech as read by the Senator entails. Mr. Speaker, I wish to continue with my submissions.

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**The Speaker** (Hon. Kahindi): Proceed.

**Hon. Nzaro:** As I was talking on the issue of the misuse of vehicles. I think it is on record in this Assembly as I had mentioned earlier. In this era where we are moving to a very digital world, there were some groups which were created like the Whatsup group. You will see a lot of our residents querying the misuse of these vehicles. In fact, they take pictures and post them on these social media platforms like Facebook and Whatsup which are very ideal. Do you know Mr. Speaker; we are dealing with a society which is running from...

**The Speaker** (hon. Kahindi): Yes hon. Teddy Mwambire, I can see you have an intervention.

**Hon. Mwambire:** Yes Mr. Speaker. I think the Member is giving us very nice information but he is misquoting the initiative that this Assembly is doing. This is because this Assembly wholesomely resolved that the County Government should come up with a mechanism to curb the misuse of vehicles.

If this Assembly has come up with Motions to make all those interventions and then we were told that we have done very little then unless the Member tells us that we have failed to appropriate monies to enable the County Government to implement that. He cannot just support because you are supporting somebody who said you have done little while we brought all those Motions and Statement to this Assembly.

There is no Member who opposed; we all supported all those Motions and Statements and we have been standing very firm to safeguard the welfare of this county. I want him to be very clear because he is a Member of the Public and Investments Committee. I am very keen with the Members of this Committee because they are the ones who are supposed to make sure that they are giving us the likelihood figures that are supposed to be handled in this Assembly.

**Hon. Nzaro:** Mr. Speaker, I think the Member did not understand what I aired at the first instance. I had said in my opening remarks that as I support this speech, there are shortcomings which I will highlight and I have not yet reached that point. I think you should just let me finish then you hear what I have to say.

**The Speaker** (Hon. Kahindi): Yes proceed hon. Japheth Nzaro.

**Hon. Nzaro:** Mr. Speaker, if you look at our recurrent budget as envisioned in this Report, there is an increase in the absorption rate of our county; these are things which should be commendable. If you look at the development budget, we have been given 60% for now but we started from 20% so it means we are moving ahead.

These are the things I want to share with Members so that you realize that where we have not done enough let us pin point and where we have done good let us pin point as well. One of the things which I think as Members we need to realize is that we should be very informed about the issues on agriculture. What the Senator said is that there should be measures to revive the crops which we have in this county like cashewnuts and the likes.

One fundamental aspect which I realized is that the Budget which we passed does not envision a county which is self sufficient because we reduced our agriculture budget by over Ksh 120 million. Then where are we heading? So, I think when the Senator says that we should revive these things, in fact if this address came before we passed this Budget, I know things could have been different.

Mr. Speaker, if you look at one of the shortfalls in this address, he highlighted that as Members of the County Assembly we have failed in our oversight role. I just want to give two examples to show that we have not failed in our oversight role as Members of the County Assembly. First, it was just yesterday but one in this Assembly when a Statement was sought by

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the hon. Member for Jaribuni enquiring about how the construction of the footpaths and how storm drainage are being re-done every now and then. Isn't that oversight?

Another thing which we did; I think it is this week but I also cannot remember but we passed in this Assembly a Report by the Public Investments and Accounts Committee for the financial year 2013/2014. In that Report, there are various shortfalls which we highlighted and recommended a lot of issues which Members agreed to. So, I do not know what shortfall it is we cannot take but I think this is a House of procedures and what came before was a Public Accounts and Investments Committee Report and we sat and discussed these Reports and tabled some of these Reports in this Assembly. In fact I should congratulate the office of the Clerk and the office of the Speaker because they have given us an environment where we can work and query these shortfalls in our government.

The other issue which I wish to highlight is where the tenders are given to the residents. Mr. Speaker, for our youths to develop...we know there are no employment opportunities. How we can get these jobs is through job creation and one of the fundamental aspects of job creation is the access of youths to public procurement which is envisaged in our law. If thirty per cent of these jobs are to be given to the marginalized communities then we should make sure that these jobs are given to these people. From the look of things, Members, I think we should call a spade a spade because if some of these things in procurement are done without giving the local residents opportunities, then what is wrong in highlighting that?

I think what we should do as an Assembly is to set up a Committee to look at these things. First; the issue of procurement. If we know that there are issues that the Senator highlighted that we should look at then why don't the relevant Committees in this Assembly take this up, investigate and come up with Reports before this Assembly? If you look at the issues of corruption that the Senator highlighted, it is real and it is happening. Why am I saying it is happening; if you look at the audit Reports which we have received in this county, you will realize that there are some aspects of financial indiscipline in this county. If everything could be nice then these audit Reports could be very okay. We get Reports where the Auditor General recommends that strict measures should be taken to safeguard the money of this county.

So, I think the Senator's address on that end was right and what I would wish and from my Chairperson is that after completion of the debate on this address, then we should recommend that the Senator be called to give us more information on the issues which he raised on corruption. As a Committee, I know we have the privilege to seek for any information and it is in fact enshrined in our Constitution. When we sit as a Committee, we will ask the Senator to give us the names of the people he wants us to do a lifestyle audit for. He will give us because these are sentiments he made on the Floor of the Assembly and we have to query them. So, my candid submission is for us to agree with what he said and then the relevant Committees do their work. If it is a matter of procurement, there is a relevant Committee to do that, if it is a matter of employment, let every Committee do its work and I am very sure we will get good Reports which will send this great county to the highest level. Thank you very much. I support.

**Hon. Mwathethe:** Thank you Mr. Speaker for also allowing me to give my sentiments on the speech of the Senator. I also want to support the speech because before the Senator came to the Floor of the House, I should say that I had a different opinion but when he was here the other day then I realized why it has taken him so long to come. Maybe from a distance he was also watching how the county is being driven. It was not possible for him to come very quickly because he did not have all this information. He gave a speech which according to me speaks for itself.

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The Senator talked on the issue of corruption and my colleague has just said that maybe we need to engage him so that he can give us evidence of this corruption. I am sure we do not need to call him to tell us so and so of this or that Department is corrupt because many people are being investigated as we are speaking; many people from the Executive have their accounts frozen because of corruption. Corruption is actually rampant. He talked of lifestyle of a person who was employed three years ago who was ...

*(Hon. Mramba stood on a Point of Order)*

**Hon. Mramba:** Mr. Speaker, can the Member on the Floor tell us the names of the officers from the Executive who are under investigation otherwise he needs to withdraw that statement?

**Hon. Mwathethe:** Mr. Speaker, if I will be given time I will bring the names but it is in the public domain and I think hon. Mramba is very much aware. He is only testing my one to one information if I have it at hand which I do not have. I will be willing to bring it...

**The Speaker (Hon. Kahindi):** Order! Order! Members, hon. Mramba just take a seat.

**Hon. Mwathethe:** Thank you Mr. Speaker for...

**The Speaker (Hon. Kahindi):** Take a seat hon. Mwathethe. I think even from the speech itself and I want to restrict myself to it, the hon. Senator just mentioned... he never went further to mention names and I think also hon. Mwathethe is speaking on those lines. As we have agreed we are restricting ourselves to the speech; it will be unfair to ask hon. Mwathethe to produce names whereas the speech we are having before us has not given us any names. Hon. Mwathethe, just proceed.

