



REPUBLIC OF KENYA

COUNTY ASSEMBLY OF KILIFI

SECOND ASSEMBLY –FIFTH SESSION

THE HANSARD

Wednesday, 14th April 2021

*The House met at the County Assembly Chamber,
Malindi Town, at 3:30p.m.*

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

PRAYERS

MOTION

EQUIPPING PUBLIC INSTITUTIONS WITH SIGN LANGUAGE INTERPRETERS AND PWD FRIENDLY FACILITIES

Hon. (Ms.) Victorine: I beg to move the following Motion:-

THAT, aware that Article 54(1) of the Constitution of Kenya 2010 provides for the rights of persons with disabilities (PWDs) in the Republic of Kenya which includes right to reasonable access to all places, public transport and information and to use Sign Language, Braille or other appropriate means of communication.

FURTHER AWARE THAT, Article 7(3) (b) of the Constitution of Kenya provides that the State shall promote the development and use of Kenyan Sign Language and Braille.

NOTING WITH CONCERN that persons with disabilities in Kilifi County have a problem in accessing most of the public buildings and public institutions in the county.

RECOGNIZING THAT, most of the public institutions have no sign language interpreters, acknowledging that lack of sign language interpreters in these institutions has greatly affected service delivery to persons living with disabilities to access services including health services in these institutions.

Thereof, this House urges the County Secretary to:-

One; ensure public building and public institutions are friendly to persons living with Disabilities

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Two; employ sign language interpreters in all public institutions especially in hospitals within the county.

Before I give hon. Jacob (Pascal) to second, allow me Mr. Speaker to give my submission. Our public institutions do not have ramps which allow Persons with Disabilities (PWDs) on wheelchairs to reach public offices to seek public services. An example is our county social halls; you will find that most of them have no ramps and if they are there, they are really slippery. There is the just constructed water front in Malindi; the toilets are not friendly to PWDs. As a representative, I feel like we have been ignored Mr. Speaker.

A total of 0.6 percent of the Kilifi population has hearing and communication impairment, this information is with the 2019 national demographic census. This population requires a sign language interpreter to make them feel included in the governmental decisions and making access to other services Mr. Speaker. I urge the CS (County Secretary) to employ sign language interpreters. It is not dignifying for the person with hearing impairment especially when they are seeking health services because the number of sign language interpreters' especially in hospitals is very low compared to the population.

Most youth polytechnics do not have sign language interpreters and this makes youth with hearing impairment to shy away from requesting to learn the skills provided in such institutions. Disability is not immune to anyone; anyone can get it in different ways especially births, accidents, natural calamities etc. I urge fellow Members to support the Motion to ensure that PWDs in the county live comfortably devoid of their challenges.

Mr. Speaker, allow me to call upon Jacob Pascal Thuva to second the Motion.

(Hon. Pascal seconded)

(Question proposed)

Hon. Pascal: Thank you. Let me thank the Member who brought this Motion before the House because for once I may say that as a House, we are coming up with laws that will direct and inhibit the issues that have befallen our members with impaired problems. It is true that these people are having rough times especially to access education because the County Government has not come into the open to assist these people.

As we speak today, when you move around Kilifi County and beyond, you will be able to identify some of these people lying at home without any help because they cannot access education. They do not have special care so that they can be imparted with knowledge that will assist them in life. This has forced some of the parents to hide these people behind closed doors just because they take them as outcasts and useless because there has not been any effort to assist this class of people. These are a minority and as a responsibility of this County Government, we need to provide them with the necessary amenities and the necessary education required and the necessary personnel to ensure that they can be supported in life into modeling a future constructive life that will assist them Mr. Speaker.

When you move around all government institutions, there is very little personnel to direct and dictate the plight of the people with impaired abilities. This is to say it is very important for us is to pass laws that will ensure that the County Government hires and deploys these people at strategic offices that will take care and assist them.

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Thereof, I summarize by requesting the hon. Members of this House to move along with the prayer of the Motion that we hire these very important and very critical officers in all installations of the County Government; public offices, schools, polytechnics, universities whatsoever so that we can have them assist our people.

This Motion will go a long way into showing our parents at home that having an impaired child does not mean not considering that particular child. We are able as a county to actually embrace these children of this nature so that we can mould them into responsible members of the society. Thank you very much; I call upon hon. Members to support this Motion on the Floor. Thank you very much Mr. Speaker.

The Temporary Speaker (Hon. Mramba): Thank you. Hon. Dickson Kelvin Shaban.

Hon. Shaban: Thank you Mr. Speaker, Sir for giving me this opportunity to contribute to this Motion...

