

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI

THE HANSARD

Wednesday, 10th August, 2016

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

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

PRAYER

COMMUNICATION FROM THE CHAIR

**VISITING PUPILS FROM ST. PAUL KINDERGARTEN AND PRIMARY SCHOOL IN
MALINDI**

The Speaker (Hon. Kahindi): Hon. Members, we are privileged today to have visiting pupils from St. Paul Kindergarten and Primary School in Malindi. These students are accompanied by their teachers and as a tradition of the County Assembly whenever we have visitors we have to acknowledge them. I will call the names of the students and wherever you are you stand up and the Members will acknowledge you and then I will give five minutes to one of the Members to make remarks on the same. We have:

1. Levis Kalama
2. Adrian Chikanda
3. Swabrina Ali
4. Benson Kipnge'tich
5. Frankline Omusonga
6. Theodora Mkawajomba
7. Naomi Gona
8. Joy Kiti Neno
9. Rebecca Muthoni
10. Zuena Kerubo
11. Daniel Biry
12. Navins Byington
13. Charity Nkaduda
14. Priscilla Kitsao
15. Lavine Siema
16. Lauryn Gioko
17. Charity Gona
18. Viola Gitonga

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19. Ruth Zawadi
20. Edward Gichuki
21. Clement Baddy
22. Edwin Oketch
23. Monslaver Soita
24. Purity Chonga
25. Moses Chai
26. Dominic Gitau
27. Samson Kombo
28. Jesmine Jilo
29. Agnes Mbengwa
30. Naomi Mwalimu
31. Kelvin Gachanja
32. Chrispin Mwateza
33. Said Maro
34. Abdul Malik
35. John Baraka
36. Zein Nassir
37. Nancy Katana
38. Rashid Juma
39. Damaris Oyieng

Those are the pupils who are accompanied by their teachers;

1. Ms. Lilian Akinyi
2. Mr. Justus Charo
3. Mr. Sipha Oketch
4. Ms. Mary Wamuyu

Hon. Members, those are the guests who are seated at the gallery today.

SPEAKER'S RULING ON THE LANDS COMMITTEE REPORT

Secondly, I have another communication to make which is a ruling on the matter that arose yesterday with regards to the Report on Lands. I communicated to the House that I have my reservation in the manner in which that Report ought to have proceeded and I rule as follows: That any Report that emanates from bench- marking exercise or trainings are only required to be tabled as Papers then be made available to Members at their pleasure if they so need be from the office of the Clerk.

For example, where a Report makes recommendations which would be required to be implemented within the County Government of Kilifi, the same will have to be accompanied by a substantive Motion that will give legitimacy to the recommendations for the same to be debated before the House. As far as the Report on Lands that was before us yesterday, I rule that the same was not properly before the House and the said Committee, if there is any issues which

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they need to have them deliberated, then a substantive Motion will have to be moved by the Committee in order for the House to be able to deliberate on the same. That is the end of my ruling as far as that Report is concerned.

REMOVAL OF ORDER Nos. 9 AND 10 IN TODAY'S ORDER PAPER

The other thing is that Order Nos. 9 and 10 of today's businesses in the Order Paper have been removed. I have received communication that tomorrow there will be a meeting between the Committee, the CEC and the legal team from the Executive to look into the same. So, the Committee of the Whole House will therefore not proceed. We shall proceed with it once the matter is referred back to the House Business Committee. Thank you, hon. Members.

Now, yes hon. Mwathethe, I am sure you need to give a word to the students before we proceed.

Hon. Mwathethe: Thank you Mr. Speaker for giving me a chance to also welcome St. Paul Kindergarten and Primary School pupils. This School is found in Shella Ward. It is behind Ngala Estate and I being the representative of that area, it is only in order that you have accorded me this chance to welcome them. Mr. Speaker, as it has been the trend before devolution came along that the pupils would have had to travel all the way to Nairobi to witness the proceedings of an Assembly. With the fruits of devolution, the schools that are within do not have to spend much for traveling because the Assembly is within the vicinity of the school and this is one of the fruits of devolution.

Without much regards you had allocated five minutes but I will consume less so that any other Member would also want to welcome them. Thank you Mr. Speaker for the chance.

The Speaker (Hon. Kahindi): Yes Hon. (Ms.) Mbeyu.

Hon. (Ms.) Mbeyu: Thank you Mr. Speaker, Sir. May I take this opportunity to welcome the pupils of St. Paul's and the teachers accompanying them. I am hon. (Ms.) Getrude Mbeyu in the Assembly and the Women Representative 2017. You are most welcome. Thank you.

The Speaker (Hon. Kahindi): Every opportunity counts. Yes hon. Mramba.