**Hon. Mwathethe:** Thank you Mr. Speaker for... because really I am aware of those who are for the speech who will find it very rough because there is a clique that is against this...

**The Speaker (Hon. Kahindi):** Just proceed, a speech is all about your opinion it is not about ayes and nays.

**Hon. Mwathethe:** But when he said there is corruption...

**The Speaker (Hon. Kahindi):** Hon. Hamza you have a point of Order?

**Hon. Hamza:** Bw. Spika nafikiri tukienda kwa Kanuni za Bunge namba 87 inasema wazi na mheshimiwa ambaye anazungumza kabla yake kulikuwa kuna Hoja ya kwamba mheshimiwa Seneta aitwe. Kuna mambo fulani ambayo angeweza kuyaangazia na aliposimama alisema kwamba sio lazima aitwe; tukitarajia ya kwamba yale angeliitiwa yeye angeweza kuyathibitisha. Haitakuwa vyema kwa wakati huu tusema kuna watu akaunti zao zimefungwa na tunataka kufanya uchunguzi. Nafikiri ni vyema yeye mwenyewe alikuwa anayazungumza ana uhuru na haya mambo anayajua kwa undani zaidi. Hii ni shughuli ya Bunge na ni vyema tuhakikishe kwamba tunaweza kufwatilia haya mambo kwa undani zaidi kwa sababu amesema akipewa muda anaweza kuhakikisha kwamba haya yote yanaweza kutimia. Ni vyema kama anaweza kupewa huo muda aseme ni muda gani ili tupate kujua na tufwatilize.

**The Speaker (Hon. Kahindi):** I will not be discharging my duties when even a Member who is defending himself is misleading the House. My reading of Standing Order 87 is that if you make a statement you should be able to substantiate it. So listening to hon. Mwathethe he is in line with the speech...

*(Applause)*

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...and because the speech did not go further to mention names, if those words were not contained in the speech and they directly come from hon. Mwathethe, we would then be at liberty to ask him to substantiate, but if you push Mwathethe further he will simply tell you that is what the Senator said. That there are some people, whose lifestyle has suddenly changed and legally you cannot push him further.

*(Applause)*

Hon. Mwathethe may not be in a position to explain that to you but you know you have an advocate presiding and I know where this is going to. If you push him further he will say those are the words of the hon. Senator. The Senator did not go further to mention names; legally you cannot compel him. Otherwise, if that was not contained in the speech, then hon. Mwathethe says there are people whose lifestyle has suddenly changed then you will be at liberty to invoke that Standing Order. In as such as he might be compelled to move further, he will just go out, consult and then come back and say Mr. Speaker after all I was relying on the speech then we go back to square one. So let's allow him to finish then we proceed. Yes hon. Mwambire, you have an interjection?

**Hon. Mwambire:** Mr. Speaker, I am in agreement and I want to point out something so that it can be clearly in Order. Hon. Nzaro was in order when he said that we should call the Senator at a Committee or a consultative meeting to give us more information about these issues. As an Assembly, we have a duty to safeguard the welfare of this county. If there is corruption... in his speech he was talking about naming and shaming. So, it will be in order especially for the Committee on Investment and Accounts to have a sitting with the Senator. Let hon. Mwathethe not object that because it is quite in order and I believe with that we will get information that will guide this Assembly ahead.

**The Speaker** (Hon. Kahindi): Now to call or not call the Senator is a subject of another debate which can easily be arranged from the Speaker's office and from a word with the Senator is that he is more than willing to continue engaging with the County Assembly; so that should not be an issue of debate. He is our Senator and when we call him he is going to come trust you me. So hon. Mwathethe could you just windup, whether or not to call the Senator, if the House feels that the Senator should come and address us further it is not a decision that hon. Mwathethe will make; it is a decision that the House will make and hon. Mwathethe is part of that House. So I will allow you to finalize and then we pick some other...I have protected you for a very long time. Please take only a second to finish.

**Hon. Mwathethe:** Thank you. I know Mr. Speaker a lot of effort has been put to eat up into my time so that I do not say what I was just about to say. It is like it is already known that apart from the fact that he is my Senator he is also my personal friend. Mr. Speaker, it is not true that this House does not know that this county is corrupt; nobody can tell me today as we are sitting here that we are clean of corruption. The Speaker talked of 10 percent kick back that is being asked for every tender that is given...

**The Speaker** (Hon. Kahindi): Not the Speaker hon....

*(Laughter)*

Now I rule you out of order. Kindly withdraw that.

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**Hon. Mwathethe:** Mr. Speaker, thank you because you have protected me so much. I am only speaking because of your authority otherwise I would have been shut down. It is the Senator who talked about 10% kick back that is being asked for every tender. This is the reason which I can also point out that the rate of absorption has gone very low because until a person is ready and willing to part with 10% commission to a tender, then the process of tendering becomes very slow. As we are passing the budget, I pointed out to the low absorption of the monies that we set aside.

Just today, we were talking of having no money and that everybody is taking from the pockets of *bla bla* and increases and what not, but how can we be without money when a lot of money is being reverted back? How is this possible? If you look at the budget, there is a lot of money that is being reverted because the county is unable to spend that money. Today, we are here saying that we have no money. It is because the tendering process that has been attached to this clique of 10% cannot go through very quickly. That is why I say this being in the public domain, we do not need to call the Senator to put him to task to tell us we need to form the committees and these committees will get all the information; it is not worth it.

**Hon. Speaker:** Thank you, I can see the red light. Your time is up.

**Hon. Mwathethe:** Thank you Mr. Speaker.

**Hon. Foleni:** Asante sana mheshimiwa Spika. Mimi kama Mbunge wa Tezo nasimama kupinga hotuba ya mheshimiwa Seneta. Niko na sababu za kupinga hotuba hii. Nilishangaa sana mheshimiwa Seneta aliposimama mbele ya Bunge hili na kusema kwamba ufisadi umekithiri katika jimbo la Kilifi. Mheshimiwa Seneta hakuweza kuthibitisha kile kilichokithiri katika jimbo la Kilifi. Hakuweza kuthibitisha ni lipi na ni nani ambaye alihusika kwa hii hali. Kwa maoni yangu madogo, ilikuwa ni haki mheshimiwa Seneta kuthibitisha kwamba ni kweli siku fulani na saa fulani aliona gari la jimbo likibeba vitanda au likifanya kitu ambacho si kizuri. Lakini ni bure heshima yote ambayo tumempatia Seneta aingie Bunge hili na atuambie kwamba ufisadi umekithiri katika jimbo la kilifi lakini hawezi kudhibitisha ufisadi huo.

Mheshimiwa Spika, hotuba yake mimi naipinga vikali na pia naweza ipatia jina kuwa ni hotuba tupu tupu; hotuba bure kabisa. Mheshimiwa Seneta tulimpa kura miaka mitatu iliyopita na mwaka wa kwanza hakuona vyema kufika mahali hapa ili aweze kutuelezea ni yapi ambayo tungeweza kuyajadili kama Bunge. Amekuja hapa baada ya miaka mitatu...

