

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI

THE HANSARD

Tuesday, 8th May, 2018

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

[The Temporary Speaker (Hon. Thaura) in the Chair]

PRAYER

COMMUNICATION FROM THE CHAIR

KILIFI BUDGET ESTIMATES FY 2018/2019

The Temporary Speaker (Hon. Thaura): Hon. Members, this is to bring to your attention that pursuant to the provision of Sections 129 and 130 of the Public Finance Management Act, 2012, the County Assembly received from the County Treasury the Kilifi Budget estimates for the financial year 2018/2019.

Hon. Members, pursuant to the Standing Order No. 208, the budget estimates stands committed to each Sectoral Committee to scrutinize and submit Reports to the Budget and Appropriations Committee within 21 days.

The Budget and Appropriations Committee is expected to carry out public participation and also consolidate the Reports of the Sectoral Committees and the County Treasury as provided by the Standing Orders. Thank you.

BILL

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee read)

[The Temporary Speaker (Hon. Thaura) left the Chair]

IN THE COMMITTEE

[The Temporary Chairperson (Hon. Mumba) took the Chair]

THE KILIFI COUNTY SCHOLARSHIP FUND BILL, 2018

The Temporary Chairperson (Hon. Mumba): Hon. Member, welcome to the Committee of the Whole House. We are considering the Kilifi County Scholarship Fund Bill 2018. Being in the Committee of the Whole house hon. Members, you are reminded that the rules are relaxed so welcome as we deliberate on the same. Mr. Clerk, you can take us through the Clauses.

Clause 3

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 3 be amended:

- a) in paragraph (b) by inserting the phrase “ and training” immediately after the phrase “access education”;
- b) in paragraph (c) by deleting the phrase “ recognize the ward as a platform for identification, performance and implementation of the fund” and substituting thereof with the phrase “recognize the ward as a platform for identifying eligible students, performance monitoring and implementation of the fund”.

(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 3 as amended agreed to)

Clause 4

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 4 of the Bill be amended:

- a) in sub-Clause (2)-
 - i. by deleting contents of paragraph (a) and substituting thereof with the following phrase “monies amounting to ten per centum of all the county government’s recurrent budget approved and appropriated by the county assembly; and”

(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 4 as amended agreed to)

Clause 5

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 5 of the bill be amended by deleting sub-Clause (7) and sub-Clause (8)

(Question of the amendment proposed)

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

(Clause 5 as amended agreed to)

Clause 6

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 6 of the bill be amended-

- a) in sub-Clause 3 by deleting the phrase “Board in concurrence with the relevant county assembly Committee” immediately after the word “the” and substituting thereof with the phrase “ward scholarship fund Committee in concurrence with the Board”.

(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 6 as amended agreed to)

(Clauses 7 & 8 agreed to)

Clause 9

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 9 of the Bill be amended;

- a) in sub-Clause (1) by deleting the phrase “treasurer, shall” and substituting it thereof with the word “Treasury,”

(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 9 as amended agreed to)

(Clause 10 agreed to)

Clause 11

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 11 of the Bill be amended by deleting the word “1st” immediately before the word “July”.

(Question of the amendment proposed)

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

(Clause 11 as amended agreed to)

(Clause 12 agreed to)

Clause 13

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 13 of the Bill be amended;

a) in sub-Clause 3-

- i. By deleting the phrase “youth and social services” and substituting thereof with the phrase “and ICT” in paragraph (b)
- ii. By deleting the word “in” in between the words “being” and the word “responsible” and further deleting the phrase “the office of the Governor and” in paragraph (c).
- iii. By deleting the provision of paragraph (d) and replacing thereof with the following; “two other members one of either gender with a minimum qualification of a degree from a University recognized in Kenya who have served in the education sector in the Country, and not being public officers appointed by the Executive Committee member and approved by the County Assembly”.