Hon. Mramba: Thank you Mr. Speaker for giving me this ample opportunity to welcome St. Paul Kindergarten and Primary School. St. Paul is a young school but if the results of the national examination are anything to go by St. Paul is becoming a giant not only in Malindi Town but in Kilifi County in general.

(Applause)

I would like to advise the students of St. Paul to work hard and put more effort in education bearing in mind that their parents are investing a lot of money in their education. It will be very bad if students are sent to St. Paul which is a bit expensive then after doing your primary education you go to secondary school then embark on the slogan of "*kusoma na kuchoma*".

Mr. Speaker, this Assembly will agree with me that we have set aside a lot of money; Ksh. 10 million per ward that translates to Ksh. 350 million per year, to go to the education of needy and bright students. So, it will be in vain for us to pass such a colossal amount of money only not to benefit them. I am putting a lot of emphasis so that they put a lot of effort in

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education and whenever they go to secondary school, I believe all of them can manage to go to national schools. We are ready at any given time to assist towards education. This is a County Assembly and it is a replica of the National Assembly only that theirs is a National Assembly while ours is a County Assembly. I wish to thank them so much and God bless them.

The Speaker (Hon. Kahindi): Okay, I think the five minutes of that session are over.

STATEMENT

ORDER OF BUSINESS FOR THE WEEK STARTING MONDAY 15TH TO FRIDAY 19TH AUGUST, 2016

The Leader of Majority (Hon. Mwingo): Thank you Mr. Speaker for giving me this chance to present the programme of business for the week starting Monday 15th to Friday 19th August, 2016.

On Monday, 15th August, 2016 at 2:00 p.m. there will be a Statement by hon. Stephen Mlanda to the Department of Transport and Infrastructure through the Chairperson, Transport and Public Works Committee; Response to Statement sought by hon. Stephen Mlanda to the Department of Health Services (Chairperson, Health Services Committee); Response to Statement Sought by hon. Albert Kiraga to the Department of ICT, Culture and Social Services (Chairperson, Youth, Culture and Community Services Committee); Response to Statement Sought by hon. Stanley Karisa to the Department of Education, Youth and Sports (Chairperson, Youth, Culture and Community Services Committee).

On Tuesday 16th August, 2016 at 9:00 a.m. we will have tabling of the Response to a Motion by hon. Silas Chitibwi by County Executive Committee Member for Finance and Economic Planning; Tabling of the Response to a Motion by hon. Teddy Mwambire by County Executive Committee Member for Finance and Economic Planning; Tabling of the Report of Budget and Appropriations Committee on Governor's Memorandum on the Kilifi County Revenue Administration Bill, 2014.

On Tuesday 16th August, 2016 at 2:30 p.m. we have a Motion for the Adoption of the Report of the Committee on Water and Sanitation Services on water shortage (North Coast Forum) held on 29th February, 2016 laid on the Table of this House on August 9th, 2016.

On Wednesday 17th August, 2016 at 2:30 p.m. we have a Motion for adoption of the Report of the Committee of Budget and Appropriations Committee on the Governor's Memorandum on the Kilifi County Revenue Administration Bill, 2014 laid on the Table of this House on 15th August, 2016. Thank you, Mr. Speaker.

MOTION

ADOPTION OF THE REPORT ON THE FIVE DEFUNCT LOCAL AUTHORITIES IN KILIFI COUNTY

Hon. Kaingu: Thank you Mr. Speaker, Sir. On behalf of the Public Investments and Accounts Committee I would like to move before this House a Motion:-

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THAT, this hon. Assembly adopts the Report of the County Public Investments and Accounts Committee on the five defunct local authorities in Kilifi County laid on the Table of the House on 21st October, 2015.

I call upon hon. Japhet Nzaro to second this Motion.

(Hon. Nzaro stood at his place to second the Motion)

The Speaker (Hon. Kahindi): Hon. Members a Motion has been tabled by the Chairperson of the County Public Investments and Accounts Committee hon. Duncan Kaingu. The same has been seconded. I now propose that the Motion is ready for debate.

(Question proposed)

The Speaker (Hon. Kahindi): Hon. Teddy Mwambire, you have an intervention?

MOTION FOR ADJOURNMENT UNDER
STANDING ORDER No.50 (b)

Hon. Mwambire: Thank you very much Mr. Speaker. I stand under Standing Order 50 (b) to adjourn the deliberations of this Report so that the Committee on Public Investments and Accounts can constitute some sittings and call a number of those officers who were manning those local authorities including the former councilors so that they can unearth a number of issues. This is because if you read the Report Mr. Speaker, you will see that there is a huge amount that is required to be paid by this county. Having been the Chairperson for Finance, Staff and General Purposes, and later a Vice Chairperson for the great former County Council of Kilifi Mr. Speaker, we left the county with no debts but in this Report which emanated from the Auditor General's report, it appears that there is a huge amount which this county is supposed to pay.