*(Hon. Gambo stood on a Point of Information)*

**Hon. Gambo:** Asante Bw. Spika, nimesimama kwa hoja ya kumueleza mheshimiwa kwamba...

**Hon. Foleni:** Mheshimiwa Spika...

**The Speaker** (Hon. Kahindi): Order! Order! You are rising on a Point of Information, is it not?

**Hon. Gambo:** Yeah on a Point of Information.

**The Speaker** (Hon. Kahindi): Hon. Foleni do you wish to be informed?

**Hon. Foleni:** Mheshimiwa Spika, kwa heshima na taadhima, mimi ni msomi sidhani kwamba naweza elezwa kitu chochote na mheshimiwa ambaye amesimama. Hivyo basi mheshimiwa Spika naomba mheshimiwa akae...

*(Laughter)*

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...ili niweze kumalizie maoni yangu. Asante.

**The Speaker** (Hon. Kahindi): Hon. Bakari.

*(Hon. Bakari stood on a Point of Order)*

**Hon. Bakari:** Asante sana mheshimiwa Spika. Mimi pia nimesimama kwa hoja ya nidhamu kumueleza anayezungumza kwamba Seneta alipokuja hapa, alikuja kuhutubia Bunge na ikiwa alizungumzia kuhusu ufisadi katika kaunti yetu, alizungumzia hapa ndani ya Bunge na ninaamini kabisa sisi tukiwa wabunge, ni jukumu letu baada ya hotuba ya Seneta kuona kama ufisadi huu uko pembe gani na mahali gani katika kaunti yetu hii. Kwa hivyo, sijaona makosa ambayo amefanya Seneta kwa kuja kutoa hotuba yake na kutoa hali halisi ya ufisadi ndani ya kaunti.

**Hon. Foleni:** Mheshimiwa Spika, nashangaa na mheshimiwa wa Shimo la Tewa kwamba anaweza kusimama aseme mheshimiwa Seneta alikuwa hastahili kupeana kidhibitisho. Hivi sasa tunavyoongea, mheshimiwa Gavana wa Mombasa amefika mbele ya Seneti na kuhojiwa kuhusu matumizi ya hela za serikali ya Mombasa. Sababu ya hiyo ni kwamba alikuwa anashukiwa kwamba kuna mambo ya ufisadi ambayo yameingia pale.

Basi nataka kumuuliza mheshimiwa wa Shimo la Tewa kama mheshimiwa Gavana wa Mombasa alitwa mbele ya Seneti na akajibu mashtaka yale, Seneta wetu hapa alikuwa hashindwi kamwe kuita wale wahusika ili atuelezee ni wapi ameona ufisadi?

**The Speaker** (Hon. Kahindi): Let us proceed, hon. Foleni.

**Hon. Foleni:** Mheshimiwa Spika, mwaka mmoja na nusu uliopita Bunge hili lilikuwa na joto la kampuni ya Rain Drops. Sikusikia hata siku moja mheshimiwa Seneta akiita waandishi wa habari kuwaelezea msimamo wake kulingana na hii kampuni ambayo inaokota ushuru hapa kwetu. Alinyamaza na akanyamaza; lake yeye ilikuwa ni kupeana mawaidha ya kisheria ili ahakikishe kwamba kesi hii imesambaratika.

Mheshimiwa Spika, mheshimiwa Seneta aliendelea kusema kwamba kuna vijana wadogo walioajiriwa juzi na wanapeleka magari makubwa. Wadi yangu iko karibu na Kilifi na sijaona kijana ambaye mshahara wake ni mdogo na anapeleka gari kulingana na vile mheshimiwa Seneta alivyosema. Hivyo basi, kuna umuhimu kuwa tumuite mheshimiwa Seneta atuelezee ni kijana yupi ambaye aliandikwa kazi miaka mitatu iliyopita na hivi sasa anapeleka gari kubwa ambalo kwa lugha ya kimombo alisema kwamba ni *4 by 4*.

Mheshimiwa Spika, namaliza nikisema kwamba, alilaumu mtambo wa korosho. Mheshimiwa Rais alienda Kakamega, Mumias, akapeana pesa, akaenda Meru akapeana bilioni moja ya miraa. Lakini nataka kusema hivi mheshimiwa Spika na nasema hivi bila kubabaika kwa sababu hii ni sauti ya serikali...

*(Laughter)*

Mheshimiwa Spika, viongozi wa magharibi walienda wakakaa na mheshimiwa rais, pasipo kuangalia chama na pasipo kuangalia huyu anatoka wapi. Ndio maana ikafikia wakati mheshimiwa Rais akatenga pesa na baadaye akapeana pesa hizo kuhakikisha kwamba mtambo wa miwa unafanya kazi. Ni haki mheshimiwa Gavana wetu na Seneta tuwache siasa za chama cha Chungwa na siasa za Jubilee tuhakikishe kwamba tumefuata serikali ili tuhakikishe kile ambacho kipo serikalini tunakipata kwa wakati huu. Mheshimiwa Spika, naomba kuketi. Asante sana.

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**The Speaker** (Hon. Kahindi): Yes hon. (Ms.) Chiku.

**Hon. (Ms.) Chiku:** Thank you, Mr. Speaker, Sir. I rise to support the speech of the hon. Senator. What the Senator said is actually true. He has portrayed to us that we are not doing enough. On the issue of the contractors Mr. Speaker, it is true some of the roads are done half way and the contractor gets away and he is paid and leaves the site. On the issue of the contractor, some of the building materials that they use are sub-standard, for example, a BQ (Bill of Quantities) can have a provision for using Mjanaheri sand, and I have seen some buildings that have been built with Kakanjuni sand which is sub-standard; they have also been using sub-standard timber for building schools and they have been using...

**The Speaker** (Hon. Kahindi): Yes hon. Hamza, you have an intervention?

**Hon. Hamza:** Thank you Mr. Speaker. I just want the hon. Member who is on the Floor to substantiate whatever she is saying as per the Senators speech, because we are discussing the Senators speech and I think there is a lot of information that is coming out. Probably she can draw our attention to which page she is referring to so that we can be sure she is in full comprehension of what she is saying.

**Hon. (Ms.) Chiku:** Mr. Speaker, I am actually supporting what the Senator is saying about the contractors and if the hon. Member thinks that I am not speaking the truth, I can take him round those roads. They have been half paid; the public is actually crying about their money and this is going to cost some people their seats. It is not a joke...

**The Speaker** (Hon. Kahindi): Yes hon. Teddy Mwambire.

**Hon. Mwambire:** Point of Order Mr. Speaker. I think the Member on the Floor is not in Order. She is addressing us as if she is just an ordinary person. She is a hon. Member who could have come with either a Statement or even a Motion; she has a role like me of oversight to the County Government. Claiming that there is haphazard work that has been done and claiming that there are roads which were not done as to the specifications which... I do not think the Senator clearly mentioned about roads.

