

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF KILIFI

THE HANSARD

Wednesday, 2nd March, 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

The Speaker (Hon. Kahindi): Good afternoon hon. Members?

Hon. Members: Good afternoon!

PAPERS LAID

REPORT ON THE KILIFI COUNTY TRADE LICENCE BILL, 2016

The Speaker (Hon. Kahindi): The Chairperson for Planning, Trade and Cooperatives Committee.

Hon. (Dr.) Chitibwi: Mr. Speaker, Sir, pursuant to Standing Order No. 120 (4), and on behalf of the Planning, Trade and Cooperatives Committee, I wish to table the Report on the Trade Licence Bill, 2016, that was laid before the House for the First Reading on Wednesday, 10th February, 2016.

(Hon. (Dr.) Chitibwi laid the document on the Table)

The Speaker (Hon. Kahindi): Thank you.

REPORT ON THE KILIFI COUNTY TOURISM BILL, 2016

The Speaker (Hon. Kahindi): Chairperson for Tourism.

Hon. Kombo: Mr. Speaker, Sir, The Kilifi County Tourism Bill, 2016 was tabled for the First Reading on Wednesday, 10th February, 2016 after which the Speaker committed it to the Sectoral Committee on Tourism and directed that the Committee scrutinizes the Bill and submits a Report in 20 calendar days.

Pursuant to Article 196 (1) (b) and Standing Order No. 120(3), the Committee invited interested Members of the public through advertisement in the dailies to submit their

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Memorandum and any presentation to the Clerk of the County Assembly, and or attend Public Participation. I beg your pardon Mr. Speaker, Sir; I need first to table the Report before I can continue...So, Pursuant to Standing Order No. 120 (4), I beg to lay before this House the Report of Sectoral Committee on Tourism on The Kilifi County Tourism Bill, 2016, that will tabled for First Reading on Wednesday, 10th February 2016.

(Hon. Kombo laid the document on the Table)

REPORT ON THE KILIFI COUNTY TRANSPORT (REGULATION AND CONTROL) BILL, 2015

The Speaker (Hon. Kahindi): The Chairperson for Transport and Public Works

Hon. Mupe: Thank you Mr. Speaker, Sir. Mr. Speaker, Sir, pursuant to Standing Order 120(4), I beg to lay before this House the Report of Sectoral Committee on Roads Transport and Public Works on the Kilifi County Transport (Regulation and Control) Bill, 2015.

(Hon. Mupe laid the document on the Table)

REPORT OF THE KILIFI COUNTY VALUATION FOR RATING BILL, 2016

The Speaker (Hon. Kahindi): Yes hon. Muhambi, I am told that you are holding brief for your Chairperson, proceed.

Hon. Muhambi: Thank you Mr. Speaker, Sir. Pursuant to Standing Order No. 120(4), I beg to lay before this House the Report of Sectoral Committee on Lands, Housing and Settlement on the Kilifi County Valuation for Rating Bill, 2016, that was laid before the House on Wednesday, 10th February, 2016. Thank you Mr. Speaker, Sir.

(Hon. Muhambi laid the document on the Table)

REPORT ON THE KILIFI COUNTY DISASTER MANAGEMENT BILL, 2016

Hon Muhambi: Thank you Mr. Speaker, Sir. Pursuant to Standing Order No. 120 (4), I beg to lay before this House the Report of Sectoral Committee on Lands, Housing and Settlement on the Kilifi County Disaster Management Bill, 2016, that was laid before the House on Wednesday, 10th February, 2016. Thank you Mr. Speaker, Sir.

(Hon. Muhambi laid the document on the Table)

REPORT ON THE KILIFI COUNTY RATING BILL, 2016

Hon. Mangi: Thank you Mr. Speaker, Sir. Pursuant to Standing Order 120(4), I beg to lay before this House the Report of Select Committee on Budget and Appropriations on the Kilifi County Rating Bill, 2016 that was laid before the House on Wednesday, 10th February 2016. Thank you, Mr. Speaker.

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(Hon. Mangi laid the document on the Table)

STATEMENT

ORDER OF BUSINESS FOR THE WEEK STARTING MONDAY 7th MARCH, 2016, TO FRIDAY, 11th MARCH, 2016

(Hon. Foleni was absent)

(Hon. Pascal stood on behalf of hon. Foleni)

Hon. Pascal: Thank you Mr. Speaker, Sir, for giving me an opportunity to hold brief for hon. Foleni. Order of business of next week; starting Monday, 7th March, 2016 to Friday, 11th March, 2016, as approved by the House Business Committee on Wednesday, 2nd March, 2016.