(Hon. Kiraga stood on a Point of Order)

The Temporary Speaker (Hon. Mramba): There is a Point of Order from hon. Kiraga.

Hon. Kiraga: Thank you so much Mr. Speaker. I am moving a Point of Order under Standing Order No. 13 read together with Standing Order Nos. 15 to 17. There is something unusual which we are experiencing today and as a House we also need to know the reasons behind it. One, I know you are there on behalf of the Speaker Jimmy Kahindi.

Okay, the Speaker is not around, the Deputy Speaker is not around, the Leader of Majority is not around, and the Leader of Minority is not around. The Speaker's panel Members, hon. Thaura, hon. (Ms.) Maneno and hon. Thomas (Mumba) are not around. This is a grave matter and we also need to be informed the whereabouts of our leaders Mr. speaker. It is very paramount we cannot just wish it away. I think we need some clarification on where our leaders are. Thank you.

The Temporary Speaker (Hon. Mramba): Well hon. Kiraga, I have been informed by the Office of the Clerk that hon. Speaker with his Deputy plus the Members of the Speaker's panel are out on official duties together with the Leader of Majority.

The Leader of Minority was here some few minutes ago, but he is not feeling well. He has gone to hospital to get treatment. As you already know, he is diabetic. So, there is no cause for alarm. The Speaker is not here, but when I am here, the Office of the Speaker is well represented. Let us proceed.

Hon. Shaban: Okay, thank you Mr. Speaker for...

(Hon. (Ms.) Messo stood on a Point of Order)

The Temporary Speaker (Hon. Mramba): Yes hon. Messo.

Hon. (Ms.) Messo: Thank you Mr. Speaker. Some names you have mentioned are around. So, for me, I think we should just adjourn this House because what you are trying to tell us is not true. I have seen two Members of the Speaker's panel, they are outside. They came but they are not participating. Thank you, Mr. Speaker, Sir.

The Temporary Speaker (Hon. Mramba): Okay Members, I am repeating; there is no cause for alarm. Unless we do not have a quorum then we can adjourn but as long as we have quorum in the House, then we do not have to adjourn. Let us proceed with today's Business. If a

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Member of the Speaker's panel is around maybe he could be around but a bit engaged or maybe he is not feeling well. So, let us proceed. Yes, hon. Shaban.

Hon. Shaban: Thank you Mr. Speaker for giving me this opportunity. I rise to support the Motion that has been brought by hon. Victorine Nyamolo. First and foremost, let me thank and appreciate hon. Victorine Nyamolo for bringing this very good Motion for this House to adopt.

Mr. Speaker, Sir, allow me to give my submission. Number one; that we ensure public buildings and public institution are friendly to PWDs and I think Mr. Speaker, we should start here at home.

In the County Assembly of Kilifi when the visitors come to the public gallery, especially those who have some disability, they find it difficult because we don't have ramps to assist them. So, I would just urge Mr. Speaker, Sir, that if one side has stairs, then the second side can have ramps to assist the members of the public with disability coming to the public gallery so that they are able to follow the proceedings.

I would also urge the County Secretary to make sure that there are some departments which are housed in some buildings for example, when you go to Kilifi you see some buildings like Tusky's which houses the Department of Roads, the County Public Service Board we have the Gender Department.

They should also see that when they rent these buildings, they are also friendly to the PWDs. I can tell you that there is a time when I was in that building there is one woman who works at the office of the County Public Service Board who has a disability and because that building does not have ramps, it only has stairs and the lift and you can imagine that day there are no lights for more than three hours. I imagined how that woman was struggling from the second floor to come to the ground floor. If there were ramps, it could have been very easy for her from the second floor to the ground floor, but since there were no ramps there were just stairs and electricity.

(Hon. Ziro stood on a Point of Order)

Hon. Ziro: Mr. Speaker, the Member who is on the Floor is talking about the lights on the day when he was there, there was no light. I don't know whether there is any connection with the lights and the lift is it power or he means lights because if it is lights, we can even use a torch. What does he mean? He needs to clarify.

Hon. Shaban: Thank you Mr. Speaker, Sir. I mean that the power was not available. So, you can imagine the struggle that the woman went through. If there were ramps, then it could be very easy. So, apart from what the Mover of the Motion has said, it is also prudent enough that when the County Government hires offices, they should also consider the friendliness so that the Members of the public who come especially the disabled ones do get good services. It is like all the offices at the County Government of Kilifi have no ramps even the Office of the Governor, the Deputy Governor plus many storied offices. I want to agree with the Mover that the CS should speed up efforts to ensure that these facilities are available so that our brothers and sisters can have these services.

A disability is not an inability and this is a club that anybody can join, anytime. So, let us urge the CS to work fast so that we can have these facilities.