Mr. Speaker, I think she is out of Order and if she is insisting on that, then she is portraying this House to be containing merchants of corruptions because you cannot be seeing those things and you do not report and do not take any action yet you are a hon. Member.

**Hon. (Ms.) Chiku:** Well I have been doing some oversight and I was coming to that...

**The Speaker** (Hon. Kahindi): Okay, everybody is coming to that, proceed.

*(Laughter)*

**Hon. (Ms.) Chiku:** Thank you Mr. Speaker. I was still talking on the issue of the contractors using sub-standard material; the Kakanjuni sand and using cashew nut trees as building materials. This is in the pipeline and very soon it is going to explode.

Mr. Speaker, on agriculture, I must say the Department has truly let us down. They normally distribute seeds and fertilizers when the planting season has passed. On the issue of oversight, we did an oversight at Zowerani cooling station which has actually stalled and I want to congratulate the Chairperson on Agriculture Committee, hon. Gambo, who went there with his team and we saw the situation. The construction had stalled and the members of community at Zowerani had gone to the Chief Executive Member's office and they were not assisted at all. When we went there we called the Chief Executive Member and asked about the issue but now I am a happy person to say that the building has been completed.

**The Speaker** (Hon. Kahindi): So, you are acknowledging that the County Assembly has been up to its task in terms of oversight?

**Hon. (Ms.) Chiku:** Yes.

**The Speaker** (Hon. Kahindi): Okay proceed.

**Hon. (Ms.) Chiku:** Thank you. On the issue of revenue which is actually the back-bone of this County...

*(Hon. Mramba stood on a Point of Order)*

**The Speaker** (Hon. Kahindi): Yes hon. Mramba?

**Hon. Mramba:** Mheshimiwa spika, nasimama kwa Hoja ya nidhamu. Mheshimiwa anayeongea hivi sasa anaongea huku anasoma kwenye nakala. Sijui kama hiyo ni sheria ya Bunge ama si sheria? Tuelezewe.

*(Laughter)*

**The Speaker** (Hon. Kahindi): Hon. (Ms.) Asha Chiku Wanje, are you reading anywhere?

**Hon. (Ms.) Chiku:** These are my notes Mr. Speaker, and I am not even holding them up in my hand. If I wanted to read, I could have actually put them up.

**The Speaker** (Hon. Kahindi): So you can confirm that you are not reading a statement?

**Hon. (Ms.) Chiku:** It is not a Statement Mr. Speaker, Sir.

**The Speaker** (Hon. Kahindi): Okay.

**Hon. (Ms.) Chiku:** I think he is trying to put me overboard.

*(Laughter)*

**The Speaker** (Hon. Kahindi): You know take it easy on her please....

*(Laughter)*

Let us give her the opportunity to proceed.

**Hon. (Ms.) Chiku:** I am used to it. I have a very fixed speech...

**The Speaker** (Hon. Kahindi): Okay, thank you very much, proceed.

**Hon. (Ms.) Chiku:** On the issue of collecting revenue, it is high time that we go fully automated without any fear. Mr. Speaker, there is a county in Rift Valley where they are fully automated and even the Governor is able to see every shilling that is being pooled in that county. We have a very able ICT Chairman here hon. Mwachenda...

**The Speaker** (Hon. Kahindi): Hon Foleni, you have an intervention here?

*(Hon. Foleni stood on a Point of Order)*

**Hon. Foleni:** Mheshimiwa Spika, naomba mheshimiwa mama yangu ambaye alikuwa akiongea ni mama...

*(Loud consultations)*

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*(Laughter)*

Mheshimiwa Spika, ni mama yangu kwa sababu namheshimu na nina haki ya kumheshimu kwa sababu mimi bado ni kijana. Lakini naomba atuelezee ni Jimbo lipi ambalo hivi sasa linatekeleza hali ya *automation* ili ile kamati ambayo mheshimiwa mama yangu ambapo ni mwenyekiti, tuweze kwenda kujifunza mengi kuhusu maswala hayo. Asante mheshimiwa Spika.

*(Laughter)*

**The Speaker** (Hon. Kahindi): Hon. Foleni you are out of order. Hon. (Ms.) Aisha Chiku please conclude by pressing your microphone please.

**Hon. (Ms.) Chiku:** Thank you Mr. Speaker. I would also like to answer Mr. Foleni.

**The Speaker** (Hon. Kahindi): No! Just proceed.

**Hon. (Ms.) Chiku:** Thank you Sir. As I said there is a county in Rift Valley which is fully automated and even the Governor is able to see every shilling that is pooled in that county. On the issue of abuse on public vehicles, I think it is high time to put car trackers in the vehicles because we have suggested this on our recommendations but it has not been put into practice. Thank you Mr. Speaker, Sir. Allow me to sit down.

**The Speaker** (Hon. Kahindi): Thank you. Hon. Mwayaa.

**Hon. Mwayaa:** Asante mheshimiwa Spika. Nimeomba hiyo nafasi kitambo ili nikaweze kuchangia lakini hata hivyo asante kwa kunipatia hii nafasi. Mheshimiwa Spika, mimi napinga vikali hotuba ya huyu Seneta wetu. Nasema hivyo kwa nini mheshimiwa Spika? Kuunga mkono ni kama kusimamisha basi ambalo limepita kwa sababu mheshimiwa Spika, ni kama...

*(Laughter)*

**The Speaker** (Hon. Kahindi): Hon. Mwayaa, how do you stop a bus that has...

*(Laughter)*

Proceed please.

**Hon. Mwayaa:** Nasema hivyo kwa nini? Alikuwa akasema watu wa Magharibi walipata pesa upande wa sukari na kisha akazungumzia mambo ya miraa huko Meru. Mheshimiwa Spika, sikusikia akisema kuwa Gavana wa upande huo ndiye aliyetenga pesa ndiposa pesa hizo za mradi wa sukari zikatekelezwa. Hapa tunazungumzia maswala ya Jimbo, na Jimbo hili linaendeshwa na mheshimiwa Gavana Kingi. Kwa hivyo, kama alikuwa analenga Jimbo hili basi angesema labda Gavana na serikali yake ambapo wajumbe wake ni sisi tulipitiliwa hatukutenga pesa za kufufua kiwanda cha korosho.

Kama ni serikali kuu, yeye mheshimiwa Seneta ndiye ana haki ya kutuulizia pesa maanake yeye ndiye hutenga pesa ndiposa zikaletwa huku katika kaunti yetu. Mimi nasema alifeli katika kazi zake kwa kukosa kuambia serikali pesa zitengwe ndio tuje tufufue kiwanda hicho. Hapo ndipo alipopitiliwa kutuambia hivyo Serikali ilivyoenda kupeleka pesa kufufua kiwanda cha sukari na maswala ya miraa. Kwa nini hakuwaambia ili sisi nasi tukapata hizo pesa

tukajiendeleza ikiwa yeye ndiye aneyesimamia pesa za Jimbo zitengwe ndio zifike? Ndio nikasema ni kama kusimamisha basi ambalo limeshapita.

