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COUNTY ASSEMBLY OF KILIFI

THIRD ASSEMBLY-THIRD SESSION

THE HANSARD

Tuesday, 14th May 2024

*The House met at the County Assembly Chamber,
Malindi Town, at 2:30 p.m.*

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

PRAYER

PAPER LAID

**REPORT OF THE SECTORAL COMMITTEE ON DEVOLUTION, PUBLIC SERVICE AND DISASTER
MANAGEMENT ON THE KILIFI COUNTY INSPECTORATE SERVICE BILL, 2024**

The Deputy Speaker (Hon. Kombo): The Chairperson Committee on Devolution Public Service and Disaster Management. Yes, hon. Mariam.

Hon. (Ms.) Mariam: Thank you, Mr. Speaker, Sir. I want to take this opportunity Pursuant to the Provision of Standing Order 121 to move that the Kilifi Inspectorate Service Bill, 2024 be now read a Second Time... Did you say Papers? Okay, thank you, Mr. Speaker, Sir. I withdraw what I said first. I want to take this opportunity to lay the following Paper on the Table:

Report of the Sectoral Committee on Devolution Public Service and Disaster Management on the Kilifi Inspectorate Service Bill, 2024.

(Hon. Ms. Mariam laid the document on the Table)

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The Deputy Speaker (Hon. Kombo): Next order! So, hon. Members this is a resumption of the debate on the adoption of a Report of the County Public Investment and Accounts Committee. This Motion had been proposed and seconded and had been deliberated, now it is the Chairperson to make some clarification as to why this Motion has come back to the House and we will continue with the deliberations. So, we will only give chances to those who have not contributed.

MOTIONS

ADOPTION OF THE REPORT ON THE CONSIDERATION OF THE REPORTS OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF THE COUNTY EMERGENCY FUND FOR THE FINANCIAL YEAR ENDING 30TH JUNE 2020 AND 2021

(Hon. Thaura on 14.05.2024)

(Resumption of Debate interrupted on 14.05.2024)

Hon. Thaura: Thank you, Mr. Speaker. I think we had almost concluded the submissions of this Motion but one of the hon. Members raised a query and a few Members have also supported him. Mr. Speaker, I had already submitted and made it clear that as a Committee, we had done our job and we had made recommendations due to the observations that we had. I had clarified that due to the submissions of the Auditor General, it was clear that all the issues had been resolved but the Member who asked for an attachment according to the Report, of which he is right.

As a Committee that is what we have done to make the attachment but just to make it clearer, this attachment has been made as part of other attachments that we have as a Committee by extension; the Committee is submitting this on behalf of the honourable House.

So, Mr. Speaker, let the Members who have not gotten time to look at the attachment go to their tablets, and I am sure we are all there, Members; at the end of the Report there is an attachment that clarifies the issue that had been given out by the hon. Member. So, Mr. Speaker, I think the matter is resolved. Thank you.

The Deputy Speaker (Hon. Kombo): Thank you, hon. Thaura, for that clarification. Now, let us hear from hon. Mary Maneno.

Hon. (Ms.) Maneno: Thank you, Mr. Speaker, Sir. I also arise to support the Motion on adoption of the Report of the County Public Investments and Accounts Committee on the consideration of the Reports of the Auditor General on the financial statements of the County Emergency Fund for the Financial Year ending 30th June 2020/21. Much has been said by the Chairperson and the Vice-Chairperson. I just rise to support this Motion but for those who have not yet read the Report, I can refer them to our tablets on the Report from pages 11 to 16. We have the findings and recommendations. Thank you, Mr. Speaker, I remain supporting the Motion.

The Deputy Speaker (Hon. Kombo): Thank you, hon. Mary Maneno. Yes, *mheshimiwa* Elina Mapenzi.

Hon. Mapenzi: Thank you, so much hon. Speaker. I also rise to support the Report by the County Public Investments and Accounts Committee that has been tabled before this

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honourable House. You know, Mr. Speaker, in the morning, I missed a chance to make my submissions but now I am grateful that you have given me this opportunity. I also sit in the Committee and I want to assure this honourable House that these queries have been resolved as we speak because we went through the Report on the Emergency Fund with the help of the Auditor General, there are a few observations we made as a Committee.

You know most of these accounting officers act on these queries after they are required to appear before the PIAC (Public Investments and Accounts) Committee but if they could cooperate well with the Auditors at the very early stages of the audit, all these queries could not have arisen but generally all the Reports that are brought there is out of ignorance. For example, if you look at this report that is before us here, the queries resulted from failure to provide documents at the right time of audit. Second, it was a failure to provide details of payments out of the Kilifi County Emergency Fund and third, it was a failure to do reconciliation and provide explanations for the differences but as we speak, these queries have been resolved completely. We have no issues with the Report. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Kombo): Thank you. So, now that I do not see any other request.

(Question put and agreed to)

ADOPTION OF THE REPORT ON THE CONSIDERATION OF THE REPORTS OF THE AUDITOR
GENERAL ON THE KILIFI COUNTY MICRO-FINANCE (MBEGU FUND) FOR THE FINANCIAL YEAR
ENDING JUNE 2020, 2021, AND 2022

The Deputy Speaker (Hon. Kombo): Chairperson, County Public Investments and Accounts Committee, make your request.

Hon. Thaura: Thank you, Mr. Speaker. On behalf of the PIAC Committee, I beg to move the following Motion:

THAT, this House adopts the Report of the Auditor General on the Kilifi County Micro-Finance known as the Mbegu Fund for the Financial Year ending 30th June 2020, 2021, and 2022.