I believe if the Public Investments and Accounts Committee (PIC/PAC) calls for those officers including the former councilors and some members of the public, they will share very good information which will be used to make a clear decision. With those few remarks; because I have colleagues, I call upon hon. Pascal Thuva who served as the Finance, Staff and General Purposes Committee Chairman by the time the local authorities were being devolved to second. Thank you very much.

(Hon. Pascal stood at his place and bowed to second)

(Question proposed)

The Speaker (Hon. Kahindi): Thank you. A Motion has been moved by hon. Teddy Mwambire under Standing Order 50(b) which calls for the adjournment of this debate on grounds that he has stated. The same has been seconded by hon. Pascal Thuva. I now propose that, that Motion which requires no notice to be moved is now ready for debate. Yes hon. Pascal

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Hon. Pascal: Thank you Mr. Speaker, Sir, for giving me an opportunity to contribute towards the Motion on the Floor. Let me put it clearly here before this House that this is not an intention to suppress the debate of this Motion and neither are we trying to suppress the efforts of the Committee Members but there are issues shown in this Report which need further clarification.

I happen to have been the Chairperson of the Finance Committee of the former County Council of Kilifi and the financial position by then was that the County Council of Kilifi did not have any debts. This, plus other county councils did not have debts but it is a bit ambiguous and funny at the same time to find out that we have some debts that are meant to have been left behind by the former county councils. I support this Motion that, instead of crushing the debate of this Motion, we spare some time so that we can question or rather talk to the relevant officers and get a concrete answer to this riddle Mr. Speaker. Thank you very much.

The Speaker (Hon. Kahindi): Thank you. Hon. (Dr.) Silas Mzungu Chitibwi.

Hon. (Dr.) Chitibwi: Thank you very much hon. Speaker, Sir. I stand to support the adjournment of this Motion. Those of us who were in the former local authorities are aware of the financial position in general as at that time. County Council of Kilifi had no debts as far as we are concerned. We Members of the council at that time; the councilors and officers sacrificed a lot to ensure that the transition from the local authorities to the County Government would not be a burden to the County Government.

There were a number of things that were supposed to be done for ourselves and for our communities but because we wanted to clear all those debts, they were not done and we remember very well. The last two general meetings of the council; there were no debts. It is surprising to hear that there were debts. I am not competent to talk about other local authorities but County Council of Kilifi had no debts. So, I believe, to table a complete Report, they should also give opportunity to some of us and also the officers who were there to give an input apart from only discussing what was in the Report. I support the adjournment Motion. Thank you Mr. Speaker, Sir.

The Speaker (Hon. Kahindi): Yes hon. Japhet Nzaro.

Hon. Nzaro: Thank you Mr. Speaker. I also rise to support the Adjournment Motion. I am supporting because of two fundamental issues. One; the evidence which we relied upon to bring this Report in this Assembly was the Audit Report from the defunct local authorities of this county. They were five of them. If you look at those Reports, you will find out that the Auditor General's office gave a list of people who appear in those reports and debtors and creditors, and when we were trying to investigate the authenticity of these debtors and creditors, it reached a time when we had to involve those officers who worked in those Departments but after we went to write the Report, our fellow hon. Members who were Members of the defunct local authorities came in and started giving us information that contradicts what was there in the audit Report from KENAO (Kenya National Audit Office). Now, what I would wish while I am supporting this Report, these former Members...

The Speaker (Hon. Kahindi): Yes hon. Mramba, you have a point of intervention?

Hon. Mramba: The hon. Member for Ganze is not very clear. Is he in support of the Report or in support of the Motion?

The Speaker (Hon. Kahindi): I thought that was clear. Yes, make it more clearer hon. Japhet Nzaro.

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Hon. Nzaro: Thank you Mr. Speaker. I think the Members of this Assembly have clearly understood where I was but for the purpose of informing the Members, I support the adjournment Motion on this Report which is before us. Mr. Speaker, what I would wish the Members of the former local authorities who we are privileged to have some of them in this Assembly, when we go back to question the authenticity of these debtors then they should come forward and give us evidence on what they think is right.

This House is a House of procedure and we rely on facts and the facts that we relied upon in coming up with this Report is the Audit Report from the Auditor General's office. If they have other information which Members have, we are ready to get it so that we arrive at a very amicable solution and make a very good Report for the people of this county.

The second reason as to why I am supporting the Motion is that there is no need of us passing a Report because included in this Report are debtors who will make this county pay. So, it is in the best interest of this county that if we can accommodate the views of the other Members who are ready to give us information, maybe they will reduce our debt in this county. So, it will be of benefit for this county that such monies instead of paying people who were already paid then it can be used for meaningful development of this county.