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Just the other day we had a very fatal accident at Kizingo; I am yet to know which ward is that because so many accidents are happening there. When such accidents happen, people join that club. Let us put it that we want to demand that these buildings have the ramps so in case one joins the club, they can still access these offices when need be. Thank you Mr. Speaker, Sir. I strongly support this Motion.

Hon. Chiriba: Thank you Mr. Speaker for this opportunity. I rise in support of the Motion that is on the Floor. I should again register my appreciation to the hon. Member, hon. (Ms.) Victorine following her continued effort and concerns in bringing up this very important Motion and knowing that the concern cuts across Mr. Speaker.

I highly believe that in very ward we have a good number of these people so it is indeed of paramount importance that we do everything to become disability friendly and this is inclusion even the roads that we are building.

It is high time that as a county we are very accommodative to these people. As we come up with roads, then we can also have pedestrian streets that can easily be accessed by PWDs. I like this saying that my friend has just submitted; that disability is not inability. If we can give them room, I believe they can even add more to the economy of the county by demonstrating the abilities that God has endowed in them. So, it is also my humble request that hon. Members will join hands in making sure that all the public utilities are user friendly to the PWDs and in so doing, then we are accommodating them.

As the hon. Member said, this is a club that anyone can join, willingly or not. No one can be willing but things can happen no matter what. So, Members, let us quickly join hands and pass this Motion. Again, I am calling upon the Committee on Implementation to move with speed in making sure that the same is fully implemented.

I like the sentiment when hon. Victorine said that we have few who can interpret sign language and proposes that the CS employs these interpreters in our institutions. You can agree with me that if indeed the county can take this direction, then the same could be a motivational tool for others to venture in that field. We have the Ward Scholarship Fund that can fund the learning of such like interpreters so that we can have a number so that we ensure in our county we have accommodated our loved ones. Thank you Mr. Speaker, I stand to support.

Hon. Hassan: Asante sana mheshimiwa Spika. Mimi pia nimesimama kuunga mkono Hoja hii iliyopo mbele yetu. Si kila jambo linatiliwa mzaha, cha ajabu nimeona baadhi ya waheshimiwa kuna vitu wanavitilia mzaha kama hili swala la ulemavu.

Bw. Spika, Mwenyekiti wa Bajeti tumepitisha mambo yake hapa lakini cha kushangaza baada ya kufika Hoja hii ndio inaonekana mapungufu na kasoro... nani hayuko, nani alikuwepo cha kunishangaza mheshimiwa mwengine hapo juu anasema kwamba hata tuvunje huu mkao kwa sababu inaonekana kwamba kuna upungufu. Naomba kuwafahamisha waheshimiwa, tufanyi kazi kwa kujiamini na kuaminiana. Asante sana mheshimiwa.

Hon. Kiraga: Thank you Mr. Speaker. I also wish to register my support of this Motion and the hon. Member (Victorine Nyamolo) has really shown leadership. The Member was nominated to this County Assembly as a Special elect to a specific group of people in this county. If we have followed her submissions closely, in every moment not in the plenary even outside the plenary, the Member has been fighting for that group Mr. Speaker. I highly thank the Member because the Motions she is bringing to this plenary are Motions that when passed will benefit every Member in that group across the county.

I believe when we pass this even any person with such challenges in Gongoni Ward will also benefit whether in Gongoni, Kayafungo; or any ward. How I wish the National Parliament apart from whatever we are doing here, can they copy from hon. Nyamolo (Victorine) so that this one is anchored as a law in this country not only Kilifi County. Having said that, 100 miles obviously starts with one step. I would also wish to give praise to this County Assembly with its leadership. Although we have not moved very much but at least we have tried, this County Assembly employed a sign language interpreter and he is doing a very good job. That is a stride we have taken as an Assembly. I think the next step is what hon. Shaban has said so that when we want these things to be done outside, then as an Assembly we become an example.

It is really pathetic Mr. Speaker. There are so many challenged people in terms of disabilities who wish to come and see our deliberations, but they cannot. So, it is high time when adopting this Motion, then this Assembly, I know we are building a Chamber, I think these things should be factored there so that if there is any resident with such challenges and would wish to get services from the Chamber, he or she can get those services without many problems.

Thereof, I stand in solidarity and Mr. Speaker we are an oversight body and it is after the resolutions of this Assembly on such Motions when we are now at liberty to see to it that the Executive implements this. With those few remarks, I think the County Government of Kilifi should honour hon. Nyamolo as a fighter on issues to do with disabilities in this County. How I wish in the next Assembly she is also nominated to carry on with the good work she is doing. Thank you so much and may God bless this House, may God bless hon. Nyamolo.