(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 13 as amended agreed to)

(Clause 14, 15, 16, 17, 18, 19 agreed to)

Clause 20

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 20 of the Bill be amended:

- a) In sub-Clause (1) by deleting the phrase “five (5%)” immediately before the words “per centum” and substituting thereof with the phrase “one (1%).
- b) In sub-Clause (2) by deleting the phrase “five (5%) per centum of the sums in subsection (1)” immediately after the word “receive” and substituting thereof with the phrase “a sum equivalent to three (3%) per centum of the monies allocated to the respective ward, for administrative expenses”.

(Question of the amendment proposed)

(Question, that the words to 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 20 as amended agreed to)

Clause 21

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 21 of the Bill be amended-

- a) In sub-Clause (1) by deleting the phrase “shall be” appearing immediately before the word “established” and substituting therefore the word “is”.
- b) In sub Clause (2) by deleting paragraph (h).
- c) In sub-Clause (11) by deleting the word “six” immediately before the word “meetings” and replacing therefore the word “nine”
- d) sub Clause (13) by renaming it (13)(a)
- e) By Inserting a new sub Clause (13) (b) to provide as follows “any member aggrieved by the resolution of the Committee may appeal to the Board within fourteen (14) days”

(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 21 as amended agreed to)

Clause 22

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 22 of the Bill be amended-

- a) By inserting sub Clause (2) to provide as follows “The conduct and regulation of the business and affairs of the Committee shall be as set out in the Third Schedule”.
- b) By inserting sub Clause (3) to provide as follows “Except as provided in the Schedule, the Committee may regulate its own procedure”

(Question of the amendment proposed)

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

(Clause 22 as amended agreed to)

(Clause 23 agreed to)

Clause 24

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 24 of the Bill be amended –

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- a) By renumbering it to Clause 25.
- b) In sub-Clause (1) by deleting the word “third” and replacing therefore with the word “fourth”
- c) In sub-Clause (8) by deleting the phrase “two months” and substituting thereof with the phrase “fourteen days”.

(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 24 as amended agreed to)

Clause 25

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 25 be amended by renumbering it to Clause 26.

(Question of the amendment proposed)

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

(Clause 25 as amended agreed to)

Clause 26

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 26 of the Bill be amended in sub-Clause (1) by deleting the phrase “section 22” and substituting therefore the phrase “Clause 24” immediately after the word “under” and further amending it by renumbering it to Clause 27.

(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 26 as amended agreed to)

Clause 27

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 27 be amended by renumbering it to Clause 28.

(Question of the amendment proposed)

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

(Clause 27 as amended agreed to)

Clause 28

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 28 be amended by renumbering it to Clause 29.

(Question of the amendment proposed)

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

(Clause 28 as amended agreed to)

Clause 29

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 29 be amended by renumbering it to Clause 30.

(Question of the amendment proposed)

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

(Clause 29 as amended agreed to)

Clause 30

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 30 be amended by renumbering it to Clause 31.

(Question of the amendment proposed)

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

(Clause 30 as amended agreed to)

Clause 31

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 31 of the Bill be amended-

- a) In sub-Clause (4)-
 - i. by inserting the word “in” immediately after the word “and” and deleting the word “section...” and substituting thereof with the phrase “Clause 4” appearing in paragraph (a).
 - ii. by deleting paragraph (c)
- b) by renumbering it to Clause 32.

(Question of the amendment proposed)

(Question, that the words to 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 26 as amended agreed to)

Clause 32

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, the Bill be amended by deleting Clause 32.

(Question of the amendment proposed)

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

(Clause 32 as amended agreed to)

(Clause 33 & 34 agreed to)

Clause 35

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 35 of the Bill be amended;

- a) in sub Clause (1) by deleting the phrase “shall make regulations for the better carrying in to effect the provisions of this Act” immediately after the word “member” and substituting thereof with the phrase “and the County Executive Member for the time being in charge of Education shall make regulations for better carrying into effect of any provisions of this Act and such regulations shall be tabled before the County Assembly for approval”
- a) By deleting sub Clause (3)
- b) By renaming sub Clause (4) as sub Clause (3)

(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 35 as amended agreed to)

Clause 36

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 36 of the Bill be amended-

- (a) in sub-Clause (1) (b) by inserting the word “to” in between the words “set” and “join”.