So, I concur with the Members who want us to adjourn so that we get the right picture on some of these accounts but I want to put it on record that while we were compiling this Report, we invited several Members who were supposed to come and give us evidence on these accounts. The former employees of the defunct local authorities were invited and they gave us some of this information. In fact, some of them never wanted to give us this information which maybe the Members are privy to. It will be in order when we get all this information so that we make a very good Report that will pass the test of time. Thank you, Mr. Speaker. I rise to support.

The Speaker (Hon. Kahindi): Thank you hon. Japheth Nzaro for your submissions. Yes hon. Gambo.

Hon. Gambo: Asante sana Bw. Spika kwa kupata fursa hii ili nichangie Hoja hii. Nimesimama kuunga mkono Ripoti hii kwamba iweze kusimamishwa na kupatiwa nafasi tena ili tujitokeze na kutoa ushahidi wa vile mambo yalivyokuwa tulipokuwa Madiwani wakati ule. Nikiwa mmoja wao, nakumbuka kabla hatujatoka tuliomba tuletewe Ripoti zote za miaka mitano ambazo tulipokuwa tunahudumia Baraza la Kilifi. Ripoti hizo zilipoletwa na *auditors*, niruhusu niwaite kwa kingereza na tuliacha Baraza lile likiwa halina deni kabisa.

Ni mshangao kuona katika Ripoti hii bado kuna madeni na kwamba kuna mawakili wengine ambao wanadai. Nimepatwa na kiwewe nilipoona Ripoti hii. Hakuna lazima ya kupitisha Ripoti hii kwa haraka ili kuonyesha kwamba tumepitisha. Itakuwa ni vyema Ripoti hii kusimamishwa mwanzo na Kamati iite baadhi ya maofisaa ambao tulifanya kazi nao. Nikiangalia hivi, baadhi ya maofisa hao bado wako katika kazi na wana ujumbe maalumu ambao wanaweza wakapatia Kamati hii na hatimaye kutuelekeza katika kuendesha Kaunti yetu vyema. Kukubali Ripoti hii itakuwa tunaongeza mzigo katika kaunti yetu. Nimesimama kuunga mkono Ripoti hii iweze kuahirishwa mpaka wakati mwingine. Bw. Spika asante.

Hon. Mwayaa: Mheshimiwa Spika, mimi pia nasimama kuunga mkono kuahirishwa kwa Ripoti hii ili tuchunguze kwa kina habari ya Ripoti hii. Kama vile wenzangu walivyonena ya kwamba walikuwa katika Baraza la Kilifi, mimi pia ni mmoja aliyebarikiwa na watu wangu wakanichagua na nikapelekwa katika Baraza la mji wa Mariakani nikafanya kazi kule kwa

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kamati tofauti tofauti. Nilifanya kazi katika kamati ya fedha na nikabahatika kuwa Mwenyekiti pia. Nilifanya hiyo kazi kwa moyo mkunjufu na tulipokuwa tunaondoka hatukuwa na haya madeni ambayo yametajwa hapa.

Kusema kweli vile ninavyokuambia nilikuwa Mwenyekiti. Kuna Ripoti nyingine zilikuja na tukazikataa na tukazipeleka kwa Baraza la pamoja na tukasema hatujui kuhusu madeni hayo lakini wakati ukawa unaendelea kuisha na ugatuzi ukaingia. Ripoti kama hizi tukiendelea kuzichunguza utapata hata wakati ule tulikuwa tumezikataa kama Baraza la pamoja. Labda nisema kibahati mbaya ama ni watu ambao wana dhamira nyingine; waliona watu kama sisi ambao tulikuwako mwanzo hatutakuwa katika kipindi hiki cha ugatuzi. Na ni bahati nzuri tuko katika ugatuzi na tutandelea kuweko kwa sababu kazi tunayoitenda katika Kaunti ya Kilifi ni nzuri.

Ukiangalia hata wale wanaodai na wanaosema walikuwa ni wajenzi wakati ule, nikitoa mfano kama hospitali ya Ndatani kule ambako naongoza, walijenga ikasemekana wanadai; tulivyochunguza juzi wakati tunaenda kumaliza hospitali ikawa hakuna anayedai na tukamaliza hospitali hata saa hii watu wanatibiwa. Kuna uchunguzi ambao kwa lugha ya kimombo naweza nikasema baada ya hayo yote tufanye *forensic audit* ili kwamba tuhakikishe kila kitu kimewekwa wazi ili tusongeze mbele Jimbo letu la Kilifi pasipo na tashwishi. Asante naunga mkono na ninasema tusimamishe kwanza kwa uchunguzi wa ndani. Asante sana.

The Leader of Majority (Hon. Mwingo): Thank you Mr. Speaker. I also rise to support the adjournment of this Report. I am one of the former councilors in the defunct County Council of Kilifi and during that time I was the Chairperson for Planning. We are not ready to waste the taxpayers' money because we have full evidence of what happened. I remember we crossed the border while clean; we did not have any debt and we have that evidence.