The Committee worked around the clock to make sure a good Report came before this House. Mr. Speaker, that is our job, as we do this work on behalf of the honourable Members of Kilifi County. Kindly, allow me to make submissions. Several queries emanated from the discussions that we had after receiving Reports from the Auditor General. As a Committee, we had time to make observations and recommendations. I would like to touch on two very many issues which emanated.

Let us look at the irregular expenditure of the public funds that occurred between 2021 and 2022. According to the Accounting Officer, he failed to provide us with important documents that supported the expenditure of a total sum of Kshs365,000,000; this money appeared in the reports.

Mr. Speaker, although some of the documents were later submitted for the Auditor verification after the production after the Auditor General asked for them. A few queries remained unresolved. The Committee observed that failure to support expenditure was a very serious violation of the Constitution and every citizen who knows the right to expenditure should be concerned, Mr. Speaker.

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The other aspect was the non-payment of loans. We discovered as a Committee that loans amounting to Kshs30,589,256 had been issued to 315 groups who had not serviced the loans. Those who have been following up on how this disbursement was done realize that so many groups applied for these monies. Some of the groups were able to remit the loans back but some were not able to service the loan, that too was an observation by the Committee.

The other query was about the irregular issuance of the loans. We discovered that 17 groups were issued with multiple loans before full repayment. Some groups had applied for loans before they had serviced the loans they were given extra monies. It is a matter of practice, Mr. Speaker, we believe as a Committee, the groups had to give out the money before they were considered for a second assurance of more loans. The other issue was the issuance of loans without security. These groups I have talked about had no security so when it came to repayment of loans, there was nothing to be held as a repayment of what has been given to these groups.

Mr. Speaker, we noted another query where the issuance of approved loans disbursed over Kshs132,792,541 revealed that 328 groups were not on the list of the successful applicants approved by the Board but had been given money. This number of groups was part of those groups who had gotten money, but they were not part of the groups in the report to benefit from the fund.

The Committee according to these issues, had the following recommendations; first, for those groups that we did not get documents, we recommended that proper record keeping be established. We are in an age where the good work we are doing here is a digital world so the Department should refrain from using paper, where some papers might get lost but embrace digitalization where they can also have backup systems, Mr. Speaker.

The Committee further recommended that the Accounting Officer must ensure there is strict adherence to Section 149 of the PFM Act on the responsibility of the Accounting Officer and what he does. But again, after scrutiny of the issues, about Kshs363 million; we recommended a forensic audit because there was a push and pull on the discussion of whether this happened or not. As a Committee, we might not have the expertise to decide the fate of whether this money got lost, so we decided to ask for a forensic audit so that everything would be brought to light. This was one of the main issues that emanated from the discussion with the Committee and the Auditor General.

Then there was the issue of the performance by the Accounting Officer during the audit process. Mr. Speaker, the Committee noted the poor performance of the Accounting Officer particularly with respect to one; failure to respond to management letters during the audit process; there was a delay in the submission of very important documents to the Auditor General's Office. Two, there is poor response to audit queries. You will realize there are important queries that arose from the Report but the way they were responding even when they came before the Committee, sometimes we had to be very harsh to bring sanity before the Committee. There was also the issue of late submission as I have already pointed out. Then we failed to act on recommendations that had been given by the PIAC Committee.

Mr. Speaker, close to six per cent of the audit queries in this Report have been resolved. 16 per cent of the issues in this Report have been resolved by way of belated action by the Accounting Officer upon being invited to the Committee. So, Mr. Speaker, it is after several meetings that we got much of the information that I am submitting to this honourable House today.

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Mr. Speaker, it is in the wisdom of this Committee that had the Accounting Officer and the Department been able to cooperate with the committee and the Auditor General, we would not have the many issues that I am submitting today here. So, in the wisdom of the Committee; we had to make more recommendations to salvage the use of public monies in the hands of public officers who might not be very conversant with the PFM Act. The Committee recommends that the Accounting Officer ensures prompt action to the Auditor General's management letters to prevent unnecessary queries going forward, Mr. Speaker. The Committee further recommends that the Accounting Officer should take stern measures to ensure that respective officers always act on time when dealing with the Auditor General or else we will surcharge anybody who fails to do so.

Mr. Speaker, I think in the wisdom of this Committee; these are the observations and recommendations that we found. So, this honourable House should also be able to understand and adopt it as part of the House. As I rest my submissions, I call hon. Mapenzi who happens to be my mother back home to second.

Hon. (Ms.) Mapenzi: Asante, mheshimiwa Spika. Nikiwa hapa mimi ni mheshimiwa, nikiwa kule nyumbani nabaki kuwa mama yako. Nashukuru kwa kuwa unatambua hilo. Mheshimiwa Spika, naungana mkono na Mwenyekiti kulingana na maswala yote ambayo yanazungumziwa kuhusiana na hizi pesa zinazokuja hapa kwa jina la Mbegu Fund. Tumekaa pamoja na wanakamati wenzangu na Afisaa wa kitengo hicho cha Ukaguzi wa Fedha za umma jinsi zinavyotumika. Tuliangalia stakabadhi zote zilizoletwa kwetu; tuliona kwamba kuna mapungufu fulani kulingana na ugavi na ukusanyaji wa zile pesa za umma ambazo zilikuwa zikigawanywa kwa jina la Mbegu Fund. Baadhi ya mapungufu ni kama vile Mwenyekiti aliyagusia ladba mimi nieleze mawili au matatu kwa lugha ya Kiswahili.

Kati ya hayo mapungufu ni kuelepeana mikopo bila mikakati tabithi ya kujua ni vipi pesa zitarudishwa. Kwa mfano, pale tuliona makundi 17 walipewa pesa kabla ya kukamilisha malipo ya mikopo ambayo walikuwa wamechukua hapo awali. Kuna pesa shilingi milioni ishirini na mbili, laki tano na thelathini zilipeanwa kisha makundi yale yale yakawa yamerudisha milioni nne laki saba na hamsini na tisa zikawa hazijarudishwa na bado makundi yale yale yakapewa mikopo. Hayo ni mapungufu.

