



**REPUBLIC OF KENYA**  
**COUNTY ASSEMBLY OF KILIFI**  
**SECOND ASSEMBLY –THIRD SESSION**

**THE HANSARD**

**Tuesday, 30<sup>th</sup> July 2019**

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

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

**PRAYERS**

**BILL**

**COMMITTEE OF THE WHOLE HOUSE**

*(Order for Committee read)*

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

**IN THE COMMITTEE**

*[The Chairperson (Hon. Kenga) took the Chair]*

**THE KILIFI COUNTY INVESTMENT CORPORATION AND DEVELOPMENT BILL, 2019**

**Hon. Kenga:** Good afternoon hon. Members. We are now in the Committee of the Whole House and I want to take this opportunity to welcome each and every Member in this sitting and I want to urge that we shall all participate in the process. The rules are a bit relaxed; we have an

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opportunity to make our contributions more than once to an issue as we proceed to the Business that we are supposed to transact, so welcome.

*(Clause 3 agreed to)*

Clause 4

**Hon. Ziro:** Thank you Mr. Chairperson, I beg to move:-  
THAT, Clause 4 be amended by renumbering Clause 4 to 3(a).

*(Question of the amendment proposed)*

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

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

*(Clause 4 as amended agreed to)*

Clause 5

**Hon. Ziro:** Thank you Mr. Chairperson. I beg to move:-  
THAT, Clause 5 to be amended by renumbering Clause 5 to 4.

**The Chairperson** (Hon. Kenga): There is an intervention from hon. Albert Kiraga.

**Hon. Kiraga:** Thank you Mr. Chairperson. Can we be told why Clause 5 should be amended?

**Hon. Ziro:** Thank you Mr. Chairperson. We discovered that there is a problem with numbering that is why we are renumbering Clause 5 to Clause 4. Thank you, Mr. Speaker. Are you clear with that honourable?

**Hon. Kiraga:** It is okay.

**The Chairperson** (Hon. Kenga): Thank you hon. Members for the concern.

*(Question of the amendment proposed)*

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

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

*(Clause 5 as amended agreed to)*

Clause 6

**Hon. Ziro:** Thank you Mr. Chairperson, I beg to move:-  
THAT, Clause 6 be amended by renumbering Clause 6 to 5.  
Further Clause 6 (e) is amended by deleting the words, “for the”.

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*(Question of the amendment proposed)*

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

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

*(Clause 6 as amended agreed to)*

#### Clause 7

**Hon. Ziro:** Thank you Mr. Chairperson. I beg to move:-

THAT, Clause 7 be amended by renumbering Clause 7 of the Bill to 6.

Clause 7 (1) (a) of the Bill is amended by adding the words, “and vetted by the County Assembly,” after the word ‘Governor’.

Clause 7 (1) (b) is amended by adding the words, “or any officer of the level of a Director designated by the Chief Officer in writing” after the word Planning.

Clause 7 (1) (c) is amended by adding the words, “or any officer of the level of a Director designated by the Chief Officer for Trade in writing”

Clause 7 (1) (d) of the Bill be deleted.

Clause 7 (1) (e) of the Bill be amended by deleting the word, “Two” and replace it with “Three”. The words, “in consultation with the Governor” be deleted and replace them with, “through a competitive process”

Clause 7 (3) is amended by inserting the word, “only” after the words “renewed for” and deleting the word, “other” and replace it with the word, “further”

*(Question of the amendment proposed)*

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

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

*(Clause 7 as amended agreed to)*

#### Clause 8

**Hon. Ziro:** Thank you Mr. Chairperson, I beg to move:-

THAT, Clause 8 of the Bill be amended by renumbering Clause 8 to 7.

Clause 8 (1) (a) be amended by deleting the word, “from” and replace it with the word, “for”

Clause 8 (1) (b) be amended by deleting the words, “and sentenced to imprisonment for a term exceeding six months or to a fine exceeding ten thousand shillings;”

Clause 8 (2), is amended by deleting the letter (b).

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*(Question of the amendment proposed)*

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

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

*(Clause 8 as amended agreed to)*

*Clause 9*

**Hon. Ziro:** Thank you Mr. Chairperson. I beg to move:-

THAT, Clause 9 of the Bill be amended by renumbering Clause 9 to 8.

Clause 9 (c) be amended by adding the letter, “s” in the word, “estimate” to read as, “estimates”.

*(Question of the amendment proposed)*

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

*(Question, that words to be inserted be inserted, put and agreed to)*

*(Clause 9 as amended agreed to)*

*Clause 10*

**Hon. Ziro:** Thank you Mr. Chairperson. I beg to move:-

THAT, Clause 10 of the Bill be amended by renumbering Clause 10 to 9.