(Question of the amendment proposed)

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

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(Clause 36 as amended agreed to)

(Clause 37 agreed to)

Clause 38

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 38 of the Bill be amended-

- a) by re-naming Clause 38 as Clause 38(1)
- b) by inserting Clause 38 (2) to provide as follows “The Committees and staff that were in place before the commencement of this Act, shall continue serving until the new Committees, Boards and staff are established or appointed in accordance with this Act”.

(Question of the amendment proposed)

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

(Clause 38 as amended agreed to)

Clause 2

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, Clause 2 of the Bill be amended-

- a) by deleting the phrase “section 5” in the interpretation of the term “Board” and substituting thereof with the phrase “Clause 13;
- b) by deleting the phrase “section 5(4)” in the interpretation of the term “Chairperson” and substituting thereof with the phrase “Clause 13(4)”;
- c) by deleting the phrase “section 29” in the interpretation of the term “County Assembly Committee” and substituting thereof with the phrase “Clause 31”;
- d) by inserting the phrase “and training” immediately after the word “education;” in the interpretation of the word “scholarship”;
- e) by inserting the phrase “and training” immediately after the phrase “ to education;” in the interpretation of the word “students”;
- f) by deleting the phrase “section 12” in the interpretation of the term “ward scholarship Committee” and substituting therefore the phrase “Clause 21”;

(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 2 as amended agreed to)

New Clause

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, the bill be amended by inserting Clause 24 and provide as follows;

24 (1) The Board shall, with the approval of the County Assembly, second staff to serve as the fund managers of the Ward Scholarship Committees.

(2) The officer seconded shall be the secretary to the Ward Scholarship Committee and shall be responsible for the day to day management of the Committee affairs at the Ward."

(Question of the New Clause proposed)

(New Clause read the First Time)

(Question, that the New Clause be read a Second Time, proposed)

(Question, that the New Clause be read a Second Time, put and agreed to)

(The New Clause was read a Second Time)

(Question, that the New Clause be added to the Bill, put and agreed to)

(Clause 1 agreed to)

Second Schedule

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, the second schedule of the Bill be amended-

- a) by renaming it as the "Third schedule"
- b) by deleting the phrase "{section 16(1)}" appearing immediately after the heading and replacing it therefore with the phrase "{Clause 22(2)}".
- c) by inserting at the heading the phrase "On Ward Scholarship Fund" immediately before the word "Committee".
- d) paragraph 3 of the schedule by deleting the word "fourteen" and substituting thereof the word "seven" and deleting the word "Director" and substituting thereof with the word "Secretary".

(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)

(Second Schedule as amended agreed to)

Third Schedule

Hon. Mramba: Hon. Chairperson, I beg to move:-
THAT, the Third Schedule be deleted.

(Question of the amendment proposed)

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

(Third Schedule as amended agreed to)

New Schedules

Hon. Mramba: Hon. Chairperson, I beg to move:-

THAT, the Bill be amended by inserting the following new schedules;

1) *Second Schedule*

SECOND SCHEDULE

(Section 16 (1))