DAY	DATE & TIME	BUSINESS
Monday	7 th March, 2016 at 2:30 p.m.	<ul style="list-style-type: none"> • Tabling of the Report of the Committee on Labour and Social Welfare on the County Public Service Board Report of activities for 2014. • Committee of the Whole House- The Kilifi County, Transport (Regulation and Control) Bill, 2015.
Tuesday	8 th March, 2016 9.00 a.m.	<ul style="list-style-type: none"> • Tabling of the Report of the Sectoral Committee on Health Services on the Site visit to Health Services Projects within Kilifi County. • Committee of the Whole House- The Kilifi County, Disaster Management Bill, 2016.
Tuesday	8 th March, 2016 2.30 p.m.	<ul style="list-style-type: none"> • Committee of the Whole House- The Kilifi County, Valuation for Rating Bill, 2016. • Committee of the Whole House-The Kilifi County, Tourism Bill, 2016.
Wednesday	9 th March, 2016 2.30 p.m.	<ul style="list-style-type: none"> • Committee of the Whole House- The Kilifi County, Trade Licence Bill, 2016.
Thursday	10 th March, 2016	All Hon. Members shall be taken through the County Public Investment and Accounts Committee Report on the Defunct Local Authorities.

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Thank you Mr. Speaker, Sir.

MOTION

ADOPTION OF THE REPORT OF THE SELECT COMMITTEE ON DELEGATED COUNTY LEGISLATION ON THE PUBLIC FINANCE MANAGEMENT; KILIFI COUNTY ASSEMBLY STAFF MORTGAGE SCHEME FUND REGULATIONS, 2015

(Hon. Fondo was absent)

THAT, this County Assembly adopts the Report of the Select Committee on Delegated County Legislation on the Public Finance Management; Kilifi County Assembly Staff Mortgage Scheme Fund Regulations, 2015 laid on the table of the house on Monday, 15th February, 2016.

(Motion deferred)

BILLS

Second Reading

THE KILIFI COUNTY TRADE LICENCE BILL, 2016

(By leave of the House)

Hon. (Dr) Chitibwi: Mr. Speaker, Sir, the Kilifi County Trade Licence Bill, 2016, was first tabled for the First Reading on Wednesday, 10th February, 2016, after which the Speaker committed it to the Sectoral Committee on Planning, Trade and Cooperatives and directed that the Committee scrutinizes the Bill and submits a Report in 20 calendar days pursuant to Standing Order 120 (4).

Pursuant to Article 196(1) (b) and Standing Order No. 120(3), the Committee invited interested Members of the public through an advertisement in the dailies to submit their Memorandum and any presentation to the Clerk of the County Assembly of Kilifi, and, or attend Public Participation or Stakeholders' Forums at the Malindi Municipal Chambers on the Kilifi County Trade Licence Bill, 2016 on Tuesday, 23rd February, 2016. The Committee further held consultative meetings with the County Executive Committee (CEC) Member for Trade, Industrialization, Cooperative Development, Tourism and Wildlife and the Chief Officer and his legal team. The Committee did not receive any Memorandum of the Kilifi County Trade Licence Bill, 2016.

Mr. Speaker, Sir, Article 209 (4) of the Constitution together with Part 2 of the Fourth Schedule of the Constitution gives the power to impose fees and charges for services provided and for regulatory purposes in respect to certain Licenced activities. Examples include the power to Licence undertakings that sell food items 2 (d) and to issue trade and liquor Licences items 7 (b) and 4 (c). These licensing powers are not taxing powers, but are powers to charge fees for services.

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The Bill provides for the grant of trade Licences by the County Government to conduct businesses in the County in accordance with the powers mentioned above in Part 2 of the Fourth Schedule of the Constitution.

Mr. Speaker, Sir, after scrutiny and deliberating on the Trade Licence Bill, 2016, the Committee made the following specific recommendations to the Bill which are to be adopted by the hon. House and amendments be made as is in the Trade Licence Bill, 2016 Report; Appendix 1: (Proposed Committee of the Whole House Amendments). Thank you Mr. Speaker Sir.

The Speaker (Hon. Kahindi): Anybody to second?