*(Question of the amendment proposed)*

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

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

*(Clause 10 as amended agreed to)*

*Clause 11*

**Hon. Ziro:** Thank you Mr. Chairperson. I beg to move:-

THAT, Clause 11 of the Bill be amended renumbering Clause 11 to 10.

Clause 11 of the Bill be amended by inserting the words, “Executive Committee Member in consultation with,” after the words, “determined by the”.

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*(Question of the amendment proposed)*

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

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

*(Clause 11 as amended agreed to)*

#### *Clause 12*

**Hon. Ziro:** Thank you Mr. Chairman. I beg to move:-

THAT, Clause 12 of the Bill be amended by renumbering Clause 12 to 11.

Clause 12 (2) be amended by deleting the word, “three” and replace it with the word, “four”, insert the word, “only” between the words, “for one” and replace the word “other” with “further”.

*(Question of the amendment proposed)*

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

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

*(Clause 12 as amended agreed to)*

#### *Clause 13*

**Hon. Ziro:** Thank you Mr. Chairman. I beg to move:-

THAT, Clause 13 be amended by renumbering Clause 13 to 12;

Clause 13 (1) (a) be amended by deleting the words, “in finance, economics or accounting” and replace them with the words, “of Commerce, Finance or Accounting or a Bachelor of Economics”;

Clause 13 (1) (b) be amended by adding the words, “as an added advantage” after the word “degree”

Clause 13(c) be amended by deleting the word “and” and replacing with “or”.

*(Question of the amendment proposed)*

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

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

*(Clause 13 as amended agreed to)*

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*Clause 14*

**Hon. Ziro:** Thank you Mr. Chairman. I move:-

THAT, Clause 14 be amended by renumbering Clause 14 to 13.

*(Question of the amendment proposed)*

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

*(Clause 14 as amended agreed to)*

*Clause 15*

**Hon. Ziro:** Thank you Mr. Chairman. I beg to move:-

THAT, Clause 15(1) be amended by deleting “Managing Director” and replacing thereof with “Chief Executive Officer”.

*(Question of the amendment proposed)*

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

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

*(Clause 15 as amended agreed to)*

*Clause 16*

**Hon. Ziro:** Thank you. Mr. Chairman. I beg to move:-

THAT, Clause 16(1) be amended by deleting the word “is” after the word corporation and replace thereof with the word “Shall”.

*(Question of the amendment proposed)*

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

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

*(Clause 16 as amended agreed to)*

*(Clause 17, 18, 19 and 20 agreed to)*

*(Clause 21, 22, 23, 24 and 25 agreed to)*

*(Clause 26 agreed to)*

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*(The Schedule agreed to)*

*(The Long Title agreed to)*

*Clause 1*

**Hon. Ziro:** Thank you Mr. Chairman. I beg to move:-

THAT 2018 in the Bill is deleted and replaced with 2019 to read as, “This act may be cited as the Kilifi County Investment Corporation and Development Act, 2019 and shall come into force on the fourteenth day after its publication in the Gazette.”

*(Question of the amendment proposed)*

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

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

*(Clause 1 as amended agreed to)*

**The Chairperson** (Hon. Kenga): Thank you so much. Hon. Members, we have come to the end of the transaction of the Committee of the Whole House. I want to thank you for having participated fully in this exercise. Let me call upon the Mover to move as we come to the end of the Committee of the Whole House.

**Hon. Ziro:** Thank you Mr. Chairman. I beg to move that the Committee do report to the Whole House its consideration of the Kilifi County Investment Corporation and Development Bill, 2019 and its approval thereof with amendments. Thank you.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

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

THE KILIFI COUNTY INVESTMENT CORPORATION AND DEVELOPMENT BILL, 2019

**Hon. Kenga:** Hon. Speaker, I beg to report that the Committee of the Whole House has considered the Kilifi County Investment Corporation and Development Bill, 2019 and approved the same with amendments. Thank you.

**Hon. Ziro:** Thank you Mr. Speaker. I beg to move that the House doth agree in the said Report as we have deliberated and I want to call upon hon. David Kadenge to second.

*(Hon. Kadenge seconded)*

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*(Question proposed)*

**Hon. Kadenge:** Asante mheshimiwa Spika kwa kunipatia nafasi kuongea kuhusu hii *Third Reading* ya Kilifi County Investment Corporation and Development Bill. Lakini kabla sijaongea, ningependa kupeana salamu ambazo nimezipata sasa hivi kutoka kwa mheshimiwa wa Tezo Thomas Mumba. Ameniambia kwa sababu watoto wake wako hapa nipeane salamu hizo, yuko nje kikazi na ameshikika lakini anatambua kuwa mko hapa.