Ni kama kusimamisha basi ambalo limepita vipi mheshimiwa Spika? Alivyokuja tulikuwa tayari tumepitisha Bajeti yetu sisi kama Bunge la Kilifi na hiyo ndiyo bajeti yetu ya mwisho. Kama angekuja hapo awali tungekuwa tumekuwa na nafasi ya kutenga pesa tukafufua kiwanda hicho. Tutatenga pesa zipi na Bajeti yetu ya mwisho tushaipitisha? Tusimamishe basi na lishaenda. Bajeti tumepitisha....

*(Laughter)*

Sasa hivi anasema kiwanda kinatakikana kufufuliwa; pesa ambazo tumepata hapa tumepitisha na hakuna pesa zilizotengwa kufufua kiwanda hicho. Tutatoa wapi pesa? Basi limeenda anataka tusimamishe tena, tutasimamisha gari ipi?

Mheshimiwa Spika, nikirudi pale pale anasema kwamba magari anayaona yameegeshwa kwenye baa mahali panapouzwa vileo. Mheshimiwa Spika, nataka tuwe waangalifu tusije tukajifungia wenyewe. Mimi jana nilitembea na Gavana mchana kutwa sikupata hata kikombe cha chai. Tukatembea mpaka tukapata mahali pameandikwa *bar and restaurant* na ilikuwa wakati umeenda ikabidi mimi na mheshimiwa Gavana tuingie pale ili tuweze kujikomboa tupate maji ya kuywa. Kama kungekuwa na mtu wa kupiga picha pengine angetupiga akasema magari yanatumiwa vibaya na tungeshinda njaa. Maanake hiyo ilikuwa ndiyo hoteli ya kipekee na kuna baa hapo kando. Lazima tuangalie na Bunge hili tuwe macho sana kuangalia vitu kama hivyo. Je mheshimiwa Spika, kama tutaona magari yameegeshwa na magari ya serikali yalikuwa yako hapo si moja, si mawili tuliegesha kumeandikwa *restaurant* lakini hiyo ndiyo ilikuwa hoteli ya kipekee Kayafungo, tungefanya nini? Tushinde njaa? Hii hotuba naipinga mheshimiwa Gavana kwa macho meupe.

*(Laughter)*

**The Speaker** (Hon. Kahindi): Thank you.

**Hon. Mwayaa:** Naondoa kauli hiyo mheshimiwa Spika. Naipinga kwa macho meupe nikiwa macho na tena mchana naipinga kikamilifu. Asante mheshimiwa Spika.

**Hon. (Ms.) Mbeyu:** Thank you Mr. Speaker for this chance. I was the seconder to this Motion and thank you for this time. I want to share my views on the Senator's address. It is not a matter of supporting or not supporting. Mr. Speaker, on page 3 of his address the Senator was telling us the mandate of the Senator and I would like to read the mandate as I refer to the address; he says hon. Members, "this therefore means a Senate is the defender, overseer and protector of devolution." My view is that this address came too late to this House. He has indicated that this is the fourth year of devolution and whatever he has indicated in the address would have come three years ago and we would have really shared what he put across to the Assembly.

On page 12, which is my biggest concern because Kenya Cashew Nuts Factory is in my Ward and it has become a political playfield in Kilifi County, the Senator being a defender, an overseer and a protector of Kilifi County resources, I think then Kenya Cashew Nuts Factory should have come first for him to protect once he was elected into position. This factory went dead a long time ago and it has been left to be a playing field.

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As I am speaking right now, some squatters in court have been incited to go and invade the Kenya Cashew Nuts Factory. As we speak there are so many structures in that place and these are all political leaders who have done this.

**The Speaker** (Hon. Kahindi): Yes hon. Stanley Kenga, you have an intervention?

**Hon. Kenga:** Thank you very much Mr. Speaker, I am standing on a Point of Information to the hon. Member.

**The Speaker** (Hon. Kahindi): Hon. (Ms.) Mbeyu, do you wish to be informed?

**Hon. (Ms.) Mbeyu:** Not really Mr. Speaker, Sir.

**Hon. Kenga:** A Point of Information in support of what she is saying.

**The Speaker** (Hon. Kahindi): Hon. (Ms.) Mbeyu, do you still wish to be informed?

**Hon. (Ms.) Mbeyu:** Okay I can allow him as he is my Chairperson for the Committee of Labour and Social Services.

**Hon. Kenga:** Thank you very much Mr. Speaker. I am aware that the Member has aspirations for the Women Representative position in Kilifi County. I am also aware that the people of Kilifi are now looking for the position of a Senator. Now I wanted to inform her that she should consider changing her position that she goes for the Senatorial position instead.

*(Laughter)*

**The Speaker** (Hon. Kahindi): That information is...

*(Laughter)*

**Hon. (Ms.) Mbeyu:** Thank you Mr. Speaker, Sir, for allowing my Chairperson of the Committee on Labour and Social Welfare for that support. I want to take my fellow hon. Members back. I brought a Statement to this House while we were using the old Chamber at the Municipal to demand for the status of the Kenya Cashew Nuts and a reply has not come to date almost a whole year and a half later.

In my Statement I attached documents to the effect that there were former employees who were seeking justice on their payments. I attached two documents; they were Murima and Madzayo Advocates Company. Our Senator then was an Advocate and he did not work it out for these people to get their justice to date.

If I read through his speech, it is so good to demand that all the other areas have gotten money from the Uhuru-Ruto Government, the Jubilee Government, and we have a representative in the House, hon. Foleni. These other companies have been given money to revive their companies and that is very true; even the khat plant has been given one billion shillings. The people from the political class have come together to fight for their factories and their resources. Kilifi County leadership has not done this. To date, political leaders and some are in this House are inciting people to go and invade the factory farm and I have evidence on the same. What are we protecting? There is a case in court of 350 acres of the Kenya Cashew Nuts Factory to be invaded by squatters and I would like to say that those people are not squatters; all those people come from their areas.

**The Speaker** (Hon. Kahindi): Yes hon. Foleni.

**Hon. Foleni:** Mheshimiwa Spika, nasimama kutaka thibitisho kutoka kwa mheshimiwa (Ms.) Mbeyu kwamba kuna baadhi ya wanasiasa hapa ambao walienda wakachochea ndio maana watu wakavamia lile shamba jirani. Itakuwa vizuri atulelezee kwa mapana na marefu ili mimi

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nami nifahamu na nihakikishe kwamba mwanasiasa yule ama wanasiasa wale nikae nao chini ili niweze kuwarekebisha.

**Hon. (Ms.) Mbeyu:** Thank you Mr. Speaker, for allowing my neighbour hon. Foleni to stand on that point of Order. I can only give the names in camera because this address did not mention names concerning the politicians who are inciting people to go live in the factory farm. Looking at this address, I would love to say that we have had major issues in Kilifi County where I feel the Senator kept quiet.

We have been doing our oversight role very well. Look at the issue of the Rain Drops case; I remember we had a meeting at Mnarani and I raised that in Kilifi we have the Governor, a lawyer; we have the Senator, a retired judge; and we have the Speaker of Kilifi County, a lawyer. The revenue collection that he has mentioned about, he didn't dream it but he has an oversight role of the resources in Kilifi.