PROVISIONS RELATING TO THE CONDUCT OF MEETINGS OF THE BOARD

1. The Board shall meet at least once in every three months to conduct the business of the Board.
2. The Temporary Chairperson may on his or her own motion, or upon request by a member, call a special meeting of the Board at any time, where he or she considers it expedient for the transaction of the business of the Board.
3. Other than a special meeting, or unless three quarters of members agree, at least seven days' written notice of every meeting of the Board shall be given to every member of the Board by the Secretary.
4. The quorum at a meeting of the Board shall be half of the members or such greater number as may be determined by the Board in respect of an important matter.
5. The Temporary Chairperson shall preside at the meetings of the Committee and in the absence The Temporary Chairperson, the vice-chairperson or a member of the Board elected by the members present from among their number shall preside.
6. The matters of the Board shall be decided by a majority of the members present and voting and in the event of equality of votes, the person presiding shall have a casting vote.
7. The proceedings of the Board shall not be invalidated by reason of a vacancy among the members or a defect in the appointment or disqualification of a member.
8. At the first meeting of the Board, the members shall elect a vice-chairperson, from among its members.
9. Subject to the provisions of this Schedule, the Board may determine its own procedure and the procedure for any Committee of the Board and for attendance of any other persons at the meetings and may make standing orders in respect thereof.

FOURTH SCHEDULE

SCHOLARSHIP APPLICATION FORM

Serial No.-----

WARD _____

THE KILIFI WARD SCHOLARSHIP PROGRAM

F/Y..... SECONDARY SCHOOL /COLLEGES & POLYTECHNICS /UNIVERSITIES AND VOCATIONAL CENTRES SCHOLARSHIP APPLICATION FORM

Deadline for submission.....

PART A: APPLICANTS PERSONAL DETAILS

I) PERSONAL DATA

Full Name of Applicant:

First.....Middle.....Surname.....

Gender: Male Female Date of Birth

D	D	M	M	Y	Y	Y	Y
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Postal Address : P. O. Box

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Tel/Mobile No. Alternative

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Mobile No.

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(Attach a copy of parent/Guardian ID Card.

II) ACADEMIC INSTITUTION INFORMATION.

Name of the institution:.....

Year of study/Class:.....Admission No.....

Course:.....

Outstanding fee balance: Kshs.....(Attach certified fee structure)

Latest Academic Performance:.....

(Attach a copy of the Result Slip/Report/Transcript. For continuing students, attach progress report)

ACADEMIC PERFORMANCE

KCPE	KCSE		
	TERM		
	ONE	TWO	THREE

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PART B: APPLICANT’S FAMILY INFORMATION

I) PARENT’S/GUARDIAN INFORMATION

First Name.....Middle.....Surname.....

ID No. A live Deceased

Postal Address : P.O. Box

Tel/Mobile No.

Alternative Phone number

Occupation:.....

If all parents are dead/ disability, (Attach support documents: e.g Death Certificate Letter explaining disability or other disadvantages Circumstances from Chief, Religious Leader or Prominent reference)

PART C: APPLICANT’S EVIDENCE OF NEED

I) APPLICANT’S INFORMATION

Indicator	Description
Why are you applying for a Scholarship?	
Have you received any financial support/Bursary in the past? If yes, indicate the source.	
Do you have any special needs? E.g. Chronic illness, disability. Please Provide documentation	
Any other cause for special need? Describe:	

FAMILY INFORMATION

Indicator	Description
Has your family been affected by civil conflict or natural disasters such as Drought, fire or famine? Describe:	
Please describe any other cause of disadvantage of vulnerability?	

PART D: DECLARATION

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I) APPLICANT’S DECLARATION

I, _____ declare that the information given above is true to the best of my knowledge and I am aware that giving false presentation will mean application will not be considered and will lead to automatic disqualification. I authorize Kilifi Ward Scholarship Committee or its representatives to obtain such additional information concerning my educational program and financial records as needed to complete this scholarship application.

Signature..... Date of:

D	D	M	M	Y	Y	Y	Y
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II) PARENT’S/GUARDIAN’S CONFIRMATION

I confirm that the information given above is true to the best of my knowledge and I am aware that giving false presentation will mean application will not be considered and will lead to automatic disqualification. On behalf of my child, I authorize Kilifi Ward Scholarship Committee or its representatives to obtain such additional information concerning this applicant’s education and financial records as needed to complete this scholarship application.

Parents/Guardian name.....

Signature.....Date of :

D	D	M	M	Y	Y	Y	Y
---	---	---	---	---	---	---	---

If you wish to provide additional information, please attaché a separate piece of paper.