Nikiinga kwa huu Mswada, jana tuliujadili vizuri na kila mheshimiwa aliongea ya kutosha. Langu ni kuwaomba waheshimiwa wezangu tuweze kupitisha huu Mswada kwa sababu tunaendelea kuzaa na kusomesha. Hatimaye watoto wakitoka shule watatafuta vibarua. Tukipitisha huu Mswada, itakuwa ni njia moja ya kusaidia watoto wetu wakitoka shule wapate kazi. Sitakuwa na mengi. Naunga mkono na ningepomba wenzangu wapitishie kwa haraka.

*(Question put and agreed to)*

**Hon. Ziro:** Thank you very much Mr. Speaker. I beg to move that The Kilifi County Investment Corporation and Development Bill, 2019 be now read a Third Time in this House. Before I call upon hon. David Kadenge to second me, I have the following points to make to this House. Number one; the gist and paramount aim of this Bill was to provide a legal and institutional framework that will allow investment in Kilifi County.

The Committee went ahead and carried out public participation which went on very well. This Bill seeks to provide an establishment and a composition and the functions of the corporation and board in Kilifi County. We also realized that we have very important issues that we had covered like the funding and matters of account of this particular board.

The Bill also provides investment management principles and investment powers to the people of Kilifi. We looked compendiously into the Bill and we realized that it will act as a very big help to the people of Kilifi. That is the sole reason why we came up with this Bill and decided that the amendments be done so that the Bill can be accommodative in all corners of this county.

I want to thank your Office for giving us the time and for providing an environment that was very friendly though some of us faced some challenges but at the end of the day, we managed to overcome those challenges. So, I am just praying to God to give you more wisdom in leading this County Assembly. It is in this same spirit that I wish to call upon all Members to support this Bill and pass it today. Allow me to call upon hon. David Kadenge to second this Bill. Thank you, Mr. Speaker.

*(Hon. Kadenge seconded)*

*(Question proposed)*

**Hon. Kadenge:** Asante mheshimiwa Spika kwa kunipatia wakati mwingine ili niweze kujadili huu Mswada. Mwanzoni nimeongea kuwa jana tulikuwa na kipindi kirefu kujadili huu Mswada na kupitia kwa Mwenyekiti wangu, Kamati na pia *the legal team* ambayo tuko nayo hapa Bunge, tuliweza kupitia kila kipengele cha huu Mswada na sina hofu ya kwamba nawaomba waheshimiwa tuupitishie na itakuwa ya manufaa katika Kilifi yetu. Asante Bw. Spika.

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**Hon. Kenga:** Thank you very much Mr. Speaker. Yesterday while considering the Second Reading of the Bill, it was realized and this is information that is public; that Kilifi County has a lot of resources. Therefore, we need as a county to have proper legislation that will enable investments to be carried out within the county.

There are a lot of opportunities in the green economy. There are equally tremendous opportunities in the blue economy, in the brown economy and in the flat white economy; opportunities that when properly utilized can change the lives of the people of Kilifi. The challenge has been lack of progressive legislation that would be able to give a framework on how investment opportunities can be tapped.

By enacting this law Mr. Speaker, it gives an opportunity to attract the investment opportunities and enable the people of Kilifi to be able to reap the benefits that come along with the investment opportunities. Therefore, we do not want to have a lot of challenges faced by our people yet we are surrounded by these opportunities. We want to make sure that whatever can be done to benefit our people in terms of the blue economy, the green economy, the brown economy and the flat white economy is utilized for the benefit of the people. Mr. Speaker, I am in support and I beg Members to support. Thank you.

**Hon. Kiraga:** Thank you so much Mr. Speaker. You realize that in our Budgets since the first Budget of this county that is 2013, 2014 up to date Mr. Speaker, we have dwelt much on specific interventions and these are examples like infrastructural development. We have not gone much in the issues of investment in this county and it is just because we lacked the proper mechanism of going into that field. I feel this county is ready to go into that field to embrace some investments in whichever quarter. Let us talk of the cashew nuts investment and very many investment opportunities. With the enactment of this law, we shall now be able to concentrate on our Budgets in terms of investment opportunities which are very vast in this county.

Mr. Speaker, with those few remarks I also beg to support the Third Reading of this Bill. Thank you so much.

**Hon. Mwamtsi:** Mr. Speaker, I also stand to voice my support to the Bill. This Bill gives a platform to the citizens to invest in areas that the government has failed to invest in. It has taken over almost three decades since the collapse of industries within Kilifi County. Subsequent regimes have been using it as a political play to lie to the people of Kilifi County on matters reviving stalled industries but now with the inception of this Bill, members of the public can raise funds and revive the economy of the region. So, I stand to support. This is a very essential Bill that this House ought to pass. Thank you.

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

*(Question put and agreed to)*

*(The Bill was accordingly read a Third Time and passed)*

## ADJOURNMENT

**The Speaker** (Hon. Kahindi): Hon. Members, in the absence of any other Business in the Order Paper, I move to adjourn this House until tomorrow.

**The House rose at 3.06 p.m.**

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