The Temporary Speaker (Hon. Mramba): Thank you hon. Kiraga. Hon. Peter Ziro Member for Garashi.

Hon. Ziro: Thank you very much Mr. Speaker. I stand in support of the Motion. Mr. Speaker if there is anything I will remember hon. Nyamolo as a Member of this County Assembly there are two things; number one, I remember her for gorgeous and stylish dancing which she portrayed in Ukunda at Tanduri with the Chairman of Tanduri and today she is here with a very important Motion and this Motion...

(Hon. (Ms.) Victorine stood on a Point of Order)

The Temporary Speaker (Hon. Mramba): There is an intervention here, a Point of Order from hon. Victorine Nyamolo.

Hon. (Ms.) Victorine: Thank you Mr. Speaker. Please ask the Member on the Floor to withdraw whatever he has just said because I have never danced with a Member and there is no hon. Member called *Tanduri* here let him withdraw or provide evidence Mr. Speaker. I do not even know hon. Tanduri in this House. Thank you.

The Temporary Speaker (Hon. Mramba): Hon. Peter Ziro, hon. (Ms.) Victorine is denying that you saw her dancing at a club known as Tanduri and in fact she does not know any Member by the name of Chairman Tanduri. So, can you please withdraw and apologize.

Hon. Ziro: Mr. Speaker, I think if you have been very observant you have just seen how hon. George Baya is giving hon. Nyamolo a high five just now.

The Temporary Speaker (Hon. Mramba): I have...

Hon. Ziro: That implies something Mr. Speaker but because you said I should withdraw, I will withdraw because I do not want to hurt her.

The Temporary Speaker (Hon. Mramba): Okay proceed.

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Hon. Ziro: I am sorry I withdraw but also hon. Nyamolo stop doing things in public because we are seeing here.

The Temporary Speaker (Hon. Mramba): No, hon. Ziro, there is no crime when hon. George Baya gives a high five to hon. Victorine. It is not a crime.

Hon. Ziro: But what she said she does not know the Chairman of Tanduri.

The Temporary Speaker (Hon. Mramba): No, No, maybe she knows hon. George Baya and not by the name 'Chairman of Tanduri.'

Hon. Ziro: In another way.

The Temporary Speaker (Hon. Mramba): Yes.

Hon. Ziro: Okay Mr. Speaker.

(Laughter)

The Temporary Speaker (Hon. Mramba): Proceed.

Hon. Ziro: Mr. Speaker, I said also there is another scenario that will make me remember hon. Nyamolo and this is the scenario for bringing this Motion to his House. As hon. Shaban contributed in this House, anybody can be a member of this club. I want to concur with him because any PWD did not choose to be disabled. This is an act of God and it can go to anybody and because you know it can go to anybody and can affect anybody, it is important that we prepare ourselves. Even the Bible says we have to be ready during the morning, the afternoon, in the evening; anytime. We have to be ready because we never know when our Lord Jesus Christ will come and thereof this Motion is in line with the Bible readings I can say according to me.

My sentiments convinced me that hon. Nyamolo must be a Christian because this is Biblical and Mr. Speaker, I also want to pray for her that she continues to see the light of bringing important Motions in this House that will help the people of Kilifi, especially those who are living with disability. Just the other day Mr. Speaker, a very beautiful lady was hit by a vehicle at Mamburui, she is now on a wheelchair. She never thought these things could happen, but it has happened because it is God's plan. Mr. Speaker, I am talking here and I can see the Chairperson for the Budget Committee causing some disturbance there.

The Temporary Speaker (Hon. Mramba): No, he is doing some consultations.

Hon. Ziro: Concerning the Motion?

The Temporary Speaker (Hon. Mramba): Proceed.

Hon. Ziro: I rest my case. Thank you. Mr. Speaker.

The Temporary Speaker (Hon. Mramba): Hon. Alphonse Mwayaa Member for Kayafungo.

Hon. Mwayaa: Asante Mheshimiwa Spika kwa kunipatia hii nafasi niweze kuongea machache kuhusu Mswada huu. Kabla sijasema naunga mkono ama napinga, wacha niongee haya; nashukuru serikali ya ugatuzi na mimi ni mmoja wa wale waanzilishi kutoka mwaka wa 2013. Serikali ya ugatuzi iliingia ofisi ambazo tulirithi sasa isionekane ni kama tulionea wenzetu ambao wanaishi na ulemavu, hizi ofisi tulirithi. Hizo ofisi za Gavana ambazo zinaonekana kwamba hazina *ramps* ni ofisi ambazo tulirithi ndio tuendeleze hiyo kazi ya Kilifi.