(Hon. Gambo stood at his place to second)

(Question proposed)

(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the Whole House next week)

Second Reading

THE KILIFI COUNTY VALUATION FOR RATING BILL, 2016

(By leave of the House)

Hon. Muhambi: Mr. Speaker, Sir, the Kilifi County Valuation for Rating Bill, 2016 was tabled for the First Reading on Wednesday, 10th February, 2016 after which the Speaker committed it to the Sectoral Committee on Lands, Housing and Settlements and directed that the Committee scrutinizes the Bill and submits a Report within 20 Calendar days pursuant to Standing Order No. 120 (4).

Pursuant to Article 196 (1) (b) and Standing Orders No. 120 (3), the Committee invited interested Members of the public through an advertisement in the dailies to submit their Memoranda and then submit presentations to the Clerk of the County Assembly of Kilifi and, or attend Public Participation forums at the Malindi Municipal Chambers on Friday, 22nd February, 2016.

The Committee further requested for a consultative meeting with the County Executive Committee Member for Lands, Housing and Physical Planning on Thursday, 19th February, 2016. The Committee did not receive any Memoranda on the Kilifi County Variation for Rating Bill, 2016.

Mr. Speaker, Sir, the principle object of this Bill is to seek for the empowerment of the Kilifi County Government to put up measures and mechanisms that will ensure effective valuation of land in the County for the purpose of collecting rates.

Mr. Speaker, Sir, the Committee recommends that the County Assembly of Kilifi passes the County Valuation for Rating Bill, 2016, without amendments.

Mr. Speaker, Sir, I wish to confirm that the purpose of the Bill takes care of the residents of Kilifi County. Thank you Mr. Speaker, Sir.

The Speaker (Hon. Kahindi): Anybody to second that?

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(Hon. (Ms.) Barka stood at her place to second)

(Question proposed)

(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the Whole House next week)

Second Reading

THE KILIFI COUNTY TOURISM BILL, 2016

(By leave of the House)

Hon. Kombo: Mr. Speaker, Sir. The Kilifi County Tourism Bill, 2016 was tabled for the First Reading on Wednesday, 10th February, 2016 after which the Speaker committed it to the Sectoral Committee on Tourism and you directed that the Committee scrutinizes the Bill and submits a Report in 20 calendar days.

Pursuant to Article 196 (1) (b) and Standing Order No. 120 (3), the Committee invited interested Members of the public through advertisement in the dailies to submit their Memorandum and any presentation to the Clerk of the County Assembly of Kilifi and, or attend Public Participation and Stakeholders' Forum at the Malindi Municipal Chambers on the Tourism Bill, 2016, on Tuesday, 23rd February, 2016.

The Committee further held consultative meetings with the County Executive Committee Member of Trade, Industrialization, Cooperative Development, Tourism and Wildlife and the Chief Officer and his officers on 17th February, 2016. Additionally, the Committee received Memoranda on the Kilifi Tourism Bill 2016, from Mambrui Beach Curio Sellers.

Mr. Speaker, Sir, the main object of this Bill is to provide a comprehensive legal framework for the development, management, marketing and regulation of sustainable tourism related activities and services in Kilifi County.

Mr. Speaker, Sir, after the scrutiny of the Bill, the Committee recommended that the Kilifi County Tourism Bill, 2016 be amended as in the Report in Annex 1: that is in the proposed Committee of the Whole House Amendments.

Mr. Speaker, Sir, I wish to confirm that the purpose of the Bill takes care of the residents of Kilifi County. Thank you Mr. Speaker, Sir.

(Hon. Hassan stood at his place to second)

(Question proposed)

(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the Whole House next week)

Second Reading

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THE KILIFI COUNTY RATING BILL, 2016

(By leave of the House)

Hon. Mangi: Thank you Mr. Speaker, Sir; I rise to move that the Kilifi County Rating Bill be now read a Second Time. I call upon hon. Antony Kenga Mupe to second.

Speaker (Hon. Kahindi): Have you read the Bill hon. Mangi?

Hon. Mangi: No, Mr. Speaker, Sir.

Speaker (Hon. Kahindi): Then just read the Bill before it is seconded.

Hon. Hassan: I have already seconded.

Speaker (Hon. Kahindi): No! No! No!