I want to concur with what hon. Foleni said. He didn't say anything about the Rain Drops Company and the way it was mis-managed and how we were taken to court and almost Ksh 37 million was given. Let me say Rain Drops won this case and they did not go according to the agreement of the revenue collection according to the MOU (Memorandum of Understanding) that they had signed with Kilifi County Government.

Our Senator did not do anything about it at all. Today, on his fourth year, he comes mentioning about issues of revenue collection. My view is that this address is just too late. He mentions about business men outside the county and he contradicts himself from page 15 by talking about business people from outside being given work in Kilifi County. Then says on the same page 19 on issues of tribalism and nepotism; I don't know what he was trying to bring in here. He says on page 15 that we should not give business to outside people and goes complaining about nepotism and tribalism in page 19, so who are we to give business to then? What is nepotism in his address and what tribalism is he talking about? Kilifi is a cosmopolitan area.

**The Speaker** (Hon. Kahindi): Hon. (Ms.) Chiku, you have an intervention to make?

**Hon. (Ms.) Chiku:** Is the Speaker on the Floor supporting or not supporting the speech? She seems to be contradicting herself now.

**The Speaker** (Hon. Kahindi): A speech is neither to be supported nor objected; you just give your views about it. At the end of the day, I will not put a question. In fact, I want to commend hon. (Ms.) Mbeyu because she stood first by saying this is a speech. I am not supporting it or am I objecting it but I am just giving my views about it. That is precisely what should happen because at the end of it all, I will not put a question.

**Hon. (Ms.) Mbeyu:** Thank you Mr. Speaker, Sir, for the protection. Hon. (Ms.) Chiku knows very well that I went to school and I belong to the Committee on Rules and Procedure of this House and I know what I am doing. We do not support addresses or speeches; we only give views.

Mr. Speaker, on issues of education where I am involved as the Chairperson of Scholarship and Vocational Training Committee, we have spent a lot of money paying for students in Kilifi upholding education. On page eight what almost demoralizes me is that he says we are still lagging behind. I want to congratulate hon. Teddy Mwambire when he actually said he has four A's from Sokoke Ward from last year's KCSE examination. Congratulations; he paid for these students to stay in school for them to get these results.

I think we need to call a spade a spade and not a big spoon by reading through this address well and appreciate that there are some places the Senator agreed with the Kilifi County

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Government that we have done well and the areas where he talked about issues that cannot be substantiated; we have to speak about the same.

On page 16, he said he receives letters and calls on corruption almost every day; twenty four hours. Him being the Senator and having received these calls, letters and emails for so many days from 2013 to date, what did he do? Being an overseer and the Senator to look upon the resources of Kilifi County, there is no place he told us he intervened to those emails, calls and the complaints about corruption. We need an answer from him. When he received this, what did he do? He is supposed to oversee about the issues of Kilifi County Government.

On page 15 and 16, he complains about the corruption of young youthful employees of the Kilifi County Government; driving guzzlers and building houses. I think he is the one who should encourage the youths to grow. I come from a very humble background and when I came in here, I did not have even a bicycle but now I am driving two cars in a day and I have a house that I have built. I think we should congratulate the youth in Kilifi County who are growing to be independent and if they are getting this money overnight as he said then I think we should have evidence on whether they are involved in corruption or they are using their money to achieve this.

Mr. Speaker, I think with those few remarks on my views on hon. Senator's address to this House, I have a feeling he came late; I do not know where he was for four years. Him giving this good report and telling us to now start coming up with Committees to investigate and look into the Ad Hoc Committee at this time and as I vie for the Women Representative seat in the Kilifi County Government, I think we have very little time now. The Senator has been in that position for four years and he never consulted this House on anything. He says he is a protector and an overseer but he never came to look for the MCAs for all those four years. We could even have shared the issues of corruption together. I agree that we had the Ad Hoc Committee on corruption issues but he did not have any intelligence of whatever is happening in this House. There was the Ad Hoc Committee formed on issues of misuse of office in Kilifi County Government and we needed his guidance being a retired Judge and a lawyer. That, we could have even gone through such one case this House had. He was nowhere to be seen.

This is a very good address that has come too late. We have seven to ten months to go and I think he needed good time to liaise with the Members of this County Assembly by coming together. Equally, he could have shared the issues, the letters and the emails he was getting with the Members as well as what we had developed in this House since we needed his support but he was not there.

The Rain Drops issue went to the waters; a lot of money was wasted and then given back to the Rain Drops and it is still there. He is the Senator; he is supposed to oversee this. As the MCAs, it is our role to oversee the Kilifi County Government but he has the biggest role because he has been seeing this happening. He is bringing us this document in the fourth year when we have only ten months to go. Where do we start? How do we develop the Ad Hoc Committee he is talking about? How do we do whatever he is putting across? I think we need another term in this House as he goes to the Senate; he needs to be a Senator again so that he can come in 2018 to give back this kind of Report then things can be done better in Kilifi County. Thank you, Mr. Speaker.

**The Speaker** (Hon. Kahindi): Hon. Muhambi, you had made some request but I am not seeing it now. Can you please press? Thank you very much.

**Hon. Muhambi:** Asante Bw. Spika kwa kunipatia nafasi hii na mimi niweze kutoa maoni yangu juu ya hotuba ya Bw. Seneta...

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**The Speaker** (Hon. Kahindi): What you need to do is to just press on and off. Okay, press it again...

**Hon. Muhambi:** Asante sana Bw. Spika kwa kunipatia nafasi hii nami niweze kutoa maoni yangu juu ya hotuba ya Bw. Seneta. Kwa kweli Bw. Spika, Seneta kuja hapa Bunge alifanya vizuri na alikuja pale pahali ambapo anastahili lakini alikuja wakati ambao haufai. Bw. Spika, nataka niwaulize Wabunge wenzangu, Wabunge hapo mlipo upo upo? Mheshimiwa Spika, upo ni kifaa ambacho kinatumika kutolea maji kwenye hori, ngalawa ama mtungi. Sasa basi, sisi tuko kwenye safari na katika safari hii tuko kwenye ngalawa. Huu upo nilioutaja ni kwamba ni kitu ambacho kama maji yameingia kwenye ngalawa, huwa unachukua kutolea yale maji. Katika ngalawa hii tuko na nahodha pamoja na abiria. Katika ngalawa yetu tumeona kuna mahali kunapitisha maji ndani. Waheshimiwa wenzangu nawaomba tuchukue upo tutoe maji haya ili ngalawa yetu isizame.

Katika hotuba ya Seneta alitaja mambo ya kilimo na akasema kwamba iwapo hakutapangwa mikakati mizuri kutumia fedha za kaunti, huenda tukapata njaa muda ujao. Pia alitaja kwa mfano, Magharini na Ganze. Hizi ni sehemu ambazo mara nyingi huwa zinakumbwa na mambo ya njaa; kwa hivyo basi itakuwa vizuri kama serikali yetu ya Kilifi itafanya mikakati ili zile sehemu ambazo ziko na njaa ziwe zitaangaliwa wajisikie kama wanakilifi.

