

**REPUBLIC OF KENYA**  
**COUNTY ASSEMBLY OF KILIFI**

**THE HANSARD**

**Wednesday, 17<sup>th</sup> February, 2016**

*The House met at the Temporary Chambers at the defunct Malindi Municipal Council, Malindi Town, at 2.30 p.m.*

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

**PRAYERS**

**STATEMENT**

**ORDER OF BUSINESS OF THE WEEK STARTING MONDAY, 22<sup>nd</sup> TO FRIDAY, 26<sup>th</sup> FEBRUARY, 2016**

**Hon. (Ms.) Mwaro:** Thank you Mr. Speaker, Sir, for giving me this chance to present the Order of Business starting Monday 22<sup>nd</sup> to Friday 26<sup>th</sup> February 2016 as approved by the House Business Committee on Wednesday 17<sup>th</sup> February 2016.

DAY	DATE & TIME	BUSINESS
Monday	22 <sup>nd</sup> February, 2016 at 2:30 p.m.	<ul style="list-style-type: none"> <li>▪ Tabling of Kenya National Audit Office Report of the Auditor General on the Financial Statements of Kilifi – Mariakani Water and Sewerage Company Limited for the year ended 30th June 2014.</li> <li>▪ Tabling of County Government of Kilifi County Public Service Board, Report of Activities for the Period January to December, 2015.</li> <li>▪ Approval of the Legislative Calendar of the Kilifi County Assembly 2016.</li> <li>▪ Motion by hon. Teddy Mwambire.</li> </ul>
Tuesday	23 <sup>rd</sup> February, 2016 at 9.00 a.m.	<ul style="list-style-type: none"> <li>▪ Debate of the Report of the sectoral Committee on Justice and Legal Affairs Committee on benchmarking visit to the senate.</li> <li>▪ Debate on the Report of the Select Committee on Delegated County Legislation on the Kilifi County Assembly Staff Mortgage Regulations, 2015.</li> </ul>
Tuesday	23 <sup>rd</sup> February, 2016 at 2.30 p.m.	<ul style="list-style-type: none"> <li>▪ Debate on the Report of the Sectoral Committee on Planning, Trade and Cooperatives on the Governor's Memorandum on the Kilifi County Enterprise</li> </ul>

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		Development Fund (Mbegu Fund) Bill, 2015.
Wednesday	24 <sup>th</sup> February, 2016 at 2.30 p.m.	<ul style="list-style-type: none"> <li>▪ Kilifi County Appropriation Amendment Bill, 2016.</li> <li>▪ Debate on the Report by the Committee on Energy on benchmarking visit to Taita Biogas Company.</li> </ul>
Thursday	25 <sup>th</sup> February, 2016	<ul style="list-style-type: none"> <li>▪ COMMITTEES</li> </ul>
Friday	26 <sup>th</sup> February, 2016	<ul style="list-style-type: none"> <li>▪ COMMITTEES</li> </ul>

Thank you, I beg to sit.

## MOTIONS

### ADOPTION OF THE REPORT OF THE COUNTY PUBLIC INVESTMENTS AND ACCOUNTS COMMITTEE ON THE FIVE DEFUNCT LOCAL AUTHORITIES IN KILIFI COUNTY

*(Hon. Kaingu on 1.12.2015)*

*(Resumption of Debate interrupted on 1.12.2015)*

**Hon. Kaingu:** Thank you Mr. Speaker, Sir. On behalf of the Members of the County Public Investments and Accounts Committee (PIC/PAC), I beg to move the adoption of the second Report on the annual Reports and accounts of the five defunct local authorities in Kilifi County.

This Report was laid on the Table of the House on Wednesday, 21<sup>st</sup> of October, 2015. I call upon hon. Anthony Nzaka to second this Motion.

*(Hon. Nzaka stood at his place to second)*

**The Speaker** (Hon. Kahindi): Thank you hon. Dancun Kaingu. Hon. Members, this is a resumption of debate that was interrupted on the first day of December, 2015 and in the HANSARD you will find that hon. Mwayaa had contributed to this subject and therefore I now propose that the debate resumes. It is ready for deliberations.

Members we were provided with copies of the Report, isn't it? You are also notified that today the debate was going to be conducted but from the way I am looking at your faces it is like you have all seen a ghost.