(Laughter)

Hon. Mangi: Thank you Mr. Speaker, Sir. The Kilifi County Rating Bill, 2016 was published in the Kenya Gazette Supplement No. 3 (Bill No. 3) on 12th January, 2016 as the Bill for introduction into the County Assembly of Kilifi. The Bill was read for the First Time on Wednesday, 10th February, 2016, and was committed to the Select Committee on Budget and Appropriations. Pursuant to the provisions of Standing Order 110 and 120 of the County Assembly Standing Orders, the Committee was directed to scrutinize the Bill within 20 calendar days and thereafter make a Report to the County Assembly.

The Committee, pursuant to Article 196 (1) (b) of the Constitution of Kenya, 2010 and Standing Order No. 120 (3) invited interested Members of the public through an advertisement in the dailies to submit their Memoranda and any presentations to the Clerk of the County Assembly of Kilifi and, or attend Public Participation Forums at the Malindi Municipal Chambers on Thursday, 25th February, 2016.

In verification and analysis of the Rating Bill, 2016, the Committee held sittings including Public Participation Consultative Meeting. In line with the Constitution, the Committee called for public hearing on the Bill for one (1) day in Malindi Sub- County on Thursday, 25th February 2016. The Committee did not receive any Memoranda in relation to the Bill.

Mr. Speaker, Sir, the Bill provides for the imposition of property in the County in accordance with Article (3) (a) of the Constitution. With the repeal of the County Government Public Finance Management Transition Act on 30th September, 2013, it was no longer possible to rely on the Rating Act (National Legislation) to impose rates. However, now, the Bill continues to rely on the land valuations prepared under the valuation for Rating Act.

Mr. Speaker, Sir. I wish to state that once the Kilifi County Rating Bill, 2016 is passed by this Assembly; taking into account the recommendations contained in the Report laid today, the Bill will take care of the interests of the residents of this County as well as well as raising the local revenue for the County. Thank you Mr. Speaker, Sir. I call upon hon. Stanley Kenga Karisa to second.

(Hon. Kenga stood at his place to second)

(Question proposed)

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(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the Whole House next week)

Second Reading

THE KILIFI COUNTY DISASTER MANAGEMENT BILL, 2016

(By leave of the House)

Hon. Muhambi: Mr. Speaker, Sir. The Kilifi County Disaster Management Bill, 2016 was tabled for the First Reading on Wednesday, 10th February, 2016 after which the Speaker committed it to the Sectoral Committee on Lands, Housing and Settlement and directed that the Committee scrutinizes the Bill and submits a Report in 20 calendar days pursuant to Standing order 120 (4). Pursuant to Article 196 (1) (b) and Standing Order No. 120 (3), the Committee invited interested Members of the public through an advertisement in the dailies to submit their Memoranda and any presentation to the Clerk of the County Assembly of Kilifi and, or attend a Public Participation Forum at the Malindi Municipal Chambers on Friday, 22nd February, 2016. The Committee further requested for a consultative meeting with the County Executive Committee Member for Devolution, Public Service and Disaster Management, the Chief Officer and her team on Thursday, 18th February, 2016. The Committee did not receive any Memoranda on the Kilifi County Disaster Management Bill, 2016.

Mr. Speaker, Sir, the essential purpose of this Bill is to provide for the management of disasters and emergencies in Kilifi County by effective planning and risk reduction, response and recovery procedures and promotion of coordination amongst the response agencies.

Mr. Speaker, Sir, after scrutiny of the Bill, the Committee recommended that the Kilifi County Disaster Management Bill, 2016 be amended as in the Report in Annex 1: (Proposed Committee of the Whole House Amendments). Mr. Speaker, Sir. I wish to confirm that the purpose of the Bill takes care of the residents of the Kilifi County. I wish to call upon hon. (Ms.) Tecla to second.

Hon. (Ms.) Tecla stood at her place to second)

(Question proposed)

(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the Whole House next week)

MOTION

MOTION FOR ADJOURNMENT

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Hon. Mwambire: Mr. Speaker, Sir, I have the pleasure to move an Adjournment Motion which reads as;

THAT, pursuant to the provision of Standing Order No. 28, I move that this County Assembly do now adjourn its sittings of Monday, 7th March, 2016 and Tuesday, 8th March, 2016 due to the Malindi Constituency by- elections. THAT, this County Assembly resumes its sittings on Wednesday, 9th March, 2016.

Mr. Speaker, Sir I beg hon. Japhet Nzaro to second the Motion.