Katika hotuba ya Bw. Seneta alipendekeza kuwe na warsha ya siku tatu ili kufunzwa jinsi ya kuangalia pesa zetu za Kaunti ziwe zitatumika vizuri. Hayo ni maoni mazuri maanake iwapo mtu hajajua vizuri jinsi ya kufwatilia mambo ya bajeti na vile hizi pesa zinatumika; ikiwa tutapata hayo mafunzo wale ambao hawana ule uzoefu ama bado hawajajua vizuri itakuwa ni vizuri pia nao kufwatilia jinsi vile pesa za Kaunti zinatumika.

Jambo lengine ambalo Seneta aligusia ni kuhusu kuunda kamati. Hata kama muda umeisha lakini maoni yangu naona itakuwa vizuri hii kamati iwe itaundwa kisha pale popote ambapo pana shida ambazo zimetajwa hapa pachunguzwe na atakayepatikana na makosa basi sheria ichukue mkondo wake.

Tena katika hotuba ya Seneta alitaja mambo ya kandarasi kwamba kazi hizi huwa zinapewa watu ambao hawatoki kwenye hili jimbo letu la Kilifi. Hii kamati ikiundwa, itachunguza kama haya madai yanayodaiwa hapa ni kweli na hatua zitachukuliwa. Katika ile warsha ambayo tulienda Dar-es-Salaam tulifunzwa kwamba iwapo kuna shida kama hii imetokea tuna uhuru wa kuunda kamati ya kuchunguza. Kwa hivyo naomba hii kamati iundwa ili haya madai yachunguzwe na yeyote ambaye atapatikana na makosa hatua iwe itachukuliwa. Asante.

**Hon. Kambi:** Asante sana mheshimiwa Spika. Hotuba ya Seneta wetu kwa maoni yangu naona inatutatanisha kidogo na haitupi mwelekeo mzuri vile. Kwa sababu gani? Imeangazia mambo ya kilimo na mambo ya ukusanyaji wa pesa ndani ya Kaunti yetu. Hata hivyo, nikikumbuka vyema Katiba yetu ya nchi hii ya Kenya iliangazia kabisa kwamba kuna sehemu nyingine ambazo ziliwachiwa serikali za ugatuzi na sehemu nyingine bado zinawakilishwa na serikali kuu. Tukiangalia Bunge letu la Seneti ni Bunge ambalo liko pale ili kuangalia ugawaji wa pesa katika serikali kuu na za ugatuzi.

Nikirudi katika upande wa kilimo, ukiangalia katika bajeti ya serikali kuu wamepanga pesa nyingi sana upande wa kilimo, ambapo pesa zile kama zingeweza ama Seneta wetu angepeana mwongozo ili zisibaki kwa serikali kuu, mambo haya ambayo yako katika hotuba hii hatungeweza kusema kwamba tuko na upungufu katika upande wa kilimo. Tungekaa na kupangia vizuri mtambo wa korosho na tungeweza kuulipia ama kuujenga. Katiba hairuhusu sekta ya kilimo ishikiliwe na serikali kuu.

Hivyo hivyo kuhusu mambo ya barabara, ukiangalia mambo ya barabara yaliwachiwa serikali ya ugatuzi, lakini ukiangalia katika bajeti ya serikali kuu, pesa nyingi zimewekwa kujenga barabara. Hivyo basi, ikiwa ameangazia kuwa ikiwezekana barabara zetu ziwe nzuri zaidi haitawezekana kwa sababu ni jukumu lake la kwanza kuona kwamba ametupa wasia ili pesa zile ziweze kufwata vile ambavyo Katiba inasema na inakubalika ili pesa zile zije katika serikali yetu ya Kaunti.

Kwa wakati huu yale ambayo yako katika hotuba ya mheshimiwa Seneta mimi yananitiza kidogo kwa sababu kuna mambo ambayo hata inyeshe, isiponyesha itakuwa kama vile mheshimiwa Mwayaa alivyosema tunasimamasha gari ikiwa imepita. Yeye yuko pale kuhakikisha kwamba pesa zile kama ni za serikali za ugatuzi zipite katika Bunge langu lakini zinaachiwa kule. Hii hotuba haina usawa na wakati huu ni wakati ambao ametupa kisogo; angekuja mwaka wa kwanza ili atupe mwongozo vizuri na tufwatilize. Mwaka huu ni wa nne na tunaenda mwisho. Kwa hivyo naona hotuba hii ya Seneta inastahili kama kuna muda na inawezekana arudishiwe ili airekebishe vizuri ili ikija hapa iwe ni ya kutusaidia. Pia aongee na serikali kuu pesa ambazo twatengewa sisi zije. Hata mambo mengine hangekuwa anasema kama mambo ya mkorosho ama nini; hizo zingekuwa ni pesa ambazo tuko nazo kwa sababu mambo ya kilimo yamekuja kwa Kaunti ilhali pesa zimezuiliwa pale pale na anazona. Mambo ya barabara pia pesa zimezuiliwa pale na anazona na pesa zile ndio ambazo zitaweza kuangazia mambo mengi hapa. Asante.

**The Speaker** (Hon. Kahindi): Thank you. Yes hon. Matsaki.

**Hon. Matsaki:** Asante sana Bw. Spika. Ni vizuri pia mimi kusimama na kutoa maoni yangu kuhusu hotuba ya Bw. Seneta. Nina imani kwamba kila mmoja ana uhuru wa kuongea yale anayojisikia; ni maoni yangu. Yeye alikuja hapa na kikatiba anaruhusiwa kuzungumza maoni yake; kwa hivyo itategemea sisi wajumbe hapa ni vipi tutaona yeye alisema nini. Kitu ambacho nataka kusema hapa ni kwamba Bw. Spika, kuna wakati wewe ulisema kuwa ile kazi ya ile kazi sisi tunafanya hapa hairidhishi. Tukaongea kuhusu ile Miswada ambayo Bunge tumezipitisha na ukasema hii Miswada ni michache. Tukatoka nje tukapata Miswada 10 kutoka kwa *Executive* na nyingine kutoka hapa na bado tunaendelea nazo. Hapo inasema nini? Kivyangu mimi inasema kuwa bado tunaenda pole pole. Kitu ambacho mimi nataka kuwambia hasa waheshimiwa ni kuwa sitaki kukashifu wala nisema ati huyu anasema hivi. Hata hivyo, mtu kama amezungumza maoni yake tuangalie hasa na majukumu yetu kama Bunge; majukumu yetu ni gani?

Mara nyingi huwa tunasema kuwa mtu anaposema ukweli lazima wengine watakasirika kwa sababu mtu ameguswa. Lakini, sisi tunazungumzia juu ya Kaunti ya Kilifi hatuzungumzii juu ya mtu. Hotuba ya Seneta na yale ambayo ameongea pale kuna mengine naweza kuyakosoa na mengine nikayaunga mkono kutegemea na vile nilivyoelewa. Ni haki yake na ni haki yangu yale mengine ambayo naona si sawa niongee yale ambayo naona pengine amezungumza nione ni sawa.