*(Laughter)*

This is the Report you should be having. Yes hon. (Dr.) Chitibwi.

**Hon. (Dr.) Chitibwi:** Thank you very much hon. Speaker. A number of us read that Report last year and we have not been very conversant with it but I would like to say this; we need to support the Committee and their work very much. I would request that I be given 15

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minutes and then be given an opportunity to speak Mr. Speaker, if that is possible; a special request.

**The Speaker** (Hon. Kahindi): Hon. (Dr.) Chitibwi, you can only speak once on a debate according to the Standing Orders, and I am not sure whether you have stood in favour of the Report or against it because when you take your seat you will have eaten into your valuable time.

**Hon. (Dr.) Chitibwi:** Mr. Chairman let me say what...

**The Speaker** (Hon. Kahindi): Do you have the Report in your car?

**Hon. (Dr.) Chitibwi:** Yes it is in the car.

**The Speaker** (Hon. Kahindi): Okay, take a seat hon. (Dr.) Chitibwi. Yes hon. Teddy Mwambire.

**Hon. Mwambire:** Thank you very much Mr. Speaker. I stand to support this Report but I still remember the issue that led to adjournment of the debate on this Report. The Report is a Financial Report that gives some details of how the five defunct local authorities had conducted themselves. We respect the Committee that went through it, and had an insight of the details of the Report but our agreement was to get some experts to take Members through because there are some details that are missing.

Mr. Speaker, there is some information that is not equivalent to what we knew because some of us were the last councilors in this Country when the local authorities were being dissolved and we still have the information on what we had passed during those days which do not tally with the information that is in this Report. For instance; if you look at some former councils by that time had no debts, they had cleared them and were even given letters by the then Ministry of Local Government, but now if you read you will find that some lawyers wanted to be given more money, some companies were also looking for money from the County Government through these Reports. So, I think if we get financial experts to give us a clear analysis of the details of this Report, we can get the avenue to make amendments to some parts of this Report that was given by the Committee so that we can rescue our County from getting losses, Mr. Speaker.

I sense that some clauses might have exchanged hands between the former local authorities and devolved units, Mr. Speaker. There are so many issues that happened; I believe my colleagues who were also former councilors can assist this County to arrest such situations. I support the little that this Committee managed to get from the Report but more details need to be unearthed so as to make this Report healthier for the betterment of our County, Mr. Speaker. Thank you very much.

**The Speaker** (Hon. Kahindi): Hon. Teddy Mwambire on one hand you stood to support the Report while on the other hand making a request, so which one do you stand for? You know ...yes hon. Emmanuel Chai.

## MOTION

### MOTION FOR AJOURNMENT OF DEBATE UNDER STANDING ORDER 50 (b)

**Hon. Chai:** Asante sana Mheshimiwa Spika kwa kunipatia nafasi hii. Mimi nafikiri kulingana na vile nilivyoipitia nitamuunga mkono Mheshimiwa Teddy Mwambire kulinga na vile alivyosema kwamba kuna vitu vingi ambavyo tunataka vifanywe wakati Ripoti kama hii ikitokezea, tuwe tunaweza tukakalishwa kama Waheshimiwa na kusomewa karatasi baada ya

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nyingine ili kuielewa vizuri kwa sababu mara nyingi sisi Waheshimiwa Ripoti inakuja tunapewa kila mtu anaenda anasoma kivyake, hakuna mtu ambaye anaweza akaongea na mwenzake na kujua Ripoti hii kweli ilipitia namna gani.

Kwa hivyo, ningepomba kwamba tupewe muda kupitia kwa sheria zetu za Bunge hili nafikiri ni nambari 32 (b) tujaribu kuipitia. Nakumbushwa na Mheshimiwa mwenzangu hapa kwamba ni 50(b). Asante sana. Tutumie hiyo sheria ili tuone ya kwamba tunaweza kupata muda hata kama ni wa kuja kukaa kuelezwa ili kuielewa vizuri. Kwa hayo mengi au machache ninaomba kukaa Mheshimiwa...

**The Speaker** (Hon. Kahindi): Do not sit please. Just remain standing because I want to get what you wanted to say. Either you were moving a Motion for adjournment of the debate but what you cannot do is to request the House to move to Standing Order 50 (b). Standing Order 50(b) is at anyone's disposal including you. Are you invoking it so that then we have a Motion of the same or Members? You are also trying to confuse the HANSARD. Are you invoking Standing Order 50(b) so that you get somebody to second it or you are not sure?