Fortunately enough, all the former councilors are still alive; there is nobody by now who has passed away. So we are in a position actually to call them so that they can give proper evidence. With that I stand to support the adjournment Motion so that we can get clear evidence of exactly what transpired. Thank you.

Hon. Mangi: Thank you Mr. Speaker for giving me this opportunity. Can it also go on record that I was among the former councilors. I was representing Mitangani Ward in Bamba and I also happened to be the Chairperson for the Audit Committee and the Chairperson for the Health Committee. I was very categorical and strict in monetary matters and I therefore confirm that we left the County councils in good hands and we made sure that there were no debts at all.

It is very sad that as much as we congratulate the Committee for a job well done there is certain information that they have to obtain from certain staff members who used to work in the former local authorities who are still in our County Government. By approving this Report, it will be approving some short comings that were committed in the local authorities then. Mr. Speaker, devolution has really made us proud. It is through devolution that there is transparency; we now have checks and balances.

In the local authorities there were many local arrangements. Now we have an independent Government in power that has checks and balances. So we are not just supporting the adjournment of this Motion just for the sake of it; we respect the Chairperson of Public Investment and Accounts plus its membership in totality. However, what we are saying is that we want to assist the Committee in arriving at a very good Report that will be acceptable and that

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will assist this County Government to move forward in the right direction. Thank you Mr. Speaker, Sir. I support the adjournment of this Report.

Hon. Mramba: Thank you Mr. Speaker. While I also concur with my friends the former councilors, I happen to be one of them. Conversely, I would like to point out that I was not a mere councilor but rather I was the Deputy Mayor of Malindi Municipal Council.

(Laughter)

Mr. Speaker, as we rally behind the adjournment of this Report. I would also want to appeal to the Members of Public and Investment Committee to rise to the occasion. We have been blamed on several instances that we have failed to do our role of oversight and the PIC and PAC Committee is the back bone of this County. It will be so bad Mr. Speaker... PIC and PAC Committee is one of the committees that are consuming a lot of money apart from the Budget Committee and I stand to be corrected. After the Budget Committee, it is the PIC and PAC Committee. You travelled all the way to Voi for two weeks to make a Report that is trashed to the dustbin. That is a big shame. So I want to appeal to the Members of this Committee to bring a good Report not a half baked Report.

The Speaker (Hon. Kahindi): Yes hon. Mwayaa, you have a point of intervention?

Hon. Mwayaa: Mheshimiwa Spika, naona mheshimiwa Mramba anataka kupeleka Bunge hili visivyo kwa sababu sisi kama PIC and PAC hatujaenda Voi. Anaweza akathibithisha tarehe na siku ambazo tulienda Voi katika Bunge hili?

The Speaker (Hon. Kahindi): I do not want us to take that direction. I think we know where we have been to and hon. Mramba just finish up.

Hon. Mramba: Thank you Mr. Speaker for your protection. As I finish I need to reiterate that the public Investment Committee and Public Accounts Committee is the second Committee apart from the Budget in consuming County Assembly money and I can prove it...

The Speaker (Hon. Kahindi): Yes hon. (Ms.) Mbeyu.

Hon. (Ms.) Mbeyu: Thank you Mr. Speaker Sir. Can the hon. Member on the Floor substantiate the matter on consuming money? All these Committees sit to deliberate on issues. It is only in this Report which has issues; some added information has to be put in this Report for it to be adopted in the House but with the allegations put across is not substantive. Thank you.

The Speaker (Hon. Kahindi): Yes Standing Order 87, hon. Mramba can you fully take responsibility of the statement? When you say "consuming" do you mean that they sit doing nothing and get paid or they work to get paid?

Hon. Mramba: When I claim that they consume a lot of money, I do not mean that they do a lot of nothing I was only referring to this Report because it is not done in two or three days. It is tax payer's money that was used by this Committee by traveling to a hotel and coming up with a Report which is trash. It is not fair ...

The Speaker (Hon. Kahindi): Okay. I will allow you to finish up.

Hon. Mramba: If they well knew that there are some Members who were councilors previously, they would have called them and got something from them. They refuse to do that and now that it has come, let them rise up to the occasion. If the debate of this Report is adjourned, let them find time and come up with an investigatory Report that will be binding. We

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want to take firm action on the officers who will be found to have misappropriated money that belonged to the county. I wish to support hon. Mwambire in adjourning the debate of this Report.

The Speaker (Hon. Kahindi): Yes hon. Mwathethe.

Hon. Mwathethe: Thank Mr. Speaker. I am of a different opinion. I do not support the adjournment of the debate on the adoption of the Report because by tabling the Report and allowing debate...

The Speaker (Hon. Kahindi): Yes hon. Mramba, what is your intervention?