Vile vile, pale tunaona kuwa makundi yale yalikuwa yakipewa mikopo bila dhamana. Kwa mfano, kuna kima cha shilingi milioni mia mbili arobaini na nne, laki saba sabini na tano, shilingi mia saba na sabini na nne zilipatiwa makundi bila dhamana yoyote. Vile vile, tukaona ya kuwa kunakupeana mikopo bila kuidhinisha yale makundi na ile bodi. Kwa mfano, tuliona kuwa kuna makundi mia tatu thelathini na nane yalioweza kupewa pesa bila kupitishwa na ile bodi.

Kwa hivyo, pale sisi wanakamati tukaona bodi ile ilikuwa ina matatizo na afisa mhusika wakati huo tulimuekea shauku. Japo kulingana na mabadiliko ya Serikali ambayo iko mamlakani kulingana na vile walibadilisha hizi fedha wakazipa jina jipya na mikakati mipya. Uhakikisho wa kwamba maswala kama hayo hayatajirudia tulipewa na tunaona kuwa hayajajirudia. Kulingana na zile Ripoti ambazo tuliletewa na hili jina lipya la Wezesha *Fund*.

Vile tunavyoona mambo yanarekebishika, tukazidi kusesitiza kuhusu ule ugavi wa zile pesa kule kwa umma uweze kuboreshwa na sheria ziweze kulegezwa kidogo ndio wale watu waweze kufaidi hizi fedha lakini yale mapungufu tukiongea ni kama yalishughulikiwa japo si kwa ukamilifu lakini walijaribu. Mimi naungana mkono na Mwenyekiti na naomba tuungane mkono na Ripoti ya Kamati ili tuweze kumaliza hii shughuli.

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(Question proposed)

Hon. (Ms.) Maneno: Asante sana, Bw. Spika. Naunga mkono Ripoti iliyo mbele yetu. Mimi pia ni mwanakamati wa PIAC na tulikaa na kuangalia Ripoti hii. Mengi yamesemwa na wahehsimiwa wenzangu, yangu ni kuwapa ushauri wale maafisaa wanao simamia Mbegu *Fund*, ukifika wakati *Auditor General* amekuja wahakikishe wamepeana stakabadhi mapema ili mambo kama haya ambayo Mwenyekiti ameyaeleza yasitokee tena. Mengi yalirekebisha na naamini watu wa Kilifi; wamama, vijana na wazee wataweza kufaidika na fedha hizi. Naunga mkono Ripoti hii.

Hon. Kea: Thank you very much, Mr. Speaker, Sir, for this opportunity. I give a round of applause for the Committee on PIAC led by hon. Thaura from Sokoke, who is also my neighbour. I want to congratulate them for the job well done; they have captured some of the defaults that the Mbegu Fund had. May be a point of clarification from the Chairperson if the same people who are in office during the initiation Mbegu Fund are still there, we cannot joke around with public funds. Taking into consideration that 17 groups were given double loans just before they could complete the first loan, they were given another loan.

The matter was resolved and there is not going to be a repeat of the same but how sure are we if the same people are still in the office the likelihood of something of that kind happening again is 90%. Right now, the name has changed from Mbegu to Wezesha and our people are still suffering to date because the terms and conditions are very strict, they cannot benefit a Hawe Kadzo or Sidi on the ground. How I wish the recommendation could be followed to the letter so that our people could enjoy these opportunities to improve their standards of living.

We are here as an oversight team to make sure that everything that is done and passed by this Assembly is followed. The person who was contacted to come and give a full report of how that fund was being managed and kept on dodging the Committee on PIAC is doing that at his own risk. These are monies of the government, and these are the people that we had bestowed our faith to manage the fund and our people to benefit from it.

Tell me how many people have not gone to school today just because some of the funds are not available to our people. We normally give small monies to inform us of the bursaries but if parents take the money and do business and get the profit to educate their children, Kilifi County would be saying something else. I stand to support this Report and again I would like to urge Members here to support it and make sure they follow the recommendations of the Committee especially if it is going to be headed by somebody who is going to be an MP (Member of Parliament).

Hon. (Ms.) Sidi: Thank you, Mr. Speaker. I also want to commend my fellow Committee Members for the work well done and seeing what every Member is echoing I think a forensic Audit needs to be done on the Mbegu Fund. In addition to that, through the Chairperson, we should find out if what is happening is also happening to the Wezesha Fund so that we do not wait for three years to make the same mistakes. The recommendations would be to let there be a forensic Audit of the Mbegu Fund as we are checking on the policies and regulations that the Wezesha Fund is using right now. Thank you. I stand to support it.

Hon. (Ms.) Koki: Asante, mhehsimiwa Spika, kwa nafasi hii. Naunga mkono Ripoti iliyo mbele yetu. Itakuwa jambo la muhimu sana kama matakwa yaliyozungumziwa ya Ripoti yatatimizwa ili hizi fedha zikatumike jinsi inavyotakikana. Kama tunavyojua, pesa hizi za

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Mbegu Fund ambayo kwa sasa zinaitwa Wezesha Fund zimesaidia kina mama wengi, vijana na hata watu wanaoishi na ulemavu lakini bado kuna upungufu. Unapata kunayo matatizo watu wetu bado wanapitia ili kupata hizi pesa. Naomba zile *recommendtions* zilizowekwa zikafwatiliwe na Kamati inayohusika na hili swala muangalie kwa umakini sana hii fedha ili ifikie mwananchi.