Yale ambayo ni sawa Bw. Spika yamepitwa na wakati kwani muda umeenda. Yale ambayo nayaona kivyangu mimi ameyazungumza ya kuwa yanataka kuchunguzwa yamepitwa na wakati kwa sababu hivi sasa tunavyozungumza mwaka ujao sisi tunaenda kwa kura. Tuna wakati gani sisi wa kuanza kujadili kufuatana fuatana... kwa sababu hivi sasa tukianza kusema tunaanza kuchunguza hivi tunaweka Kamati hapa, wengine watasema ni kutafutana maneno.

Kwa hivyo, kitu mimi nataka kusema kwa wajumbe kwa sababu ni majukumu yetu yale ambayo sisi tunajisikia kusema kweli tumeanguka yaani sio tumeanguka kabisa lakini hatukuenda asilimia mia tukubali. Kwa sababu mara nyingi ukweli huwa uchungu na hatuko

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hapa kupiga vita yeyote, kwa sababu sisi ndio wajumbe wa Kaunti ya Kilifi. *Executive* wana kazi zao na sisi tuko na kazi zetu. Serikali ni moja na kitu ambacho ni muhimu ni kuwa sote tutashirikiana ili yule mtu wa chini na yule mtu wa Kaunti ya Kilifi awe atanufaika.

Wajumbe wenzangu nataka niwaambie hivi; hata sisi tukiwa hapa, kuna mengi ambayo tukitoka nje watu wetu wanaweza wawe wanayazungumza kuhusiana na serikali yetu ya Kilifi. Yale yanayozungumzwa wenye jukumu hilo la kurekebisha ni sisi kwa sababu sisi kama ni kupiga darubini ni jukumu letu, uwakilishi ni jukumu letu na hata kama ni kutengeneza sheria ni sisi. Kwa hivyo, mimi ningeomba isiwe ile tu ya kuotana kidole lakini tujiangalie kama Bunge; je tumefanya ile ambayo hasa inastahili tufanye na tumefanya vizuri? Pale ambapo tumeona pengine tumeenda kidogo pole pole basi tuweze kufunga kamba kwa sababu hayo ndiyo majukumu yetu. Kwa hivyo, nimeona pia mimi nami nitoe pumzi na mimi ni mzee mwenyekiti wa Kamati ya Sheria. Wengine watasema huyu amekuwa wapi au anasema nini, lakini nataka niwaambie kabisa na ni ukweli na hata kama utanishika matai hapo nje ni haki yako. Mimi nataka tuseme hivi kama Bunge tuna majukumu na siona kwamba tumefanya asilimia mia...

**The Speaker** (Hon. Kahindi): Yes hon. (Ms.) Mbeyu.

**Hon. (Ms.) Mbeyu:** Thank you Mr. Speaker, Sir. I think we are supposed to give our views according to the Senator's address but the hon. Member on the Floor is giving his own speech and giving us advice on this Floor. I think he is out of Order. Thank you.

**The Speaker** (Hon. Kahindi): Hon. Matsaki, can you just conclude your speech.

**Hon. Matsaki:** Bw. Spika, mimi nazungumza. Wale ambao wana masikio wamesikia na wale ambao hawana wacha wabaki hivyo hivyo.

**The Speaker** (Hon. Kahindi): I think should put an end to this debate. As I told you there is no question put on a speech because we are not trying to determine whatever he said. Members have ventilated on it and ordinarily we need to have at least three sessions but I think everybody has had an opportunity to speak.

So, let me just bring it to an end. This speech has been officially deliberated and it is now part of the record of the County Assembly but I am sure that there are Members who have not been here and I do not want to take that opportunity away from them; on our resumption after the short recess we are going to conclude the third session. So if there is only one person or two persons who have not spoken, they will get the opportunity to speak and then I shall declare that the hon. Senator's speech is now part of the record of the County Assembly proceedings. Next, Order!

## MOTION FOR ADJOURNMENT

### SHORT RECESS

**The Leader of Majority** (Hon. Mwingo): Thank you Mr. Speaker for giving me this opportunity to read the Motion for Adjournment before the House:-

THAT, pursuant to the provisions of Standing Order 28, this County Assembly do now adjourn its plenary sittings from Thursday, 14<sup>th</sup> July, to Friday, 22<sup>nd</sup> July, 2016 for short recess. That, this County Assembly resumes its plenary sittings on Monday, 25<sup>th</sup> July, 2016. Thank you, Mr. Speaker.

**The Speaker** (Hon. Kahindi): Who is seconding that?

*(Hon. Mwambire stood at his place to second)*

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Thank you, hon. Teddy (Mwambire). Yes proceed hon. Teddy Mwambire.

**Hon. Mwambire:** Thank you very much Mr. Speaker. I am in support of the Motion to go for recess. This goes according to the County Assembly's time table, whether there is rain or sunshine Mr. Speaker. This is the time when we need to go back to our Wards so that we can get time to be seen by the electorate and to share some different issues especially those Members from Kayafungo, Mwanamwinga, Ganze and Magarini constituencies who will have an opportunity to meet with the residents who are suffering from hunger.

Mr. Speaker, by the time we come back I believe we will be having a number of legislations that we are supposed to pass, and even some interventions that can be used to make sure that we safeguard those residents that are currently suffering. As for now Mr. Speaker, if we were to share then we will be sharing from hearing and hallucinations which will not be justified, which maybe Members who are in Malindi. Particularly my great friend hon. (Ms.) Elizabeth Muthoka might not understand what I will be sharing but this is an opportunity whereby we can even invite them to visit those areas so that they can familiarize themselves with all those issues, so that by the time we come back they will be supporting. So, with this few remarks, I stand to support and wish that Members will get time to visit Sokoke ward. Thank you.

**Hon. (Ms.) Mbeyu:** Thank you Mr. Speaker, Sir, I rise to support this Motion. I think it is high time after moving up and down on issues of the work of the Assembly, it is our right and it's on the time-table that we go on short recess. After having vigorous activities on the Bills, we need to have a little rest and also link up with electorate in our wards so that we can see what has been happening with our projects and be able to monitor what our people have been doing in Kilifi and we will be able to at least bring feedback after this recess. Thank you.

**The Speaker** (Hon. Kahindi): Thank you, hon. Mwingo.

*(Question, that the mover be called upon to reply, put and agreed to)*

**The Leader of Majority** (Hon. Mwingo): Thank you Mr. Speaker. I would like once again to take this opportunity to congratulate my fellow hon. Members who have totally supported this Motion. Mr. Speaker, no matter the position we are in financially, it is according to our Standing Orders to go for recess and based on what our fellow hon. Members have said, we need time to see our electorate so that we have time with them.

Mr. Speaker, there is a lot that we are supposed to do with our electorate and we have really been having a marathon of activities and it is actually time to have this short recess. By the time we come, we should have gathered a lot as far as representation is concerned. Thank you, Mr. Speaker.

**The Speaker** (Hon. Kahindi): Hon. Members, a Motion has been moved by the Leader of Majority to adjourn the House on a short recess. I now put the question.

*(Question put and agreed to)*

## ADJOURNMENT

Hon. Members in the absence of any other business in the Order Paper, I beg to move we adjourn this House until the Monday, 25<sup>th</sup> July, 2016. Thank you very much.

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**The House rose at 5.06 p.m.**