Hon. Mramba: I wish to request the hon. Member representing Shella Ward to be clear if he support or he is contrary to adjourn the Motion. Otherwise he cannot abstain.

The Speaker (Hon. Kahindi): For the record hon. Mwathethe, hon. Mramba wishes to know whether you are in support of the Motion which has been moved under Standing Order 50 (b).

Hon. Mwathethe: Thank you Mr. Speaker. For the purposes of satisfying hon. Mramba, I am opposing the Motion of Adjournment but clearly I had said I am of a different opinion which means I am not in support but because English is not our first language, I beg to continue.

By tabling the Report, it is not necessary that the Report has to be adopted. The Assembly has the option of whether to adopt or reject it. We cannot say that this Report is false so we will not continue with the debate; we can go on with the debate and maybe if we all agree that it is false we reject it. The Committee took its time; nobody pushed the Committee into doing their work and they are satisfied with the Report. As an Assembly, we have the option of either to reject or adopt it. So by saying that...

The Speaker (Hon. Kahindi): Yes hon. (Dr.) Chitibwi has an intervention. Let us hear him out.

Hon. (Dr.) Chitibwi: Hon. Speaker Sir, my colleague here seems to be starting a debate on the Motion for adoption. We are only asking should we adjourn or not? You only need to be clear on that but the merits or demerits of the Report is another issue.

The Speaker (Hon. Kahindi): Okay. Hon. Mwathethe, you have switched off your machine. Kindly switch it on so that I can communicate to you.

Hon. Mwathethe: Mr. Speaker, it is becoming clear that every time I stand to make my contribution I am targeted by interventions so that they eat up my time. Let me be very quick because another Point of Order will soon arise.

The Speaker (Hon. Kahindi): I will allow you to finish; so you are protected.

Hon. Mwathethe: My argument is I am not saying that the Report is good or bad; we have the chance of debating the Report then if we adopt it or not, is not a problem because the Committee did its work and brought us a Report and it is up to us to either adopt or reject it. So to say we should adjourn is not necessary; we can go ahead and reject it if the Report is false...

The Speaker (Hon. Kahindi): Yes hon. Mramba has a Point of Information. Do you wish to be informed hon. Member?

Hon. Mwathethe: No, I do not want to be informed. I believe...

The Speaker (Hon. Kahindi): You can conclude now.

Hon. Mwathethe: The Committee did its work and it is satisfied and brought that Report to this House. We have the right to adopt or not. I am saying we continue with the debate of the Report then it is up to us to choose if we are going to adopt it or not. I stand to oppose the Motion on adjournment of the debate on the Report.

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Hon. (Ms.) Mbeyu: Thank you Mr. Speaker Sir. I rise to support the adjournment Motion brought in by hon. Mwambire. I have never been a councilor but I am a great friend to the councilors in the House just because hon. Mwambire brought this adjournment Motion...

The Speaker (Hon. Kahindi): Yes hon. Mramba.

Hon. Mramba: The hon. Member for Kibarani is bringing other issues to this Assembly. She claims that she has been a great friend to some councilors in the House. There is no councilor in this House in the first place; those who are here are Members of the County Assembly. Then the term "great friends"; can she please substantiate what friendship that is?

The Speaker (Hon. Kahindi): Hon. (Ms.) Mbeyu, I will only allow you to deal with the issue of councilors but on the issue of friendship, I think I want to protect you on that.

Hon. (Ms.) Mbeyu: Maybe he has been a councilor before and we were not close but I have been working very closely with former councilor's hon. Mwambire, hon. Mangi and hon. Mwayaa before I vied for MCA in Kibarani. He is not one of them that is why he is complaining...

The Speaker (Hon. Kahindi): Proceed.

Hon. (Ms.) Mbeyu: I support the adjournment Motion because if the former councilors in the House are saying we do not have sufficient information that is needed in this Report, we need to own this. So let the PIC/PAC Committee liaise with them and consult so that we can have a very admissible Report. These are matters concerning monies and if we did adopt a Report about issues of the defunct local Authorities, these were five: Malindi Municipal, Malindi County Council, Kilifi Town Council, Kilifi County Council and Mariakani Council. If we are not careful, some of us were not in those positions at that time, we will not be doing justice to Kilifi tax payer's money. If some of them are saying they do not have any debt in their councils then, like hon. Mwayaa, we need to check into this Report very carefully so that we can adopt a Report which would be accepted by Kilifians. Mr. Speaker, I rise to support the adjournment Motion. Thank you.

The Speaker (Hon. Kahindi): Thank you. Yes hon. (Ms.) Elizabeth Ngala.

Hon. (Ms.) Ngala: Thank you Mr. Speaker for giving me this opportunity to say a few words. I stand to support the adjournment of this Motion. I want to register that I was one of the councilors then and Chairperson of the Tourism Committee for a short while. I want to support my fellow colleagues that while we were there, we had meetings and we were informed that all the debts that we had were taken care of.