Niko hapa na watu wa Mariakani wananiangalia, siwezi sema kama ni *group* na watu binanfsi wangapi ambao wamefaidika na hii pesa. Ni vizuri kila wakati tuwe tunapata Ripoti kama Bunge. Ninajua wachache kutoka kwa wadi yangu ambao wamefaidika na hii fedha. Ni fedha ambazo tukiziweka maanani ni fedha ambazo tukizisimamia vizuri zitaweza kugeuza maisha ya watu kule nyanjani. Juzi tu kwa mara ya kwanza nikifikiri wadi nyengine ni ya Mnarani yenye iko na *private mortuary*, kuna mama kule kwangu Mariakani amefungua *mortuary* ya kimataifa na kupitia kwa pesa za wezesha. Kwa hivyo, ni pesa zinaweza kusaidia lakini ni lazima zitumike katika kila hali inayostahili na hali tusiweze kupoteza hizi pesa.

Ni jambo la kusikitisha kumsikia *Chairman* wa PIAC akizungumza kuwa katika ile Ripoti yao waliona kuwa kuna *groups* ambazo ziliweza kupatiwa fedha ilihali walikua na mikopo myengine. Ni ombi langu kwa Kamati ambayo inasimamia hizi pesa kuweza kuangalia kuwa Serikali yetu ya Kaunti ya Kilifi haipotezi hizi pesa. Zifuatwe maana kama ni vikundi vinayojulikana wakati pesa hizi zilikuwa zinapatiwa vikundi na zilikuwa hazipatiwi watu binanfsi. Waweze kutafutwa na kupatwa ili tuweze kuregesha hizi pesa ndio iweze kuzunguka isaidie watu wengi. Naunga mkono hii Ripoti na zile Hoja zote ambazo zimezungumziwa, zikizingatiwa kiuhakika hii pesa itaweza kusaidia mkaazi wa Kilifi. Asante.

Hon. Tete: Asante, mheshimiwa Spika, kwa hii nafasi kuchangia Hoja iliyoko mbele ya Bunge. Mwanzo, naunga mkono Hoja hii kikamilifu na pia nipeane mchango wangu wa mawazo jinsi ambavyo fedha hii ilitolewa wakati ule wa nyuma ikasaidia wanajamii. Ilikua ni wazo zuri, mradi mzuri uliokuwa unalenga wananchi wetu wa Kilifi ambao mwenye kuangalia kwa mbali aliona kwamba tuna shida na hiyo ni mojawapo ambayo inaweza kutusaidia kuinua uchumi kijamii.

Nataka kusema ya kwamba, waliopewa majukumu ya kusimamia fedha hizi ikiwa wana ujuzi hawakua na nia ya kusaidia na ikiwa walikua hawana ujuzi waliekwa mahali pale kimakosa na wakaingiza hasara kubwa Serikali yetu Gatuji ya Kilifi kwa pesa kuachiliwa bila mipangilio na hatimaye ikakosa kurudi.

Katika taratibu za mikopo kwa ufahamu wangu ni mchache; mtu kupewa mkopo juu ya mkopo huwa si vibaya na kuna kanuni ambazo zinaruhusu hivyo. Nikinukuu katika lugha ya kimombo wanaita *top-up loan*; na mkopo huu umechunguzwa, amepewa mkopo, anafanya vizuri lakini katikati ya uendeshaji wa ile biashara amepatikana na shida ambayo hawezi kuipigania ila aongezwe fedha. Kwa hivyo, kitu ambacho ninalaumu pale ni kwamba baada ya watu hawa kama walikua ni kweli wanapewa kwa sababu wana sababu ambazo walikua wanstahili, ufuatilizaji wa mikopo ile haukufanywa.

Enzi hizo za uongozi uliopita ninakumbuka kuskia pesa hizi zikipigiwa kampeni, cheki zinapeanwa na mheshimiwa akipigiwa makofi kwamba anafanya vyema anasaidia wananchi wake. Wengi waliibeba ile pesa kwamba ni ya siasa hairudi. Hiki kitengo cha kusimamia hii fedha sisi tunataka tuone hata sijui ni kwa nini lakini ilikua inatupasa sisi tuwe tunaweza kufanya *oversight* kuona kweli ile pesa inakotokea na inaenda kwa mlengwa ambaye atasaidika na hatimaye ile pesa irudi. Kwa hayo pia ...

The Deputy Speaker (Hon. Kombo): Kuna *interjection* kutoka kwa mheshimiwa Elina.

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Hon. (Ms.) Mapenzi: Asante sana, mheshimiwa Spika. Kwa kiwango fulani naungana mkono na mheshimiwa Tete na kwa viwango fulani nataka afafanue zaidi kwa Bunge hii manake Ripoti hii imekaliwa na watu ambao wamehitimu katika utendakazi wa maswala ya kukagua maswala haya ya fedha za umma. Kile tulibainisha na hata sisi kile tuliona kulingana na yule Mkaguzi Mkuu ambaye ndio tunamtegemea katika ushauri, hakuna maswala ya kuwa kuna pesa ambayo ilitumika katika kampeni huo wakati maanake hapa tunashughulikia maswala yenye ushahidi na uthibitisho. Kwa hizi, iwapo kuna mahala na ushahidi upo wa kuwa kuna baadhi ya watu walitumia hizi fedha kwa kampeni ni vizuri tuwapate maanake hii ni pesa ya umma na ushahidi uletwe na wale watu bila shaka wako pia, tuweze kuwafahamu ili hii pesa kama Kamati hatutatulia, tutashughulika hadi wale watu wakamatwe na hii pesa iregeshwe. Kwa hivyo, mheshimiwa aweze kututhibitishia matumizi yale ya pesa kwa kampeni zile.

