



**REPUBLIC OF KENYA**

**COUNTY ASSEMBLY OF KILIFI**

**SECOND ASSEMBLY – FOURTH SESSION**

**THE HANSARD**

**Special Sitting**

**Wednesday, 15<sup>th</sup> January 2020**

*The House met at the County Assembly Chamber,  
Malindi Town, at 9.30 a.m.*

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

**PRAYERS**

**PROCEDURAL MOTIONS**

REDUCTION OF PUBLICATION PERIOD

**The Speaker** (Hon. Kahindi): Hon. Leader of Majority.

**The Leader of Majority** (Hon. Mwathethe): Thank you Mr. Speaker. I beg to move a Procedural Motion:-

THAT, notwithstanding the provisions of Standing Order 116 of the Kilifi County Assembly Standing Orders, I move that, this House reduces the publication period of the Kilifi County Ward Scholarship Fund (Amendment) Bill, 2020 from fourteen (14) days to one (1) day. I call upon hon. Mramba to second.

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

*(Question proposed)*

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**Hon. Mramba:** Thank you Mr. Speaker. We have a crisis in Kilifi County; it is in the public domain that our students who are supposed to have reported in national schools and other secondary schools are still at home because of the amendment that we are discussing here today.

Therefore Mr. Speaker, I conquer with the proposal of the Leader of the Majority that we reduce the number of days for publication from fourteen (14) to one (1) day so that money can be released by the Controller of Budget and students can go to school.

There are several students who are still at home; they have not reported in form one while others who are continuing students in national schools such as Alliance and Lenana are still at home. This is simply because of this amendment. Mr. Speaker, we need to amend the Act so that money can be released and students can go back to school in good time. Therefore, I wish to support the amendment as provided for and as proposed by the Leader of Majority. Thank you.

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

**Hon. Pascal:** Thank you Mr. Speaker for giving me an opportunity to also contribute on the Procedural Motion on the Floor. Mr. Speaker, the Kilifi County Government started a programme of actually paying fees for the national students. This is a programme that started like three years ago and it has done very well. All the deprived students in Kilifi or the good performing students have always lacked fees.

When this programme started, it really brought hope to the poor students in Kilifi. So, this programme that has run for three years now is almost halting because of an amendment that has really affected this county. Mr. Speaker, this year the scholarship kitty has run dry because there is an amendment to this law that has to be done. I kindly support that we amend the law so that money can be disbursed to this kitty and Kilifi bright student can go to school. I support the Leader of Majority for that course. Thank you.

**The Speaker** (Hon. Kahindi): Thank you. Hon. Members, a procedural Motion has been moved to reduce the publication days, the same has been debated I now put the question.

*(Question put and agreed to)*

## PROCEDURAL MOTION

### STAGES OF A BILL

**The Speaker** (Hon. Kahindi): Hon. Leader of Majority.

**The Leader of Majority** (Hon. Mwathethe): Thank you Mr. Speaker. For the second time I stand to move a Procedural Motion:-

THAT, notwithstanding the provisions of Standing Order 117 of the Kilifi County Assembly Standing Orders, I move that, the Kilifi County Ward Scholarship Fund (Amendment) Bill, 2020 undergoes all the stages. Before I call hon. Mramba again to second, I would like to make it clear that a Bill has so many stages that we cannot take all of them at once but due to the constraints of time, we have to do everything today. If we go by those rules, we will not pass this Bill in time.

Therefore, I would urge Members that we agree that this amendment Bill goes through all the stages in one sitting. Thank you and again I call upon hon. Mramba to second.

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

*(Question Proposed)*

**Hon. Mramba:** Thank you Mr. Speaker. Again, I concur with the proposal by the leader of majority that we do everything in one sitting. As I had earlier said, we are in trouble. Over 500 students in secondary school, universities and colleges are still at home; if we go the normal procedure the crisis may deepen. I concur we do everything in a single sitting so that in a few days money will be disbursed to the scholarship fund and students will go back to school. We are in trouble because most of these students are on a full scholarship programme. In Kakuyuni Ward we have 120 students who are on a full scholarship programme.

I had a rough time the whole of this week; it has forced me to write commitment letters and before dispatching the commitment letters to the principals, I have to call them. I have called Kenyatta High School, Mwatate, Ribe Boys, Lenana and some of those national schools so that they accept the letter. A student joining form one in Lenana School going to school with a commitment letter because I talked to the principal and assured him that by the end of January money will be in their account. I thank God they accepted and as we speak, several students in national schools from Kakuyuni Ward have reported courtesy of that commitment letter. Therefore Mr. Speaker, I agree with the proposal of the Leader of Majority that we hasten the process in one sitting so that publication can be done.