(Hon. Nzaro stood at his place to second)

The Speaker (Hon. Kahindi): Hon. Members, the Motion to adjourn the sittings next week has been moved by hon. Teddy Mwambire. I propose that the same be now ready for debate.

(Question proposed)

Yes hon. Japhet Nzaro.

Hon. Nzaro: Thank you Mr. Speaker. As we understand, Malindi people are going to the polls on Monday so that they can elect their Member of Parliament to the National Assembly and this is the essence in any democracy because Malindi residents for a long time have been yearning to have an MP to represent due to the promotion of their area MP to the Cabinet.

Mr. Speaker, standing before you are Members of this committee; I happen to belong to the Party by the name Orange Democratic Movement (ODM) and we have a very serious candidate who is participating in this election. I have been spearheading campaigns for this candidate in this by-election and it will be very in order that we get time to at least monitor what is going around on seventh so that our candidate emerges the winner.

It is quite in order, and I think Members will also agree that when we come here on Monday, we will not be relaxed because we will be in that election mood. So, I think we it will be quite in order for us as Members to find time so that we can at least ensure that people exercise their democratic right in a very fair and peaceful manner. I beg to support the adjournment Motion as read by the hon. Deputy Speaker, Member for Sokoke Ward Mr. Teddy Mwambire. Thank you.

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

Hon. Pascal: Thank you Mr. Speaker for giving me this opportunity to contribute to this Motion. Mr. Speaker, let me stand and categorically state that I strongly oppose this Motion. Mr. Speaker, we all understand and it has been in the public knowledge that our legislative performance has been in question and that we have really been lagging behind in passage of very important legislative processes and by stepping out for two good days just because of a by-election that is happening in Malindi, I think in one way or the other we shall not be serious.

Mr. Speaker, there are so many Bills that need our attention. Looking at these Bills which touch on the lives of *mwananchi* down there, and then we leave all the Business and tie ourselves to a by-election, I do not find it proper Mr. Speaker. So I call upon all the Members who are not in CORD (Coalition for Reforms and Democracy) in this House to rally behind me and strongly oppose this Motion. I stand to oppose this Motion. Thank you Mr. Speaker.

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

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Hon. Mangi: Thank you Mr. Speaker, Sir; I rise to support the adjournment of the Motion. Mr. Speaker, let it also be known that I am the National Official of KADU Asili Party and I have a serious candidate. I have been busy all over with busy schedules with the plenary not withstanding and as from 6th up to 8th in the evening...Mr. Speaker, and I think as a National official, I should follow the event as from Monday up to the end on Tuesday where my candidate automatically, in one way or the other, will sail through...

(Laughter)

Mr. Speaker, there is another challenge that in one way or the other we are going to have, and this is something that we have to address. It is very absurd, Mr. Speaker, when hon. Members get the challenge of travelling from their respective Wards for the plenary and thereafter there is no quorum and we know why there is no quorum. I am very sure and I know of course, I will be very busy and this should be on record that our candidate will carry the day. I support. Thank you Mr. Speaker.

The Speaker (Hon. Kahindi): Yes hon. Stanley Kenga.

Hon. Kenga: Thank you very much Mr. Speaker. We know that on the 7th of this month, the people of Malindi are going to make a decision on who is supposed to serve them in the few days that are left before we come to the end of this term. As Members of the County Assembly who have been elected on a Party, we had sponsored a candidate who withdrew before reaching the end of the race but this should not deny an opportunity to the candidates and the Members who have got candidates who are in the race and who need time.

Let us support this Motion and let us accord them an opportunity and ample time because we do not want to create excuses that our candidate would have won had we been given ample time to go and campaign. We are now given that ample time so that we talk to the electorate, engage the women groups, engage the male groups and the youth and make sure that the people have an opportunity to make a wise decision.

Therefore, I am also in support that let us adjourn for the two day; let us make sure that we carry out peaceful campaigns, and know that by 8th for those of us who will be celebrating because I know even though my candidate withdrew, there is a candidate that we are supporting and I know we are winning. So, for those of us who will be celebrating on 8th let us have the best that we can give to the people to enable them make the right decision. Thank you very much. I beg to support.

The Speaker (Hon. Kahindi): Yes hon. (Dr.) Chitibwi.

Hon. (Dr.) Chitibwi: Asante Mheshimiwa Spika kwa kunipatia nafasi hii. Nafikiria waheshimiwa wanahitaji kuwa huru hiyo Jumatatu na Jumanne haswa mimi ndio nahitaji kuwa huru vizuri sana, kwa hivyo naunga mkono...