Labda kufikia saa hii labda pengine tuseme kwa sababu mheshimiwa Nyamwolo ameleta huu Mswada tutaendelea mbele na kile ambacho kitajengwa kuanzia leo labda kitakuwa na hizo *ramps*. Na vile vile labda ni ushauri labda sikufuatilia karibu Mswada alipokuwa ameuleta lakini

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tukisema ya kwamba tutaandika *interpreters* karibu kila mahali hiyo nayo tunapitisha na tukisema kila mahali hata huku kwetu kuna mahali ambako kutahitaji.

Mtu anaweza kuenda kortini ikiwa haitatimizwa. Nasema hivi kwa sababu aliyeleta Mswada huu angefanya *feasibility study* akasoma ni kina nani wanaishi na ulemavu gani japokuwa ulemavu unaweza ukatokea wakati wowote lakini hapa kwa *sign language interpreter* pengine anaweza akaandikwa Kayafungo kumbe Kayafungo hakuna mtu mwenye aina hiyo ya ulemavu. Kwa hivyo ni ushauri tu, sijasema napinga ama kuunga mkono, ni ushauri tu...

(Hon. Kiraga stood on a Point of Order)

Hon. Kiraga: The Member on the Floor had an opportunity when this Motion was tabled as a Notice; he had that opportunity to do some amendments. He cannot stand up and slot in proposals of amendments that is against our Standing Orders.

Secondly, this is just a Motion and after the passing of this Motion it will go to the Executive, after that we are expecting implementation of the same in a duration of six months. In that duration, the Executive will look into this Motion and advice on how best this Motion can be implemented. So, I want to remove some darkness from the Chief Whip that he should not be worried. This is a very good Motion and despite whatever he is trying to slot in, the Executive will look into this Motion and advice on the same. In fact, most of our Motions that we pass here might not be implementable and through the advice from the other wing, I think this can be rectified and be implemented.

(Hon. Pascal stood on a point of information)

Hon. Pascal: Mr. Speaker, thank you. I want to stand on a Point of Information to my good friend...

The Temporary Speaker (Hon. Mramba): Hon. Mwayaa, do you wish to be informed?

Hon. Mwayaa: Mr. Speaker, I have a lot of knowledge, I don't want to be informed.

The Temporary Speaker (Hon. Mramba): *Mheshimiwa* Mwayaa does not want to be informed.

Hon. Mwayaa: *Mheshimiwa* Spika, ukiangalia hata waliotoa *Point of Order* wanasema tupitisho Hoja hii halafu tuelekezwe na *Executive*, hii ni Bunge la heshima na hata *Executive* ni sisi tuwaongoze kwa hivyo ukisema leo hii tupitisho Mswada huu halafu sisi tungoje mawaidha ya *Executive*, hapo sielewi tunaongea lugha gani na mimi kama *senior* ambaye nimeishi katika Bunge hili na najua mambo, sioni kama itakua vizuri tupitisho Hoja hii ikiwa inasema kila mahali kuandikwa *sign language interpreter*. Halafu ujue kama kule kwangu kama mtu hajaandikwa mtu akienda kortini, Bunge hili litaonekana halijawajibika kwa sababu itaonekana hatuja *implement* kitu ambacho tumepitisha.

(Hon. Pascal stood on a Point of Order)

Hon. Pascal: Mr. Speaker is the Member on the Floor in Order to indicate that the County Government will hire sign language interpreters everywhere?

The Temporary Speaker (Hon. Mramba): What was the prayer of the Motion?

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Hon. Pascal: The prayer is to have sign language interpreters in public places. Let me highlight Mr. Speaker, I think the hiring will come with the need. These people are not spread everywhere. We have only a handful of them and there are situations where the County Government will want to actually capture the hiring of the sign language interpreters. Thereof it is wrong for one to indicate that we will have these people at all public places because we will want to have these people at the relevant places.

Thereof, I kindly want to call upon my friend who was just on the Floor to let this County Government have a starting point because if we hire even if it's four or seven at the relevant areas, then we will be doing a very good service to our people. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Mramba): Members, I acknowledge that the prayers of this Motion from hon. (Ms.) Victorine was most of the public institutions have no sign language interpreters and acknowledging that lack of sign language interpreters in these institutions has greatly affected service delivery to PWDs to access services including health services in these institutions. Thereof, this House urges the County Secretary to ensure public buildings and public institutions are friendly to PWDs and to employ sign language interpreter in all public institutions especially hospitals in the county.

So, that means the sign language interpreters as per the prayer are to be employed in all public institutions especially hospitals in the county. Proceed.