Hon. Tete: Asante mheshimiwa kwa kukosa kunielewa, lakini ikiwa umenipata vizuri nikizungumza nafikiri mtiririko wa mazungumzo yangu yamekua wazi ya kwamba wanasiasa waliokuweco walikua wanachukua pesa hizi na kupatia sababu za wananchi wa Kilifi kwa nini wengine hawakuweza kulipa. Wengine cheki zilikua zinapelekwa na waheshimiwa na katika mtazamo wa wananchi kama unanielewa vizuri, walikua na *assumption* ya kusema hii pesa ni ya siasa. Hiyo lugha kama utaiielewa nafikiri tutaenda pamoja. Ikawa sasa wananchi wengine wanasimama mahali pa kusema kwamba hiyo hairudi, hiyo ni yetu, ni ya serikali. Kwa hivyo, kile kitu ambacho najaribu kueka wazi ni kwamba isisitizwe hii pesa ya kwamba si siasa inachezea, ni pesa ya umma na izingatiwe kwamba ni pesa ya umma ikitolewa, itolewe ikijulikana inatakikiana irudi.

Lengine hapo, mheshimiwa Spika, ni tuna mapungufu ya ufahamu wa mipangilio ya kibiashara huko mashinani. Pesa zinapeanwa pasipokuwa na elimu ama kupeana ufahamu wa kibiashara kwa wana vikundi. Mtu anapewa pesa, mheshimiwa wa Kibarani hapa ametuambia ya kwamba mpaka saa hii kuna watoto hawajaenda shule. Pesa kama hii ingewasaidia japo hapo mbele ameongezea akasema, faida ingesadia watoto kama hao kuenda mbele lakini kabla ifike kwa faida, hii pesa ilikua inaenda katika karo na kwenye karo hakuna riba ya kwamba itazaa kule shuleni. Ndio hii pesa kwa wakaazi wa Kilifi wengi walikua wanapata nafasi ya kupata hii pesa wakisimamia masomo ya watoto wao. Kwa hivyo, elimu ya kuelimisha jamii wajue biashara...

(Hon. Grace stood on a Point of Order)

The Deputy Speaker (Hon. Kombo): Mheshimiwa Grace ulikuwa unasemaje?

Hon. (Ms.) Grace: Asante, Bw. Spika. Ningeliomba kujua kutoka kwako, mheshimiwa akiwa Sakafuni anachukua dakika ngapi?

The Deputy Speaker (Hon. Kombo): Mheshimiwa Grace, nafikiri hilo ni jukumu langu la kumpa muda, ujue nilikuwa nimempa muda na mheshimiwa Elina akaingia katikati kwa hivyo akakata ule muda. Wacha amalize kulingana na yale mazungumzo yake, tumpe muda aweze kumaliza, tafadhali.

Hon. Tete: Asante, mheshimiwa Spika...

(Loud consultations)

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The Deputy Speaker (Hon. Kombo): Nita ku *protect* usijali. sijakupa nafasi ya kuzungumza mheshimiwa, kaa chini sana.

Hon. Tete: Asante, mheshimiwa Spika, kwa kumpatia nafasi ya kukaa na atulie...

The Deputy Speaker (Hon. Kombo): Mheshimiwa Tete ninaongea...

Hon. Tete: Asante.

The Deputy Speaker (Hon. Kombo): Nataka nimuhakikishie mheshimiwa Grace kwamba yuko mikono salama pale alipo kaa.

Hon. Tete: Amen.

The Deputy Speaker (Hon. Kombo): Endelea.

(Laughter)

Hon. Tete: Asante, mheshimiwa Spika, kwa sababu ya kumpatia ulinzi na usalama maanake...

The Deputy Speaker (Hon. Kombo): Haya twendelee na mada, umebaki na dakika moja.

Hon. Tete: Moja! Asante. Kwa hivyo, ombi langu kubwa ni hii pesa kabla iinge katika mikono ya waombaji mikopo kwanza wapewe elimu ya kibiashara ili baada ya hilo wajue pesa ni ya biashara chao ni faida; hii pesa inarudi mahali ilipotoka ili iendelee kusaidia na wengine. Asante.

Hon. Mohamed: Asante, mheshimiwa Spika. Mimi pia nikiwa nimesimama kuungana na Wajumbe wenzangu katika kuunga mkono Ripoti hii kama Mwenyekiti alivyonukuu ni kwamba Ripoti hii ilikuwa na mambo ambayo kifedha ama katika hali ya utunzaji wa kifedha haikustahili, hivyo basi katika nukuu zake, katika dondoo za ile stakabadi ambazo tuliweza kuangalia kama Kamati ni kwamba kuna ubadilifu ambao kama Kamati haingeweza kuthibithisha. Lakini ni kitu ambacho kama walinda rasilimali ya mwana Kilifi ilikuwa ni lazima tuiangalie kwa kina sana ndio maana tukaweza kunukuu ya kwamba katika kilele cha Ripoti hii iwapo Bunge hili tukufu litaweza kupitisha.

Kuwe kutakuwa na ukaguzi ambao utaweza kuangalia kuthathimini kwamba hiki kiasi cha fedha ambacho ni kikubwa zaidi, ambacho hakikuweza kuthibitishwa wakati huo. Kiasi cha kima shilingi milioni mia tatu sitini na tano, mia mbili tisaini, elifu mia tisa hamsini na sita basi tuweze kuregesha wakaguzi kwa kimombo tuna waita *forensic audit* ili iweze kuthatiminiwa na wakaguzi wale kwamba fedha hizi ziliweza kutumika kimakosa ama kuwe kulikuwa na ubadilifu hivyo basi waliokuwa katika ofisi wakati huo waweze kuchukua majukumu.