(Laughter)

Mheshimiwa Spika, hizi kura ni za kufa na kupona kwa sababu Kaunti yetu hii ni lazima tuipegie, tuiweke mahali ambapo tunajua tunapangia vizazi vyengine. Yule mwenzangu akipita itakuwa si hali mbaya na mimi ninajua muwaniaji wangu nipate nafasi nzuri ya kumpigia debe. Msione ajabu, najua ni chama kidogo CCU (Chama Cha Uzalendo) lakini nawahakikishia tutateleza na tutapita kati kati. Natumaini wakati huo ukifika mtakuwa mko tayari kushirikiana na sisi. Asante.

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(Laughter)

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

Hon. Matano: Asante Mheshimiwa Spika. Nami nasimama kupinga Mswada huu kwa sababu sisi kama waheshimiwa tunawakilisha watu zaidi walio wale katika eneo Bunge hili peke yake. Naamini kuna shughuli ambazo hata tukiwa hapa kule nje zitakuwa zinahitaji kufanywa kwa zile Kamati ambazo waheshimiwa na waongozi wa vyama wametengeneza kule. Kwa sababu, ninaloamini ni kwamba kampeni kufikia Jumamatu na Jumanne zitakuwa zimeisha ni wakati wa kusubiri...

(Hon. Kenga stood on a Point of Order)

The Speaker (Hon. Kahindi): Yes hon. Stanley Kenga.

Hon. Kenga: Thank you very much Mr. Speaker. Is the Member opposing just because most of the supporters for the candidate on the party CCU have defected to the other party?

(Laughter)

Hon. Matano: Mheshimiwa Spika, ningeomba kumjibu Mheshimiwa mwenye amejaribu kunieleza ni kwamba...

The Speaker (Hon. Kahindi): No, you do not have to answer that...

Hon. Matano: Asante, nafikiria nasimama na msimamo wangu kwamba naendelea kupinga kwa sababu tuna majukumu kama Bunge ambayo yako mikononi mwetu na tumepewa na wananchi. Ninaamini kabisa kama vyama tumepanga mikakati yetu kwamba hata tukiwa hapa kampeni zinaendelea na shughuli nyengine zinaendelea kwa hivyo ninaamini kabisa kuna uwezekano kuwa sisi tuwe hapa na kura pia ziendele mahali kule. Mheshimiwa Spika, jambo lengine ni kuwa waheshimiwa hata wengine saa hii wako katika kampeni na shughuli za Bunge zinaendelea. Mimi ombi langu ni kwamba tuendele na shughuli za Bunge; wale wenye kushinda washinde na wale wenye kushindwa pia wasiwe na shida kwani wakati mwengine watahinda. Asante Mheshimiwa Spika.

The Speaker (Hon. Kahindi): Hon. (Ms) Nashee

Hon. (Ms) Nashee: Asante Mheshimiwa Spika mimi napinga Mswada huu. Napinga kwa sababu kwanza hivyo vikao vya siku tatu tukivikosa ni hasara kwetu.

(Laughter)

La pili, ndio sisi tunasema kuna wengine sisi tuko Bunge hapa na wengine wetu wako kwenye kampeni. Mimi ninaomba iendele na wale ambao watasimamia chama huko, wasimamie na Bunge liendele maanake hata tukiwa hapa karibu na mahali hali ya kura inaendelea ni bora kwa kuwa kukitokezea hitilafu yeyote sisi kama viongozi tunaweza kuona tutachukua hatua gani. Mimi nasema kuwa Bunge tusiwe kule; kuna wengine tutahatarisha maisha yetu na kwamba afadhali tuwe hapa Bunge tunasikiliza. Naomba Bunge liendele.

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

Hon. (Ms.) Mbeyu: Thank you Mr. Speaker, Sir. I rise to support the adjournment Motion. I believe that I should be the last person to speak because as at now you can see the

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Orange Members (ODM) are ready to move. We support this Motion because one; the Chairman of Labour and Social Welfare Committee has supported this Motion yet he is the one to table the Report on Monday, 7th while on the 8th the Chairman of Health Services Committee cannot even be found; right now he is campaigning for his candidate. With that in mind, we have to realize that we will not have these Chairpersons in the House to table their Reports.