Hon. Mwayaa: Mheshimiwa Spika, ukisema ya kwamba ameandika pale akasema ya kwamba *institutions especially hospitals, does it mean that Kayafungo hakuna facilities* kama hizi?

The Temporary Speaker (Hon. Mramba): Kayafungo is included.

Hon. Mwayaa: Ukisema namna hiyo basi inamaanisha ya kwamba hawa watu ni wandikwe kule na kama hawatafika kuandikwa, Kayafungo basi watu wangu wa Kayafungo wanaweza kuenda kortini kwa sababu mtu huyo haonekani na Bunge hili limepitisha. Kwa hivyo, nilikua natoa mawaidha ya kwamba tunapitisha Mswada huu lakini pia tuangalie *side effects* zake ili kwamba ikipata hapa na tusingoje mtu wa *Executive* kuja kutushauri. Nimekosa muda kama mheshimiwa Kiraga alivyosema kwamba ningefanya hizi *amendments* lakini muda ulikuwa mchache. Kwa hivyo, kutokana na mawaidha yako mheshimiwa Spika, ningomba tuipatie muda tuweze kurudi mwanzo ili tuiangalie. Asante mheshimiwa Spika.

The Temporary Speaker (Hon. Mramba): Members, the Standing Orders are very clear that after the passage of a Motion in the County Assembly, a letter will be written by the Clerk of the County Assembly to that respective Department after whose portfolio the Motion falls. Again, that particular officer has 60 days to respond. Either he/she initiates the implementation of that Motion or if that particular Motion cannot be implemented, then the particular officer is to write a letter to the County Assembly to advice that we cannot implement this Motion because of this and that. So, I think we are in order, let the Motion be discussed, once it is passed, a letter will be written to the relevant authorities then they will either write to the Assembly or implement that Motion if it is implementable.

The Temporary Speaker (Hon. Mramba): Hon. Elina Stephen Mbaru.

Hon. (Ms.) Elina: Asante mheshimiwa Spika kwa kunipatia nafasi hii. Namuunga mkono mheshimiwa Nyamolo kwa sababu wale wanaoishi na ulemavu na vile alivyoandika huu Mswada wake uko sawa kabisa. Nataka nimfahamisha mwenzangu mheshimiwa Mwayaa kuna wale ambao ni vipofu, kuna wale ambao masikio yao hawasikii ndio huwa wanataka sana wakati mwengine. Kwa mfano, wakati ule wa *public participation* tulikua na yule mtafsiri ambaye

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alikuwa na sisi na watu walishukuru walianza kuuliza huyo mtu wa nini wakaambiwa ni mtafsiri wa wale ambao hawasikii na mabubu na ilisaidia.

Sasa hospitalini wajua wale wasomi huwa hawataki kuchukuliwa muda mrefu hasa *district hospitals*, bado unaanza kueleza yeye ashamaliza kuandika huyu ni bubu ama kiziwi mpaka aanze kuelezewa na mambo flani ndiyo yule daktari amuelewe huyu mtu ni mgonjwa aina gani daktari hana wakati huo. Kwa hivyo, mheshimiwa Nyamwolo aliaandika huu Mswada vizuri na kwa wakati unaofaa kabisa maana utasaidia watu wetu maana saa hii walemavu wamekuwa wengi kwa sababu ya vyakula tunavyokula.

Utaona mtoto anatoka nyute siku nzima maana mbegu ya mama na baba ilikua changa. Wajua hawa watoto wetu wanazaa mapema lakini ina athari zake pia. Sasa tumekua na walemavu wengi maana mbegu zao huwa ni changa sana. Ndio mtoto mara anaanza kulia kuanzia asubui mpaka jioni; juwa ile mbegu ilikua bado haijakamilika vizuri. Kwa hivyo, tukiwa na hawa *interpreters* wa kutafsiri haya maneno, watakua wanaweza kusaidi zaidi mabubu pia watasaidika. Kwa hivyo, mimi nimesimama kuunga mkono zaidi.

(Hon. Ziro stood on a Point of Order)

The Temporary Speaker (Hon. Mramba): Point of Order from hon. Peter Ziro. Hon. Peter Ziro what do you have to say?

Hon. Ziro: Mheshimiwa Spika, mimi nasikia mambo mengine mageni ambayo Mungu anisaidie lakini nataka kuelewa kwa sababu pia nakua. Sasa mheshimiwa Elina anazungumza kuhusu mbegu changa, sasa sijui kama mbegu changa ina uwezo wa kumea na kuzaa ama ni vipi labda anieleze zaidi naomba tu nijuwe.

The Temporary Speaker (Hon. Mramba): Okay, hon. Elina Mbaru.