PART E: RECOMMENDATIONS

This part must be completed by relevant authorities indicated. Any false information will lead to disqualification.

1. -Secondary school Head –Teacher
- University Director
- College Director
 - Tertiary
 - Vocational Training etc.

Report on the above named applicant’s performance, conduct, special interest and talents. Also explain why he/she should be considered for the Kilifi Ward Scholarship Fund program.

How long have you known the applicant/ Family_____

Rate the applicant’s financial Ability
Rich Middle class Needy Very Needy

I have reviewed the information give in this form and believe it to be truthful. The above named applicant attended/Is a bona fide Student in my school/college/University. Based on my knowledge and/or inquiries, I can affirm that she/he is needy/Vulnerable based on the following facts about his/her

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circumstances _____

Name _____
Signature&officialstamp _____

2. Religious Leader (Bishop, Pastor, Imam, Priest, etc)

How long have you known the applicant/ Family _____?

Rate the applicant's financial Ability

Rich Middle class Needy Very Needy

I have reviewed the information given in this form and believe it to be truthful. The above named applicant is a resident in my locality and a Kenyan Citizen. Based on my knowledge and/or inquiries, I can affirm that she/he is needy/Vulnerable based on the following facts about his/her

circumstances _____

Name _____
Signature& official stamp _____

Date of :

D	D	M	M	Y	Y	Y	Y
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Mailing Address: P.O. Box:

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Tel/Mobile No.

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PART F: COMMITTEE ACTION/ COMMENTS

Amount Applied for Kshs..... Amount allocated kshs.....

Comments:.....
.....
.....

CHAIRPERSON.....SIGNATURE.....DATE.....

SECRETARY.....SIGNATURE.....DATE.....

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NOTE: The following reasons will automatically lead to rejection of application forms.

1. Application form not filled as per requirement
2. Providing false information in the application form
3. Applicant not being within the evaluation criteria.

Hon. Nixon Mramba :

Date:

(Question of the New Schedules proposed)

(New Schedules read the First Time)

(Question, that the New Schedules be read a Second Time, proposed)

(Question, that the New Schedules be read a Second Time, put and agreed to)

(The New Schedules was read a Second Time)

(Question, that the New Schedules be added to the Bill, put and agreed to)

(New Schedules agreed to)

(Long Title agreed to)

The Temporary Chairperson (Hon. Mumba): Thank you hon. Members we have come to end of the Committee of the Whole House.

Hon. Mramba: Hon. Chairperson, I beg to move that the Committee do report to the House the considerations of the Kilifi County Ward Scholarship Fund Bill, 2018 with its approval thereof with amendments. Thank you.

(Question proposed)

(Question put and agreed to)

(The House resumed)

[The Temporary Speaker (Hon. Thaura) in the Chair]

REPORT, CONSIDERATION OF REPORT AND THIRD READING

THE KILIFI COUNTY SCHOLARSHIP FUND BILL, 2018

The Temporary Speaker (Hon. Thaura): Next order!

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Hon. Mumba: Mr. Speaker, I beg to report that the Committee of the Whole House has considered the Kilifi County Ward Scholarship Bill, 2018, and approved the same with amendments. Thank you.

The Temporary Speaker (Hon. Thaura): The Mover, please.

Hon. Mramba: Mr. Speaker, I beg to move that the House do agree with the Committee in the said report and I call hon. Mumba to second.

(Hon. Mumba seconded)

(Question proposed)

(Question put and agreed to)

Hon. Mramba: Mr. Speaker I beg to move that the Kilifi County Ward Scholarship Fund Bill, 2018 be now read the Third Time. I call hon. Mumba to second.

(Hon. Mumba seconded)

(Question proposed)

(Question put and agreed to)

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

ADJOURNMENT

The Temporary Speaker (Hon. Thaura): There being no other business, this Assembly stands adjourned until tomorrow afternoon.

The House rose at 3:09 p.m.