As you are aware, *Baba* is around, hon. Raila Amolo Odinga is in Malindi right now and it is such big respect for you that we are in the House at the moment, otherwise we could be out there in the convoy. We are here because of the respect we have for this House and for you. We are getting late and I still insist that I should be the last person to speak on this adjournment Motion so that we can leave and move with the programme.

Most of the ODM Members in this House are agents on the 7th of the by-election day and we will not be able to be in the House. We need big support from this House so that we can be able to take care of the voting system in all stations so that any irregularities will not come while we are there.

I stand to support and I urge all the Members in the House to support this is because ODM has the strongest candidate and we are winning immediately, and we need to be in the field. From here, I have been sent to go to Jilore and carry out a door to door campaign and I will not be found. It is my wish that this House supports this adjournment Motion so that we resume this House on Wednesday when we have won the election and we have celebrated together with you, Mr. Speaker. Thank you.

The Speaker (Hon. Kahindi): Hon. Mwayaa.

Hon. Mwayaa: Asante sana Mheshimiwa Spika. Mimi pia nasimama kuunga mkono Mswada huu ulioletwa Bungeni. Kusema kweli Mheshimiwa Spika, tutakuwa hatutendei haki watu wa Malindi ikiwa sisi kama viongozi hatutajitokeza kimasomaso na kuona kile kinachoendelea; tuje tujifiche hapa kama ambao sisi ni waoga. Mimi niko na mpinzani ambaye ninamuunga mkono na silali. Niko macho na ninataka nisijifiche siku ile ya Jumatatu na Jumanne nione kile ambacho kinaendelea.

Tukijificha tutakuwa tunapeleka picha nyingine ambayo siyo. Sisi kama viongozi tuna haki ya kuonekana kule nje ili kama kutakuwa na hitilafu yoyote ambayo inaendelea, tuwe mstari wa kwanza kurekebisha mambo yoyote yatakayoenda mrama. Naunga mkono tusiwe hapa Jumatatu na Jumanne tuendeleo kuongoza wale wenzetu ambao watakuwa wanaendelea kupiga kura, tupate haki ya watu wa Malindi na tukumbuke pia Malindi iko Kilifi ambayo mimi ndio mratibu wa chama. Naunga mkono na ninawaomba viongozi wenzangu tuunge mkono ili kwamba tuhakikishe watu wa Malindi wamepata haki yao. Asante sana.

The Speaker (Hon. Kahindi): Hon. (Ms.) Ngala.

Hon. (Ms.) Ngala: Thank you Mr. Speaker. I stand to support the Adjournment Motion. As I stand here, I have a very strong young candidate out there whom on the 7th shall win and I am already budgeting for the party, and you are all welcome. Thank you.

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

Hon. Hamza: Asante sana Bw. Spika. Mimi pia nasimama kuunga mkono Hoja hii. Nafikiri wenzangu wamenena hapa na ukweli wa mambo ni kwamba tumekuwa na shughuli pevu sana kwa muda mchache ambao umepita tukihakikisha kwamba tunazungumza na kuwarai wakaazi wa Malindi kuhakikisha kwamba wanabaki kuwa na chungwa.

Ukweli wa mambo ni kwamba, kufikia saa hii basi hakuna shaka ya kwamba chungwa ndilo ambalo liko Malindi. Kile ambacho tunaomba ni kwamba tuweze kupewa nafasi na kwamba shughuli ile ambayo tunaifanya inataka ulinzi. Tumihakikisha ya kwamba tuko na kura

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nyingi hapa Malindi na zinataka ulinzi na wale watu ambao wanaweza kuzilinda kura hizi ni sisi Wajumbe ambao tuko hapa. Hata wale Wajumbe wa Nairobi saa hii wanaomba kama ingewezekana tungepata safari tukatuondoa sisi sote ili wakapata nafasi nzuri ya kutawala. Saa hii wamekuwa na wasiwasi kwa sababu wanajua wazi sisi tukienda kule uwanjani kazi itakuwa imemalizika.

Kama alivyozungumza Mheshimiwa Mbeyu ni kwamba wengine tutaingia kwenye vituo moja kwa moja kuhakikisha kwamba hakuna kura wala robo ya kura ambazo zinaweza kuibiwa. Nafasi hii itakuwa ya muhimu sana ili kuhakikisha kwamba ile kazi kubwa ambayo tumeweza kuifanya tutaweza kuulinda isiharibike katika dakika za mwisho. Asante sana Bw. Spika.