**Hon. Chai:** Niko na uhakika kwamba ninataka tutumie hiyo sheria 50 (b) ili tuone ya kwamba ...

**The Speaker** (Hon. Kahindi): Okay, so does it therefore go on record that you want to move for an adjournment Motion under Standing Order 50(b)?

**Hon. Chai:** Hio kabisa Mheshimiwa.

**The Speaker** (Hon. Kahindi): Thank you. Is there anybody to second that?

*(Hon. Mwambire stood at his place to second)*

**The Speaker** (Hon. Kahindi): Thank you hon. Teddy Mwambire. You should have done that before instead of telling us. Hon. Members, a Motion to adjourn has clearly been moved by hon. Emmanuel Chai to adjourn the debate and that Motion requires no Notice and is ready for debate.

*(Question proposed)*

Yes hon. Nzaro.

**Hon. Nzaro:** Thank you Mr. Speaker. I stand to oppose the adjournment Motion on this Report. Mr. Speaker, I am opposing because this Report was tabled in this Assembly on 21<sup>st</sup> October, 2015. The Members had an opportunity to read this Report until they exhausted all those issues which they required more clarification on, Mr. Speaker. From October, 2015 to February, 2016, I think is adequate time. Last week when we knew that this Report will be tabled before this Assembly, the Chairman of PIC-PAC gave Notice to the Members that this Report will be debated on Wednesday at 2:30 p.m. So each Member had an opportunity to read this Report and if there were issues whether somebody did not understand I think that was the right time they could have come to the Committee or seek audience with the Chairman so that they can get those facts at hand Mr. Speaker.

Mr. Speaker, if you look at this Report, it is on the accounts of the defunct local authorities; this is almost four years ago. You can just imagine, and if we cannot grasp some issues in this Report which have been given ample time, this Assembly should stand and do its work, Mr. Speaker. Members should see that we have a duty to the residents of this County and

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we should be steady first in defending what comes to this Assembly. Mr. Speaker, if adequate time is given I am afraid we should not go this way because we have to move forward as an Assembly, so that these Reports are acted upon because right now we have a backlog of Reports. In fact, there is one we are about to complete. If this is the trend then maybe we will not discuss a Report in this Assembly which is not good for our people. If they judge our performance on the number of Reports we table, then I think some of us will be very disadvantaged because I am party to what happened to this. Maybe if there are areas Members would wish maybe to understand I think given an opportunity I would start addressing those issues because I understand what is contained in this Report. Thank you, Mr. Speaker, I beg to oppose.

**The Speaker** (Hon. Kahindi): Thank you very much. Yes hon. Teddy Mwambire.

**Hon. Mwambire:** Thank you very much Mr. Speaker. I support the adjournment of this Motion simply because it is very clear that financial crisis is what has brought us to this confusion. Mr. Speaker, last time when this Motion was brought in this House, Members were categorically very clear that they were in support of this Report but they want to unearth all the details in this Report. It does not make sense when only Members of the Committee are the ones defending while other Members want to know the truth. Now, after we have been informed that there were no funds, they could have even ask for a Kamkunji to take us through the details of this Report so that we can be in a position to either add or subtract.

Mr. Speaker, it would be very sad if we are handling financial matters and then you just accept whatever will have come without internalizing the whole Report. What could be the best way is, we get either two or three days sit and analyze this Report because if we take it lightly; five local authorities is not a joke. Let us not just take things lightly. There are some Officers who are supposed to be taken to task and if we resolve that without clear information of how much or how it went on, it will not be fair. That is why we are not here to block but we are here to make sure that justice is attained. By adopting this Report it does not make us know everything in this Report. I am going to make sure that every detail is given at some point because there are so many Reports that will be coming from this Committee. You know that this Committee looks at public investment and accounts and deals with finer details concerning how we are utilizing the monies including those of this Assembly.

We need, before tabling a Report or even before adopting a Motion; at least we have a Kamkunji. These are not theoretical matters that somebody can think and say this is right. We need to know the finer details. We are dealing with figures and we want a way whereby even if it goes to the County Assembly website, Members of the public will be fully aware that truly the Members of County Assembly in Kilifi are watchdogs and we pay attention to finer details but if we give false details then people will think that this Assembly is full of jokers and we want to prove that this is a true guard of devolution.