Hizi zikiwa ni fedha za umma waweze kuziregesha kama kulikuwa na ubadilifu na iwapo kulikuwa na hali za kutoweza kuweka mikakati ya vitabu vyema, basi pia Ripoti ile ya *forensic* iweze kutupatia mwongozo na tuweze kuendelea. Ila maofisa wetu ambao wamepewa fursa ya kuendesha kitengo hiki cha fedha za Wezesha waende wa kijua ya kwamba hizi si fedha ambazo wanaweza kutumia kwa wakati wowote kwa vile wanavyo taka.

Ukiangalia ni kwamba kuna makundi hapa ambayo yaliweza kupewa fedha bila hata kuwa na ruhusa ya Bodi. Pia, kuna makundi ambayo yaliweza kupewa fedha na walikuwa tayari na fedha kima na hawajaweza kuregesha. Katika mwongozo wa fedha hizi, ni kwamba ilikuwa sivyo kwa hivyo yako mengine mengi ambayo mara nyingi tunayaona hata tumeweza kuwa eleza kama Kamati. Wakati maofisa hawa wa ukaguzi watakapokuwa katika ofisi zao waweze

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kushirikiana nao kwa ukaribu sana ili mambo kama haya, madogo madogo ambayo yanaweza kujitokeza yawe yataweza kumalizwa ama wawe wataweza kumalizana pale pale ofisini.

Jambo hili la kiasi cha kima ya fedha hizi shilingi milioni 365 ni kwamba si jambo dogo na tulichukulie kwa uzito na mpaka leo bado tunaomba Bunge hii tukufu ikiweza kupitisha lichukuliwe kwa uzito na Kamati imepeana siku tisaini baada ya kuweza kupitisha Ripoti hii kuitwe ukaguzi ambao kimombo ni *forensic audit* na Ripoti ile iregeshwe hapa Bungeni ili tuweze kujua hichi kima cha hizi fedha vile zilivyo tumika. Mimi nasimama nikiungana na wenzangu na nikiweza pia kutoa sauti kama mjumbe wa Kilifi ambaye kwa nia njema na mstahiki Gavana fedha hizi tumeweza kuziita Wezesha Fund kwa sasa ili wananchi wetu waweze kufaidika.

Japo kama mheshimiwa wa Mariakani ambaye ni jirani yangu na hali zangu za Bamba si kama hali za Mariakani. Maanake Mariakani ni *town* lakini hatuko mbali mbali sana, tungeomba fedha hizi ziweze kusaidia wamama wetu. Mpaka sasa tunaona kwamba fedha zina saidia sana wakandarasi lakini wamama na makundi hawajaweza kufaidi. Yeye amesema ukimuuliza leo hawezi sema ni wangapi wameweza kufaidika, japo ana jua kuna baadhi ya walio faidika.

Mimi pia ninaweza kusema ukiniuliza leo, mheshimiwa Spika, sijui ni makundi mangapi Bamba yaliweza kufaidiaka. Japo nina jua kwamba kuna baadhi ya watu ambao wanafanya kazi za ukandarasi waliweza kusaidika lakini makundi ya kina mama hayajaweza kusaidika. Pia ni jukumu la Kamati lile la Utalii ambayo iko *domicile* kwenye hii idara waweze kutusaidia ili mambo kama haya yaweze kufwata mwelekeo mzuri na wamama wetu na ndugu zetu waweze kufaidika kama ilivyo nia yetu na nia ya Mstahiki Gavana. Shukurani nasimama ni kuunga mkono Ripoti hii. Asante.

The Deputy Speaker (Hon. Kombo): Waheshimiwa kulingana na hali ilivyo kuhusiana na Mswada huu, ningependa nimpe mheshimiwa Thaura aweze kujibu maswala ibuka katika Mjadala huu ili tuweze kuangalia mambo mengine.

Hon. Thaura: Mr. Speaker, let me appreciate every hon. Member who has taken time to give their submission towards this Report. I hope that this House will adopt this Report. Thank you, Mr. Speaker.

(Question put and agreed to)

BILL

THE KILIFI COUNTY INSPECTORATE SERVICE BILL, 2024

(Second Reading)

Hon. (Ms.) Mariam: Thank you, Mr. Speaker, Sir. Pursuant to the Provisions of Standing Order 121, I beg to move that the Kilifi County Inspectorate Service Bill, 2024, be now read a Second Time. Before I call my seconder, I want to make a few submissions. As we all know, we have the county court but due to the lack of this Bill, the court cannot operate and even if our *askaris* caught some people the fine from that court goes to the judiciary which means that as a county we are losing revenue. So, when we pass this Bill is when now the county can get revenue that we can add to our revenue basket.

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Another thing, Mr. Speaker, through this Bill, is when now the County Government through the County Public Service Board can employ our youth in this sector, especially the Constables and the Inspectors in that security cadre.

I beg the House to support this Bill because it is very important to us and our community. Thank you, Mr. Speaker. I now call hon. Faith to second.

Hon. (Ms.) Faith: Thank you, I stand to...

(Hon. Faith spoke off record)

Hon. (Ms.) Faith: ...am I in order ...

The Deputy Speaker (Hon. Kombo): Yeah.

Hon. (Ms.) Faith: Okay. Mr. Speaker, I am one of the Committee Members of Devolution and Public Service having gone through this Bill and having seen the loophole which is in our Kilifi County as far as the inspectorate is concerned, it is my kind request, Mr. Speaker, that the House passes this Bill for very few advantages to the public and the whole people of Kilifi. I want to state and say this, when we pass this Bill, we will have a proper framework for proper enforcement of the county laws.