Hon. (Ms.) Elina: Asante mheshimiwa Peter Ziro kwa kutoelewa. Nataka nikwambie kama msichana ana miaka kumi na miwili (12) na mvulana ana miaka kumi na nne (14) na wazae, yule mtoto huwa ni wa mbegu changa. Anaweza akawa na ulemavu wa kutotembea haraka ama awe na ulemavu wa kutoka nyute, awe na ulemavu wa kupenda kulia saa zote maana mbegu bado ilikua haijakomaa. Ndio na kuelezea kwamba mbegu hizo ndio zinatuletea hawa mabubu wanatuletea hawa ambao ni *disabled* wengi.

Nataka kukwambia saa hii ambao walizaliwa miaka miwili au mitatu iliyopita utawaona mtoto ana miaka minne na hajaongea kwa sababu anataka kuongea lakini sauti hana kwa sababu ya zile mbegu zilizopandwa. Kwa hivyo, kuwaelezea hawa mabubu na ulemavu umeongezeka sana kwa sababu ya matatizo kama haya. Kwa hivyo, mimi naona mheshimiwa Nyamwolo ameleta huu Mswada kwa wakati unaofaa na mimi nakuunga mkono kabisa ipite na *Executive* kama watahinda na kuajiri ni watwambie baada ya miezi sita.

(Hon. Kiraga stood in his place)

The Temporary Speaker (Hon. Mramba): There is a Point of Order from hon. Kiraga, Point of Information? Okay as a medical practitioner?

Hon. Kiraga: Nataka kuungana na mheshimiwa Elina Mbaru *because of two things, I am an expert on laboratory issues, that is one. Secondly I am a farmer* mimi napanda minazi, unajua mnazi...

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The Temporary Speaker (Hon. Mramba): I think hon. Kiraga you started in English you need to proceed in English.

Hon. Kiraga: I have many coconut plants. Now if you go and take a coconut seedling from a coconut tree which has matured probably for three years and plant it, it is going to bear some fruits but the fruits which are going to be harvested from it are not good; you cannot rely on them. I hope you understand what I am saying and again when you come from the medical side, the semen produced by an underage person and the ovary produced by the underage girl when they unite what comes after is something which when it is developing we call it in medical terms 'unique' it cannot develop to the full stage and that is why hon. Elina Mbaru you can attest most of the children born currently are out of underage people.

We have seen a boy and a girl of nine years having a baby; do you think that child will develop with all cells which have matured? It will not happen obviously. That is why as the Member has stated, we are experiencing a lot of disabilities in terms of maturity of these people; that is also a disability. If we pass this Motion, we are going to help a lot of people. The recent research which was done in Kakuyuni Ward, yes the research is there, there are so many under aged pregnancies. The other day we were being taken through by DSW (Deutsche Stiftung Weltbevölkerung) and an NGO (Non-Governmental Organization) and those statistics are there. So, let us pass this Motion so that we can be helped in terms of this challenges we are facing but I highly thank hon. Elina.

(Hon. Ziro stood on a Point of Order)

The Temporary Speaker (Hon. Mramba): Hon. Peter Ziro, you cannot stand on a Point of Order on a Point of Order. Hon. Kiraga was on a Point of Order you cannot stand on another Point of Order.

(Hon. Ziro spoke off record)

The Temporary Speaker (Hon. Mramba): Maybe it is true or maybe it is not true but we need to know the source of that information because hon. Kiraga you were saying the research was done in Kakuyuni Ward but you have not told us about the source of that information, DSW.

Hon. Hassan: Is hon. Kiraga an expert in research or laboratory matters maybe he can explain.

The Temporary Speaker (Hon. Mramba): Hon. Kiraga, some other Members have questions about your medical qualifications can you please tell this House the medical qualifications you have?

Hon. Kiraga: I am laboratory technologist from Thika Technical Training Institute.

(Question put and agreed to)

COMMITTEE OF THE WHOLE HOUSE

(Order for Committee Read)

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

IN THE COMMITTEE

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

THE KILIFI COUNTY CLIMATE CHANGE BILL, 2020

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

Clause 7

Hon. Hassan: Mr. Chairman, Sir, I beg to move:-

THAT, Clause 7 be amended in clause 7 (2) (i) (1) by inserting the words “community based organizations or civil society organizations active on climate change within the county”.

(a) In clause 7(3) by deleting (e) immediately after (2) and substituting thereof (h).

(Question of the amendment proposed)

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

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

(Clause 7 as amended agreed to)

(Clauses 8,9,10,11,12,13,14,15,16 and 17 agreed to)

Clause 18

Hon. Hassan: I beg to move:-

THAT, Clause 18 be amended by (a) in sub-clause (2) by deleting (g) and substituting thereof (f) immediately after (1).