Mr. Speaker, I want to call upon my colleagues to accept and adjourn this debate. Still we have two options: First, either we settle for a *Kamkunji* for our brothers and sisters in the Committee to brief us, then if we are okay with that then the House Business Committee can schedule another date for the House to proceed with the debate.

Secondly, we can get financial experts to take us through this document so that we can know where to add or where to subtract. We want to pass a Report from an informed position not perform miracles in this House. Thank you very much.

**The Speaker** (Hon. Kahindi): Yes hon. (Dr.) Chitibwi. I am giving you another opportunity to speak because this is another matter all together.

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**Hon. (Dr.) Chitibwi:** Thank you very much Mr. Speaker. In fact I would like to congratulate my hon. colleague for requesting the adjournment of this debate. I am sure it was not an easy requisition and I would also like to say that I am supporting the Motion of adjournment not out of disrespect to our colleagues in the Committee who did this work but we need to convince this House to make decisions from a very informed position. My colleagues will remember that we have deferred two Motions here reasons being that there were no sufficient explanations though the issue had come up a long time ago but it was not very clear in the legal matters.

Recently, Mr. Speaker, we had to call for a *Kamkunji* for Members to ventilate on an issue that was coming up in this House which was very important. Looking here we have the Auditor General Report that is very voluminous and technical. You remember Mr. Speaker, Sir, we had to call experts to take us through some Bills because of their technicality and that proved to be very helpful to this House.

Our colleagues in the PIC-PAC sat with auditors some time back whether they were debating that same Report or another Report I do not know. If it was possible for them to get auditors for explanations, is it not possible for us to get the same so that we get that expert advice from them? There is one thing that I remember very clear and hon. Mwambire has also pointed it out, that there is an inconsistency in this Report. Those of us who were there at that time remember very well what we passed through as councilors then, accepting Reports of the administration. There seems to be some discrepancies there. One example was that Kilifi County Council had no debt, that Report is saying something else. We should not condemn other people wrongly. As I support the Motion of adjournment, I request our colleagues in that Committee to avail an opportunity for us to also be taken through that document with the experts; it is going to be very helpful.

It is not going to help this House or this County if we pass a Report with very many questions. They are going to come after us; our representatives, our protectors and our watchmen are going to say that we have opened the door and the chickens have gone. It is going to be a precedence which this House is going to take a very long time to clear. So, I support the Motion of adjournment. Hon. Members, I will also request you to think a lot about this action. We may pass it or we may oppose it but we need to have sufficient reasons for doing that. I do not think anyone who is going to oppose this document now has got sufficient reasons, same as anyone who is going to support it. I request that we support this Motion of adjournment and have a few things cleared to us. Thank you very much Mr. Speaker, Sir.

**The Speaker** (Hon. Kahindi): Hon. Chiriba.

**Hon. Chiriba:** Thank you hon. Speaker for giving me this opportunity to give my contributions to this Motion of adjournment. I am in support of the adjournment Motion and I would also like to say that hon. Teddy Mwambire did and acted wisely. In my opinion, in as much as we were given that document a long time ago, it should go in record that not all of us are experts or have the technical knowhow. That as we go through the document we will be in a position to understand what is contained in the document. I do not know who was to follow that up, you have to bring us to light on whatever is contained in the document but it is high time that we cannot just come to rubber stamp things that we do not know and tomorrow they come after us.

Hon. Members, I plead with you that we do not even waste more time but we join hands and give an opportunity for this document to be fully explained to us, so that we can do things that we know. Thank you Mr. Speaker.

**The Speaker** (Hon. Kahindi): Hon. Nzaka.

**Hon. Nzaka:** Thank you Mr. Speaker, Sir. I rise to oppose the adjournment of this Report.

*(Applause)*

Mr. Speaker, Sir, this Report was tabled in this House on the Wednesday, 21<sup>st</sup> October, 2015 before we broke for the long recess.

I feel discouraged when Members stand and say that they did not have enough time to go through this Report. I want to point out that we had enough time, close to two months, and instead of reading this Report and understanding each and every word, some of the Members we busy campaigning for the Malindi seat...