THE KILIFI COUNTY WARD SCHOLARSHIP FUND AMENDMENT BILL, 2020

*(Order for First Reading read- Read the First Time and ordered to be read the second time today by leave of the House)*

*Second Reading*

THE KILIFI COUNTY WARD SCHOLARSHIP FUND AMENDMENT BILL, 2020

*(By leave of the House)*

*(The Bill was read a Second Time and committed to a committee of the Whole today by leave of the House)*

*(Question put and agreed to)*

**COMMITTEE OF THE WHOLE**

*(Order for Committee read)*

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

**IN THE COMMITTEE**

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

THE KILIFI COUNTY WARD SCHOLARSHIP FUND AMENDMENT BILL, 2020

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**Hon. Mumba:** Let us be seated. Members, this is a Committee of the Whole House. Let us feel free to deliberate as we are handling the Kilifi County Ward Scholarship Fund Amendment Bill, 2020.

*(Clause 2 agreed to)*

*(Clause 3 agreed to)*

*(Clause 1 agreed to)*

*(The Long Title agreed to)*

**The Leader of Majority** (Hon. Mwathethe): Thank you hon. Chairperson, I beg to move that the Committee do report to the House its consideration of the Kilifi County Ward Scholarship Amendment Bill, 2020 with approval without amendments thereof. Thank you.

*(Question Proposed)*

*(Question put and agreed to)*

*(The House resumed)*

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

## REPORT AND THIRD READING

### THE KILIFI COUNTY WARD SCHOLARSHIP FUND AMENDMENT BILL, 2020

**Hon. Mumba:** Thank you Mr. Speaker. I beg to Report that a Committee of the Whole House has considered the Kilifi County Ward Scholarship Amendment Bill, 2020 and approved the same without amendments. Thank you.

**The Leader of Majority** (Hon. Mwathethe): Hon. Speaker, I beg to move that the House do agree with the Committee on the said Report. I call hon. Mramba to second.

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

*(Question proposed)*

**Hon. Mramba:** Thank you Mr. Speaker. I wish to support the amendment as presented by the Leader of Majority that we amend this Act. The amendments are very crucial especially now that most of the students are at home and they require assistant so that they can proceed to school. I therefore urge Members to support it fully and beg that this amendment be published immediately so that money can be disbursed into the Kilifi Ward Scholarship Fund account as early as it is practically possible so that students can benefit from the fund. Thank you.

**Hon. Pascal:** Thank you Mr. Speaker for giving me an opportunity for me to contribute. I agree with the Leader of Majority that we amend this law. I want us to see how we are repealing

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a law that we repealed four, five months ago. The law we are repealing today was repealed after consultations with COB (Controller of Budget) and other stakeholders. It is a pity that this House is trying to do work that we did some few months ago. This is to say that we need to actually inquire from some external organs so that we can know which way to go as an Assembly.

I do not think it is right that another organ of the Government can question the authority of an Assembly. Through your leadership, this is something we need to get directions on because a state organization in my own thinking cannot force an Assembly or a law making organ to repeal a law that they sat and agreed.

Many of the students that we fully support are at home and that is why personally I am having a different opinion on the repealing of this law. I have decided to support because of the conditions that are here but I think there is a long way for us to go as far as this subject is concerned. As at now, I will support that we repeal the law depending on the circumstances that are here. Thank you very much, Mr. Speaker.

*(Question put and agreed to)*

*Third Reading*

**The Leader of Majority** (Hon. Mwathethe): Hon. Speaker, I beg to move that the Kilifi County Ward Scholarship Amendment Bill, 2020 be now read a Third Time.

*(Hon. Mramba seconded)*

*(Question Proposed)*

**Hon. Mramba:** Thank you Mr. Speaker, as I had earlier on stated, I wish to support the sentiments of the Leader of Majority that all the procedures be taken in this sitting bearing in mind that we are in a crisis. Therefore I beg to support. Thank you.

*(Question put and agreed to)*

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

## **ADJOURNMENT**

**The Speaker** (Hon. Kahindi): Hon. Members, the Bill having being read for the Third Time, now it is ready to have the governor's assent. This sitting was pursuant to special session that had been requested by the office of the Majority Leader in order to deliberate this amendment which was prompted by the Controller of Budget; the same has now been completed. The House goes back on recess and we resume on the normal date that had been scheduled earlier on. Thank you very much. Have a good day.

**The House rose at 10:00 a.m.**