(b) In sub-clause 3 by inserting the words “than two other” immediately after the word “more”.

(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 be inserted, put and agreed to)

(Clause 18 as amended agreed to)

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

Clause 27

Hon. Hassan: I beg to move:-

THAT, Clause 27 be amended as follows (a) by inserting the words “in consultation with the area member of County Assembly” immediately after the title “Ward Administrator”

(b) In sub-clause (6) by deleting the words “chiefs in the ward” and substituting thereof “area member of county assembly”.

(Question of the amendment proposed)

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

(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 27 as amended agreed to)

(Clauses 28,29,30,31,32,33,34,35,36,37,38,39,40,41,42,43,44,45,46 agreed to)

Clause 47

Hon. Hassan: I beg to move:-

THAT, Clause 47 be amended in sub-clause (2) by deleting the phrase “steering committee and managed by the fund administrator appointed by the Executive Committee Member in charge of Finance and Economic Planning” and substituting thereof the phrase “Fund Administrator designated by the Executive Committee Member in charge of Finance and Economic Planning”

(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 47 as amended agreed to)

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Clause 48

Hon. Hassan: I beg to move:-

THAT, Clause 48 be amended by deleting the phrase “less than two” and “Less than One” and substituting thereof the phrases “More than 0.5” and “more than 0.5” respectively.

(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 48 as amended agreed to)

Clause 49

Hon. Hassan: I beg to move:-

THAT, Clause 49 (1) of the Bill be deleted and substituting thereof “Pursuant to section 116(2) of the Public Finance Management Act, 2012, the County Executive Committee Member for Finance and Economic Planning shall designate a person responsible for administering 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 49 as amended agreed to)

(Clauses 50, 51, 52 and 53 agreed to)

Clause 54

Hon. Hassan: I beg to move:-

THAT, Clause 54 of the Bill be deleted and substituting thereof “the steering committee shall cause to be kept all proper books and records of income, expenditure and assets of the Fund”.

(Question of the amendment proposed)

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(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 54 as amended agreed to)

(Clauses 55 and 56 agreed to)

Clause 2

Hon. Hassan: I beg to move:-

THAT, clause 2 of the Bill be amended;

- a) in the definition of the term “Fund Administrator” by deleting the words “section 48” and substituting thereof the words “Section 49”;
- b) in the definition of the term “Planning Committee ” by deleting the words “section 16” and substituting thereof the words “Section 17”;
- c) in the definition of the term “Ward Planning Committee” by deleting the words “section 25” and substituting thereof the words “Section 26”;
- d) by inserting the following new definition in a proper alphabetical sequence-
“Public Benefits Organizations” has the same meaning as defined in the Kenya Public Benefits Organization Act (No. 18) 2013.
- e) By inserting the new definition of –
“Community Based Organizations” has the same meaning as defined in the Kenya Public Benefits Organization Act (No. 18) 2013.
“Civil Society Organizations” has the same meaning as defined in the Non-Governmental Organizations Co-ordination Act (No. 19 of 1990)

(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)

(Long Title agreed to)

The Temporary Chairperson (Hon. Baya): Thank you hon. Members. I now call the Mover.

Hon. Hassan: Thank you hon. Chairperson. I beg to move that the Committee do report to the House its the consideration on the Kilifi Climate change Bill, 2020 as it was approved thereof with amendments. Thank you.

(Question Proposed)

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(Question put and agreed to)

(The House resumed)

[The Temporary Speaker (Hon. Mramba) in the chair]

THE KILIFI COUNTY CLIMATE CHANGE BILL, 2020

Hon. Baya: Thank you. Hon. Speaker. I beg to report that the Committee of the Whole House has considered the Kilifi County Climate Change Bill, 2020 and approved the same with amendments. Thank you.

The Temporary Speaker (Hon. Mramba): Mover.

Hon. Hassan: Thank you hon. Speaker. I beg to move that the House do agree with the Committee in the said Report. I call upon hon. Chiriba to second. Thank you.

(Hon. Chiriba seconded)

(Question proposed)

(Question put and agreed to)

Hon. Hassan: Thank you Mr. Speaker, Sir. I beg to move that the Kilifi County Climate Change Bill, 2020 be now read a Third Time. I call upon hon. Shaban to second.

(Hon. Chiriba seconded)

(Question proposed)

(Question put and agreed to)

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

ADJOURNMENT

The Temporary Speaker (Hon. Mramba): Hon. Members, I wish to adjourn today's sitting until next week Wednesday. Thank you.

The House rose at 4.43 p.m.