**Hon. Chiriba:** Point of Information!

**The Speaker** (Hon. Kahindi): Hon. Nzaka do you wish to be informed?

*(Silence)*

**The Speaker** (Hon. Kahindi): There is a Point of Information from hon. Chiriba; do you wish to be informed?

*(Silence)*

Hon. Nzaka, do you wish to be informed?

**Hon. Nzaka:** No, I do not want to be informed.

**The Speaker** (Hon. Kahindi): Kindly take a seat hon. Chiriba. Hon. Nzaka seems to have all the information he needs.

**Hon. Nzaka:** Mr. Speaker, this Report has some hefty issues; it is like the Ad Hoc Report. I think once we see how this document is... the Committee for PIC and PAC had enough time to discuss this Report and they came up with very good recommendations.

Here we are talking about the five local authorities. These are the former local authorities which we had before; the Kilifi County Council, Kilifi Town Council, Malindi County Council and Mariakani County Council. In this Report we are seeing that there was a milk plant at Mariakani whereby there were about three local authorities who pumped four million shillings in that company.

This Committee sat and aired out everything. The recommendations that the PIC and PAC Committee gave... my fellow Members it is better we adopt this Report so that we can get time for the Committee to do another Report. As we are speaking Mr. Speaker, Sir, we have a lot of work to do in the PIC-PAC Committee. If the Members are going to allow us to continue with the other work ... *(Inaudible)* I think it is better... *(Inaudible)* but it is not good to go to square zero to start afresh. If at all there were some issues that they wanted to get some clarifications...

**Hon. Mwambire:** Point of Order Mr. Speaker, Sir!

**The Speaker** (Hon. Kahindi): Yes hon. Teddy Mwambire.

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**Hon. Mwambire:** Mr. Speaker, I am standing under Standing Order 87 (1). I do not think Mr. Speaker, it is in order for a Member to admit that the Report is voluminous and give you other information that he cannot substantiate. With that Mr. Speaker, it is clear that we need to get an expert to take us through because Mr. Speaker I cannot lie. I am talking of the Mariakani milk scheme when it does not even have the clear figures of those local authorities unless we get an expert. He is a Member of PIC-PAC and he should not lie. The truth is we are green-horn to discuss this Report. What does it take for Members to be taken through for two days?

**Hon. Nzaro:** Point of Information!

**The Speaker** (Hon. Kahindi): When I ask you... Point of Order... Point of information. Hon. Nzaka, please stick to the adjournment Motion and we proceed.

**Hon. Nzaka:** Mr. Speaker, Sir...

**The Speaker** (Hon. Kahindi): Do not give us details of the Report because that is a whole lot of things. Express yourself in a manner that you are opposing or supporting; do not go into merits of the...

**Hon. Nzaro:** Point of Information!

**Hon. Nzaka:** Mr. Speaker, I have said that I solely oppose the adjournment of this...

**The Speaker** (Hon. Kahindi): Yes, do you wish to be informed hon. Nzaka?

**Hon. Nzaka:** Yeah.

**Hon. Nzaro:** Mr. Speaker, I wish to inform the House...

**The Speaker** (Hon. Kahindi): No, you cannot inform the House.

**Hon. Nzaro:** The Member.

**The Speaker** (Hon. Kahindi): It is only the Member who is on the Floor, if you wish to inform them then you inform them. This House does not need any information from anybody.

**Hon. Nzaro:** Thank you Mr. Speaker, but they were misleading the HANSARD...

**The Speaker** (Hon. Kahindi): No, no you cannot, let us proceed. You are out of Order. You can only rise a point of Order against the person who is on the Floor or you seek permission from that Member to inform them if you feel you have not had enough information. Now you want to inform people who are not even interested to be informed. Hon. Nzaka here does not look like he needs the information. So can you please wind up hon. Nzaka.

**Hon. Nzaka:** Thank you Mr. Speaker, Sir, for your protection. As I said earlier that I strongly oppose adjournment of this Motion. Thank you.

**The Speaker** (Hon. Kahindi): Yes hon. (Ms.) Jane Mwaro.

**Hon. (Ms.) Mwaro:** Asante sana Mheshimiwa Spika na Bunge kwa jumla. Japokuwa mimi ni mwaneyekiti mdogo wa Kamati ya PIC-PAC, nisema kuwa naunga mkono uahirishaji wa...