It is only a matter of the current Committee to check with the said former councilors and those who are here and other records to adjust and confirm whether the debts were paid or not. We want to pass things that have substance and not things which are not true. So I stand to support the adjournment. Thank you.

The Speaker (Hon. Kahindi): Thank you.

Hon. (Ms.) Zawadi: Asante sana Bw. Spika kwa kunipatia nafasi hii. Mimi nami nasimama kuunga mkono kuahirishwa kwa Mjadala unaondelea sasa. Ninazungumza hivyo kwa sababu Kamati ya Uwekezaji na Hesabu na kwa sababu pesa hizi ni za wananchi wa Kilifi na Bunge hili limebahatika nusu yake ni waliokuwa madiwani na wamekuwa Wabunge wa Jimbo la Kilifi kwa sasa. Naona Kamati ya Uwekezaji na Hesabu tukae nao ili watupatie ujumbe sahihi ambao tutaleta hapa Bungeni ili wananchi wetu wa Kilifi wafaidike. Kwa hivyo nami nasimama kuunga mkono Hoja hii. Asante.

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The Speaker (Hon. Kahindi): Thank you.

Hon. Nzaka: Thank you Mr. Speaker, Sir, for giving me this chance. There is an intervention here.

(Laughter)

Mr. Speaker, Sir, I would like to take this opportunity to congratulate the Mover of this Adjournment Motion hon. Teddy Mwambire who is the Deputy Speaker of this House. I was privileged to be the Finance Chairperson for the year 2011/2012 in Kilifi Town Council and I left the council with zero balance debt. What I am seeing is as if there are some officers who are still in the executive who used the transition period to pocket funds.

Mr. Speaker, Sir, I congratulate the PIC/PAC Committee; they did a good job. The Motion that has been raised by hon. Teddy Mwambire is just to get more information from the ones who were in the defunct local authorities. I urge my fellow hon. Members to support this adjournment Motion so that we can get a concrete conclusion. Thank you. I stand to support.

Hon. Chai: Thank you Mr. Speaker for giving me a chance to add my voice in support of the Motion of Adjournment. From what I am seeing if I am not wrong, this will be a second adjournment to this same Report. It is like the Report was being sneaked in again because at first we had requested the Members to get some time with the Committee and the Executive so that we can go through it part by part because the Report was huge at that time as we had reported. But, well before that I was wondering why the same Report was being brought back again and it is from the wise mind of hon. Teddy Mwambire has who moved a Motion of Adjournment which I stand strongly to support and I think we should; if it is possible the same should be done to any Report coming from the Executive, it would be smart for the whole House to be present so that we go bit by bit and every Member who comes to this House will have the knowledge of what happened. If I am sure if the Executive will only have time for PIC/PAC I think we will not have the knowledge of that Report at the end when it comes to the House.

In my support of the adjournment of this Motion, I would like a date to be set for the whole House to get from page one to the last page an explanation of every bit of all the information which is there so that at least when it comes to the House everybody will have the knowledge in this file. I stand to support the Adjournment Motion of this Report.

The Speaker (Hon. Kahindi): Hon. Teddy Mwambire, do you have any submission to make?

Hon. Mwambire: Thank you very much Mr. Speaker for the great support from Members. For the purposes of procedure and record, there is a Member who was proposing that we proceed with the Report even if we were to reject it. But if we do that, it will be a disaster because the moment you reject it will just go and after some time bearing in mind that elections are around the corner it might be brought back by even other Members including those who will be elected after us and pass it, and since they are debts Mr. Speaker, those people who are imposters will end up getting county monies with interest.

That is why as a matter of wisdom as former councilors we sat and discussed and agreed that it is good to give clear information to the Committee. There are a number of people who are ready and who will be made ready if there is potential to give evidence on the information that we want to give. Because passage of it is not just to me as a former vice-chairperson and my fellow councilors, but even some senior officers in this county will also be affected like the

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County Council of Kilifi got a certificate of clearance from the then PS (Permanent Secretary) Prof. Karega Mutahi. So, if today we approve this Motion and later on a Member of public comes up with a clip because there are even photos with people like John Safari Mumba, Jitu Harrier from Mtwapa among other people; if they come with those photos then we will find ourselves in a very bad state. For a matter of record and even mentioning some of the potential witnesses because we never know what God is planning Mr. Speaker, then we will find ourselves in a very bad state. For a matter of record and even mentioning some of the potential witnesses because we never know what God is planning, I beg to point out that in the former Kilifi County Council, our current Clerk was by then the Clerk; Mr. Arnold Jefwa Mkare and he can give evidence of what he had in that council by that time. Sera Mbura, who was also one of the seniors, she is now retired but stays around, can give evidence among other officers. Hon. Muhambi who was then a councilor and the vice Chairperson of the Town Council of Kilifi can give evidence; Esther Kache, a former councilor and the Chairperson of the Town Council of Kilifi can give evidence; Joseph Chilumo, who was then the Chairperson for Finance of the Town Council can also give evidence; Hon. Lali who is a Member of this House can also give evidence of the Town council of Kilifi because after Kilifi Town Council was cleared we went to Mariakani which I believe even hon. (Ms.) Nashee can also give evidence about Mariakani.