What am I saying? I want to give an example, today morning when I was coming to work here at the Assembly, I found a lorry which had been confiscated by the inspectorate by six *askaris*. They were standing and arguing with one another, and the problem is the inspectorate which is running as of now as we are talking is there illegally. Now we are passing this Bill so that we can fast-track even training to this county *askaris* because what they have been doing is ominous; even to the roads and all roadblocks and whatever I am speaking I know and I am not saying that they are not doing their work, but they are not doing it effectively and that is why we need this Bill so that we they can be trained so that they can be shown how to do their work effectively.

The second advantage which we will get when we pass this Bill, apart from enhancing service delivery to the county, is also uplift the living standard of our people because we will be earning income and maybe even the *askaris* who are today working do not know, because I know these are not trained people they were just picked from one environment, gender, cleaning *mitaro* and wherever they were brought to be *askaris*; that I know. So, they do not have the knowledge but if we pass this Bill today or it comes to the Third Reading and we pass it, we will have given these people an upper hand for them to go to be trained in how to do their work properly. It will even give them a chance for them to be employed permanently because now they are casuals. They are casuals, and even after more than 10 years they are still working as casuals but when we pass this Bill, we will have given them an upper hand for them to be employed permanently.

Another advantage to the whole House as well, it will promote transparency and accountability to the county and even it will bring sanity to the chain of command. What am I saying? You see I have been seeing the wastage that is put in our county enforcement; first, they do not know the law, second, work which can be done by one *askari* is being done by more than five people. What does this say? Wastage of resources and wastage of the taxpayer's money which is being paid by the county people. I believe they are not paying for them to be utilized at one point by six people doing the same work and doing everything which is even unexplainable. As I am here and a Member of this Committee, I felt it and I had to ask many questions because I

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want them to do their work effectively and to spend the time they are given doing something that even adds value to the people of Kilifi.

Another advantage is that recently the Governor opened our County Court, that court when these people are trained and this Bill is passed, definitely they will know the law and when we impound those people who have messed with the county laws we will get fines, we will get penalties we will get many things in which it will uplift our revenue in Kilifi County. As of now as our Chairperson has just said, many fines are going to the judiciary because of how they do it, not even explaining the mistake in case when they catch someone in the wrong along the way, even they cannot explain it. But now, when we pass this Bill, they will be taken maybe for training they will be told what to do and now the county will be generating income through them knowing the law and will be generating those fines and penalties on whatever mistakes someone will have done.

We will boost the county's own-source revenue and for that, Mr. Speaker, apart from doing all that we will also be upgrading our County Enforcement Officers to the so-called Inspectorate Department. It will have gained respect, you know why, because they will undergo training and they will know how to conduct their responsibilities and even how to conduct themselves while in their line of duty.

Mr. Speaker, Sir, for that reason I think I will end my reasoning on this. Thank you very much, and I beg the House to consider all the advantages I have spoken about. Thank you.

The Deputy Speaker (Hon. Kombo): So, Hon. Faith...

Hon. (Ms.) Faith: I second.

(Question proposed)

Hon. (Ms.) Sidi: Thank you, Mr. Speaker. I rise on maybe if there will be amendments, but I rise not to support the Motion with reservations. One, I think we know what the Inspectorate do to the people of our community. My colleague here has mentioned even now there is a court, so I do not know... as it is, the Inspectorate Unit is a terror unit in Kilifi County. They harass people, maybe before we pass this, can we know what policies they have or what they have planned because my experience with the Inspectorate team is a team of harassment.

She has mentioned that today morning one lorry is guarded by six members and that is the norm right now. If we give them this Bill, we will be giving them more mandate to continue harassing Kilifians. I do not know why it is being passed with a lot of speed, but I think the Committee should go back and look at this Bill first before we pass it. Thank you. I do not support it.

The Deputy Speaker (Hon.Kombo): Hon. (Ms.) Sidi come up clearly, are you supporting or not?

Hon. (Ms.) Sidi: I am not supporting.

The Deputy Speaker (Hon.Kombo): I think the procedure is that from here we go to the Third Reading but before we go to the Third Reading there is a window or room for changes to whatever is captured there. Let us hear from Hon. Moses Furaha (Kea).

Hon. Kea: Thank you, Mr. Speaker, Sir. I dignify your dignity. I am very happy about the introduction of this Bill. Our Kilifi Inspectorate is in a total mess. This unit is doing things casually as if there is no law to guide them, it is for this reason that we need to do this Bill to give them directions on how to work as an Inspectorate.

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Mr. Speaker, Sir, I was talking to one Senior Government Officers from the County Government of Kilifi and to my amusement, the structure of the Inspectorate of Kilifi County is in shambles. Many of them are taken from different Departments of the County Government Structure of Administration; just to be members of the Inspectorate team and end up doing a lot of things which are not pleasing to the citizens of Kilifi County. This Bill will bring sanity to that whole team. We can have an inspectorate fully working and know their mandate.

Mr. Speaker, Sir, how can forest guards be transferred from their department to the Department of Inspectorate and do things as if they are planting trees in the gardens while they're treating poor Kilifians and we expect a lot from them? Mr. Speaker, Sir, this Bill is long overdue, it was supposed to have come a long time ago because right now we could be telling another story. There is no chain of command in this inspectorate, one can wake up to be a corporal, and one can wake up and be assigned as a commandant of that whole thing.

(Laughter)

In the streets of Kilifi Town, there is a lady in the inspectorate team who knows nothing, absolutely nothing. I normally have a rough time with them. Another person comes, and sees my car is parked there with a sticker of the County Assembly of Kilifi, 'hon. Member' at a place which is not reserved for parking and asks for parking fees there.