*(Applause)*

Mheshimiwa Spika, utakubaliana nami kwamba akili za binadamu si tarakilishi na tunajua kwamba mdahalo huu ulikuwa mbele ya Bunge hili tarehe moja mwezi Desemba mwaka jana na ni bayana kwamba akili zetu zimesahau maana tumekuwa na mambo mengi likizo imekuwa ndefu. Mheshimiwa Spika, naomba tusidanganyane tukija kwa maswala ya utendaji kazi wa Bunge. Ni kweli kwamba kuna mengi tunayajadili lakini kufikia sasa tumesahau na pengine kuongezea hapo, ni kwamba Jumatano iliyopita Waheshimiwa akina mama hatukupata fursa ya kuwa Bungeni tulikuwa na mualiko rasmi kule Temple Point (Hoteli iliyoko Watamu)

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na hivyo basi hatukujua kwamba hii Ripoti inakuja leo Bungeni. Tunaona kwamba haya ni mapya na ni mageni. Mimi nikiwa mwanakamati wa PIC-PAC sikujua kwamba hii Ripoti inakuja. Kwa hivyo Mheshimiwa tuseme ukweli, tumesahau mengi na maswala ya pesa ni nyeti; tunaomba muda ili wakati mwengine tuweze kuwa na ufasaha zaidi ya Ripoti hii ili tuzungumze na tujadiliane ifaavyo. Asante. Mheshimiwa Spika.

*(Applause)*

**The Speaker** (Hon. Kahindi): Now this is part of the debate where it get's interesting. Hon. Kaingu you are sitting very close...

*(Laughter)*

...to her I am afraid if I give you the chance to talk you might end up slapping her. Okay, what does the Chair have to say?

**Hon. Kaingu:** Mr. Speaker, Sir. I think it is high time that this House has a lot of faith in the work done by our Committees. I have heard that the House needs an expert to take them through this document; I think we did this work in collaboration with officers of the Auditor General's office. So I do not think that there is need to make any postponement because we made that proposal some time back and I believe if we keep on postponing this thing this Committee will not have time to... and I believe we will recall that the Committee on PIC-PAC has not. This is our time actually to debate this Report. I am wondering even my Committee Members are talking about adjournment of this Report. The majority of the Committee Members are in support that we proceed on with this debate.

*(Hon. Mwambire rose on a Point of Information)*

**The Speaker** (Hon. Kahindi): Yes hon. Do you need to be informed hon. Duncan Kaingu?

**Hon. Kaingu:** I do not need to be informed.

**The Speaker** (Hon. Kahindi): Okay proceed.

**Hon. Kaingu:** So, as the Chairman and on behalf of the Committee, I believe these proceedings have to continue for the sake of the Committee. We are pleading with you please. We listed a lot of good recommendations that some of these officers in those authorities will be put to task and explain because there was a lot of money which was missing. These are the very sensitive issues that we really perused to each and every corner of our Report. So I beg hon. Members if we keep on postponing this Report, I feel my Committee shall be in a bad place in bad shape as far as development of the Committee is concerned. I still believe we should proceed with the debate. Thank you Mr. Speaker, Sir.

**The Speaker** (Hon. Kahindi): Thank you hon. Kaingu. Hon. Emmanuel Chai, do you wish to make your submissions to this Motion or you want to leave it to the House to decide?

*(Question, that the Mover be now called upon to reply, put and agreed to)*

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**Hon. Chai:** Thank you very much hon. Speaker, for giving me the chance to highlight what I was explaining. When I said we wanted to inform the Chair is that whatever he was telling us now he should have told us before today so that we had full knowledge of this document. The way hon. Nzaka was explaining to us, this is not a job to be done today on the Floor. I think this should have been done well before today so that at least when we come here we are knowledgeable on what was in the Report and even this big file. This is just a cushion that at least next time we take some time and understand a Report well before presenting the Report here for adoption. We need some time to go through this Report with the Committee so that they can let us know exactly what went on in Mariakani as hon. Nzaka was telling us. At least preview before adoption of the Report that is the only thing I was really expecting. That is why I stand and stick to the adoption of the Motion of the adjournment. Thank you very much Mr. Speaker, Sir.

**The Speaker** (Hon. Kahindi): Thank you hon. Emmanuel Chai. Hon. Members, the Motion has been moved as per Standing Order 50 (b) by hon. Emmanuel Chai to adjourn the debate of the Report which had resumed. I now put the question.