The Speaker (Hon. Kahindi): Hon. Kaingu.

Hon. Kaingu: Asante sana Bw. Spika. Nasimama kuunga mkono Hoja iliyotolewa na Bw. Teddy Mwambire kwa sababu katika mambo yangu ya kisiasa rekodi yangu bado haijavunjwa ya kwamba nikifanyia mtu kampeni lazima atapita. Mimi Jumamosi na Jumapili nitakuwa na yule kijana wa Kadu Asili nitoe sauti yangu hapa Malindi isikike na Jumatatu nitakuwa nikisherekea kwa hivyo kuja hapa itakuwa ni vigumu sana. Ninaunga mkono tuahirishe kwa sababu Jumatatu nitakuwa nasherekea kijana wangu atakuwa amechukua asubuhi. Mimi sina mengi ni hayo tu na ninaunga mkono kuahirishwa kwa hivyo vikao vya Jumatatu na Jumanne.

The Speaker (Hon. Kahindi): Hon. (Ms.) Chiku.

Hon. (Ms.) Chiku: Thank you Mr. Speaker, Sir for giving me this chance. I rise to support this Motion; we have a very serious candidate and CCU is second to ODM in this House. If we do not break on Monday and Tuesday, I am afraid that we will not be able to meet the quorum. Hon. (Dr.) Chitibwi and I are the chief agents in our Party and I must say that we will do all our best. Do or die, our candidate is going to be the Member of Parliament of Malindi Constituency. Thank you Mr. Speaker, Sir.

The Speaker (Hon. Kahindi): I have no doubt hon. (Ms.) Chiku. Hon. Teddy (Mwambire), do you wish to make your contributions?

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

Hon. Mwambire: Thank you very much Mr. Speaker. I want to point out that I have moved this Motion with a very clear intention and conscious. It is obvious that we will not be able to meet quorum because Malindi has about 50 polling stations and as the vice Chairperson of the ODM Party, all Members are going to be engaged. I believe it is on record that ODM and CORD Coalition has the most Members except two. Even the other Member is not in; we only have the AMANI Coalition Member who is the Leader of Minority.

I believe it will not be fair if we continue with our sittings and then we miss quorum that is why I thought it was wise to use the tools that we have in the Standing Orders to move this Motion so that at least we can be away legally. That is the reason why I have moved this Motion and I call upon my colleagues including hon. Pascal, who also has a candidate whose fate will be determined on Monday, to take time and see how fairly he will be competing with the other candidates.

I believe that Monday will be a day where true democracy will be experienced in Malindi. As representatives, it will be a good opportunity for us to also see how best people are going to practice their democracy so that we can fine tune for the great match of 8th August next

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year. With those few remarks, Mr. Speaker, I beg my colleagues to support this Motion so that we can move ahead and be away legally. Thank you.

The Speaker (Hon. Kahindi): Thank you hon. Teddy Mwambire. Hon. Members, the Motion to adjourn the sessions on Monday and Tuesday has been moved by hon. Teddy Mwambire and the same has been deliberated and I will now put the question.

(Question put and agreed to)

The Speaker (Hon. Kahindi): Now before we disperse, I just want to call upon all the Members that in as much as we are engaging in campaigns, let us have peaceful elections. I think the decision to adjourn in my view is okay though hon. Pascal has chosen to think otherwise. I am informed that he has a candidate, and the candidate has already moved to the other party.

I think it is also wise that you are part of the process which is democracy and I pray that we exercise care. We make sure that we have peaceful elections and on Wednesday when we resume back, we pick up where we left. I am also glad that today we have been able to have all the Second Readings of all the five Bills. We will have a meeting with the Clerk's Department to ensure that come May, all these Bills will be at the Governor's office for assent because I am informed that there are more which are on the way.

I want to wish all of you the best of luck. It is clear that the House has been turned to orange today. It is in order that the best candidate is out there and we all pray that the best candidate wins fairly and those who lose, also lose fairly. For some of us we will be watching because we belong to neither CCU, JAP nor Orange (ODM), we will be here to see the results. All the same I wish you all the best.

ADJOURNMENT

Therefore, in the absence of any other business in the Order Paper, I move to adjourn this House until the 9th of March, 2016. That will be at 2.30 p.m. in the afternoon. Thank you very much and do all have a lovely time.

The House rose at 3.18 p.m.