Mr. Speaker Sir, how I wish this thing could be fast-tracked so that we can clean this mess of the inspectorate. Currently, I am very happy because the person who is in-charge of the inspectorate is a qualified senior police officer who knows the structure, but we have rendered him not useless but not useful.

(Laughter)

...because he cannot perform his duties as per what is expected of him. We have a lot of resources which we can make use of, but we are wasting them because the structure and the policies are not in place, everything is in shambles. The citizens are expecting a lot of things from us, and we are supposed to give them what they deserve. It is upon this honourable Assembly to fast-track this Bill, we clean it up, we take this Inspectorate to Shakahola for training and once they are back, we can make use of them, and Kilifi will be well.

We used a lot of money to keep the Kilifi County Court and it can be a source of revenue. We are asking for the Ward Development Fund to be increased. It cannot be possible if all the ways we can use to get our resources, we are wasting them. As much as we want development in Kilifi, we need to do things that are going to be favourable to our people and our system of governance, especially in the electorate. Thank you very much and I stand supportive.

The Deputy Speaker (Hon. Kombo): Hon. Mary Anzazi (Maneno).

Hon. (Ms.) Maneno: Thank you, Mr. Speaker, Sir. I also arise to support the Second Reading of this Bill. Today if we are going to pass the Second Reading of this Bill as I support, we are going to give the men and women in service of this County the following powers: I just want to refer to the honourable Members to Part Four from Clause 16-32, this will be the guide or powers that are going to have.

Clause 16; power to maintain law and order, Clause 17; power of inspection and entry by authorized officers, they will be authorized to do that job, Clause 18; power to arrest the minor

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offenders' bond and bail, this is where we will get our revenue. Court issues warrant search without warrant, arrest and detentions by inspectors, Clause 22; power- power to impound goods and animals, impounding of vessels; we know we have the Red Sea. We have vessels which are coming from other countries, Mr. Speaker, Sir coming to fish. When these men and women in uniform are allowed or if we are going to pass this Bill then we are going to give them powers.

Clause 25 is on the identification of an officer, whom we will be able to identify. Cooperation and collaboration, unapproved buildings and structures. Cost of demolition service of notice. Control of conduct of inspectorate. Obedience to orders those who break laws will be followed. They are supposed to apply or comply with the laws. Control of conduct of inspectorate, service notice, 30; control of conduct of inspectorate. Obedience of Order that is 31 and conflict of interest. Mr. Speaker, Sir, I beg this House to contribute towards the Second Reading of this Bill. Thank you

(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the whole House tomorrow)

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

(The Speaker (Hon. Kombo) left the Chair)

IN THE COMMITTEE

(The Chairperson (Hon. (Ms.) Sidi took the Chair)

THE KILIFI COUNTY AGRICULTURAL CENTRES BILL, 2024

The Temporary Speaker (Hon. (Ms.) Sidi): Hon. Members, welcome to the Committee of the Whole House. The rules are relaxed, and you can contribute more than once. Welcome.

(Clauses 3, 4,5,6,7 and 8 agreed to)

Clause 9

Hon. Mbura: Madam Chairperson, I beg to move:

THAT, Clause 9(c) be amended by deleting ten appearing between “than” and “years” and replace it thereof with five and deleting “five” appearing between “which” and “must” and replace thereof with two.

(Question of the amendment proposed)

(Question, that the words be left out be left out, put and agreed to)

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(Question, that the words to be inserted in place thereof be inserted, put and agreed to)

(Clause 9 as amended agreed to)

(Clauses 10, 11, 12,13,14,15, 16 and 17 agreed to)

Clause 18

Hon. Mbura: Thank you, Madam Chairperson. I beg to Move:

THAT, Clause 18(a) be amended by deleting 10% appearing between “least and “of” and replace it thereof with “15%.” Thank you.

(Question of the amendment proposed)

(Question, that the words to be left out be left out, put and agreed to)

(Question, that the words to be inserted in place thereof, be inserted put and agreed to)

(Clause 18 as amended agreed to)

(Clause 19,20,21,22,23,24,25,26,27,28 and 29 agreed to)

(First Schedule agreed to)

(Clause 2 agreed to)

(The Long Title agreed to)

(Clause 1 agreed to)

The Temporary Chairperson Hon. (Ms.) Sidi: Thank you, for your participation. I now invite the Chairperson to move.

Hon. Mbura: I beg to move that the Committee do report to the House its consideration of the Kilifi County Agricultural Training Centers Bill, 2024 and its approval thereof with amendments.

(Question proposed)

(Question put and agreed to)

(The House resumed)

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

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REPORT AND THIRD READING

THE KILIFI COUNTY AGRICULTURAL TRAINING CENTRES BILL, 2024

Hon. (Ms.) Sidi: I beg to report that the Committee of the Whole House has considered Kilifi County Agricultural Training Centers Bill, 2024 and approved the same with amendments.

Hon. Mbura: I beg to move that the House do agree with the Committee in the said Report, and I call upon hon. Mohammed to second.

Hon Mohamed: Thank you, Mr. Speaker. I stand to second.

(Question proposed)

(Question put and agreed to)

Hon. Mbura: Thank you, Mr. Speaker. I beg to move that the Kilifi County Agricultural Training Centers Bill, 2024 be now Read a Third Time. I call hon. Mohammed to second.

Hon Mohamed: Thank you, Mr. Speaker. I stand to second.

(Question proposed)

(Question put and agreed to)

(The Bill was accordingly read the Third Time and passed)

ADJOURNMENT

The Deputy Speaker (Hon. Kombo): There being no other business to be transacted, the House stands adjourned until tomorrow at 2:30 p.m.

The House rose at 4:06 p.m.

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