*(Question put and agreed to)*

*(Debate deferred)*

Now word of advice; it is not a good thing that we adjourn Reports on record because they are going to be debated. It shows either lack of seriousness or lack of capacity on some issues in the Assembly.

For purpose of fairness and truth, it is good that anything that comes before this Assembly the Members are fully aware of the contents so that they do not find themselves rubber stamping documents which they would not be able to understand later. Either way it is still not very proper to keep adjourning but one thing I want to advise the Chairpersons of the Committees is that, some of you have failed to recognize that there is a section of the Standing Order which allows you to bring an extra copy. Standing Order No. 184 authorizes the Speaker to appoint anybody to spearhead the Committee or to engage an expert in any matter. Now, I will not speak for your Committee; I have not spoken for the Assembly as in this matter, but I want to acknowledge the sincerity in which hon. Chiriba has taken, that not each and every Member in this House is equipped with the knowledge and accounting rules and so on and so forth. So, what is the best way to do next time we are faced with such situation? Is as a Committee Chairperson because you even went ahead and engaged the Auditor General's Office? It means even you yourself had some capacity issues regarding to that.

Now, since that was the case, what magic do you think the rest of the Members will be able to comprehend those issues if you yourself needed experts? So, it is prudent that once you are done with those experts please do not as a Chairperson release them, arrange for a meeting with the entire House so that... because you have a Report which you want to bring in the House have a day or two to analyze that Report with the experts, so that when the Members have any questions to ask and they are directed to you as the Chairperson or as a Member of that particular Committee... and I am not talking in reference with PIC-PAC this cuts across the board, so that if the expert is still there, all the Members in the House will get the same opportunity just like the Committee to ask all those technical questions then you are able to come here knowing the

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contents. It requires a lot of time to go through this and I am saying this for the second time. The last time my best ... is when we were doing the Ad Hoc.

Now, even for the accountants, if you are give such kind of a document honestly unless you are paying a very good fee note it will take time before they tell you the contents. Yes we are here to serve the people, but it is good we serve people in the right manner by giving them the correct information because anything that is decided in this Assembly is public information and trust you me from what we have heard from the few Members who are here they are already saying that some of the information here contradicts what was the reality then when they were still councilors. I mean it raises issues.

So having said that and having the debate adjourned, I will not leave it in abeyance. I will direct that within the next 21 days this file should find its way back to the House, with of course the following terms to have happened and I think the Clerk will take note that let a meeting be ... be it with experts or no experts but let the House be taken through this file. It is true it is a bulky file; it is only fair that each and every Member of this Assembly even if they will not know the figures but they understand why the recommendations arrived at where we are. As a purpose of fairness, 21 day is sufficient; if there is some seriousness you will come back here as people who are informed and who have the facts and the figures and I am sure by the time the debate is over everybody will go back knowing that I have contributed effectively to the debate rather than just jumping into contribution.

So, hon. Chair as I totally agree with you but you need to move, but I will not also... when I sit on this seat, I am able to tell you whether you are ready to proceed or not. When I look at some faces there are the people who are very able and have issues and they can speak very well but when you look at them and they look at the floor then you realize there is nothing and I would not want to preside over a debate that has no substance. Because, one, the rules anticipated that at one particular point Members will come in the House with ... that is why Standing Order 50 (b) was invented. It was not invented for you to go back and sleep. No. Whenever you realize that we are not ready to proceed, it will not end there; the 21 days I have given I think is sufficient. It is the Chairperson now to liaise with the office of the Clerk and arrange for a day. If you think it will even add more value to call one or two people from the Auditor General's office, please write to them then you come around and I think that will be the best way to do because there are some financial issues here which at this particular point you might or you might not be in a position to explain to these Members in totality. Once that is done, I am sure when we come back here; everybody will know what they are supposed to do. I think despite the fact that the majority has already taken a vote, I also direct that we clear this matter in the next 21 days reason being I do not want to go into their... because if we are not able to resolve this, how many months do we have before this Parliament dissolves? I do not want the figure because that is irrelevant. Let us have this matter adjourned as the House has decided but let us have it back within 21 days from today.

## ADJOURNMENT

Hon. Members, in the absence of any other business in the Order Paper, I move to adjourn this sitting until Monday next week at 9 O'clock not 9.30 at 9 O'clock. Thank you very much.

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**The House rose at 3:15 p.m.**

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