At the County Council of Kilifi apart from the Members who are here including the Leader of Majority and Leader of Minority and the Chairperson for Budget and Appropriations, we have hon. (Dr.) Mzungu Chitibwi, hon. Onesmus Gambo and hon. Bakari Ali among others. We are ready to give evidence. We have the following officers; Mr. Simon Leboo Ole Moritant who is currently working with Nairobi County, Anthony Kingi Kazungu from Matsangoni who was then the Chairman of the County Council of Kilifi, the Chief Officer Roads and Public works Kenneth Kazungu Charo, Henry Mitsanze, the former revenue clerk at the county council of Kilifi, he is now retired but stays around and a number of former councilors who my colleagues can share their names when the Committee is ready. We will be ready to give evidence because as far as we are concerned, the County Council of Kilifi has no debt. In fact, the Ministry of Interior, that is the police, was supposed to pay a lot of money to the then County Council of Kilifi, the Ministry of Education, as well, because they were hiring our halls and were supposed to pay a lot of money to the County Council of Kilifi.

I think by the time we were moving from the council to the county, there were officers who might have colluded with some companies and individuals to purport that they had some debts with the county councils, so that they could be paid by the counties even if in a ten year period but they still know they will be paid. We are shocked to see some advocates who participated in the clearance of those councils who want more than Ksh. 30 million, which is very strange. If you want to get justice in this, apart from calling the former councilors, they should participate in the PIC/PAC meetings as interested parties. Let those officers be called because when hon. Nzaro was giving his support, he said that the Committee had some challenges because some officers were not willing to give information. We will be there as they give information. In fact, I was forgetting Madam Jacinta Ishmael who is currently the fund manager of the Kilifi Scholarship Fund who was then the treasurer of the County Council of Kilifi. The Clerk of Taita Taveta County Assembly, Michael Ngala was then senior accountant. He should also attend and give information about that.

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We cannot as an Assembly sanction some few individuals to pocket a lot of money without justification. By doing that, this Assembly will be taken as a rubber stamp by some individuals. I believe the Auditor General's office was not given some documents because of some intentions by a few individuals but I am very happy that God has protected us. All those who were in the councils are still alive and kicking and I believe they will be there for many years. We are here to make sure that we give clear information. I know even the former Malindi County Council was also cleared. There were some challenges with the former Malindi Municipal Council but I do not think that what has been shared in this Report is clearly what we had by that time. I believe we still have a number of officers who are alive and can give us information and make sure that after that, in case there will be anybody who had paid a debt that was not supposed to be paid, then those people should be arrested and proper action be taken for any officer who was paid after dissolution of these councils.

We know very well that everything was intact; we were very keen and we were well learned because we had bankers like hon. Mangi who had by that time just came from the Bank of India. So he knew not just figures but every indication. So, there is no way we could have lied to the members of the public.

I call upon all Members, even those who were not councilors by that time, to see sense in this and to stand very firm and make sure that we safeguard the interest of this county. There is a clique hon. Members, who want to grab the little that we have in this county. We want to make sure that we transform this county. We cannot transform it if a few individuals lay schemes to reap the little that we get. So, let us stand up and support and follow it up to the latter including if to the end. We will be required to have a special audit so that every detail is captured before we come up with the Report and adopt it. With those few remarks Mr. Speaker, I beg to call my colleagues to support. Thank you.

The Speaker (Hon. Kahindi): Thank you. I think this has been the longest Motion brought under Standing Order 50 (b). Hon. Members, a Motion to adjourn the debate on the adoption of the Report of the PIC/PAC Committee has been moved and deliberated. I now put the Question.

(Question put and agreed to)

ADOPTION OF THE REPORT ON THE FIVE DEFUNCT LOCAL AUTHORITIES IN KILIFI COUNTY

THAT, this hon. Assembly adopts the Report of the County Public Investments and Accounts Committee on the five defunct local authorities in Kilifi County laid on the Table of the House on 21st October, 2015.

(Debate deferred)

ADJOURNMENT

The Speaker (Hon. Kahindi): Hon. Members, since as communicated Order Nos. 9 and 10 have been struck out of today's Order Paper and there being no other business in the Order Paper, I move to adjourn the House until next week. Thank you very much.

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The House rose at 3:42 p.m.

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