



**COUNTY ASSEMBLY OF MOMBASA
THE HANSARD**

Wednesday, 23rd April, 2025

**Third Assembly – Fourth Session
FIFTEENTH SITTING**

*[The County Assembly met at 11:00a.m at the County Assembly Buildings]
[The Deputy Speaker (Honourable Fadhili Mwalimu Makarani) in the Chair]*

PRAYERS

The Deputy Speaker (Hon. Makarani): Have your seats. Yes, Clerk first Order please?

COMMUNICATION FROM THE CHAIR

STUDY VISIT BY STUDENTS FROM THE TECHNICAL UNIVERSITY OF MOMBASA

Honourable Members, the County Assembly is privileged to welcome students and Dean of students from the Technical University of Mombasa (TUM) and they include..., when you hear your name just stand up and bow;

1. Joseph Oloo,
2. Brian Temu,

Just bow,

3. Shemia Konga...

[Consultations]

Okay, let us proceed.

4. Nadin Njoki,
5. Savia Ogundo,
6. Tony Mijondo,

You will excuse me because the printing is faint; so, if I pronounce your name, just know that you are the one who was mentioned.

7. Beatrice Wakesho,
8. Daniel Oucho,
9. Peter Obiero,

10. Evans Oduor,
11. Brian Andava,
12. Abigail Kipkoech,
13. Anthony Odhiambo,
14. Princess Mwadime,
15. Jessica Onyango,
16. Anna Wavinya,
17. Okumu Dennis,
18. Eddie Capron,
19. Martin Msimba,
20. Michael Ndunge,
21. Shakil Otieno,
22. Orongo Peter,
23. Pauline Magiri,
24. Christine Muli,
25. Godfrey Omondi,
26. Sumeya Dahir,
27. Keithy Penina,
28. Salma Mwanjenje,
29. Daniel Otieno,
30. Virginia Ngugi,
31. Stanley Emilio,
32. Halima Mambo,
33. Emmanuel Atua,
34. Shaq Kenz Patrick,
35. Lazarus Sari,
36. Caroline Wanjiku,
37. Steven Magonya,
38. Pedi Awiro,
39. Paul Martin Oluoch,
40. Felix Amuya,
41. Jane Tracy,
42. Vitalis Ayoga,
43. Joyce Langolia,
44. Bolo Aseo Jade,
45. Biron Akiru.

Welcome once again to the County Assembly of Mombasa and I will let Honourable Ibrahim and Honourable Sheila as the Chief Whip to give a word. Sorry, but before they proceed, I have a list of Dean, sorry, thanks. There is a name of the Dean who has accompanied the students, who is;

46. Dr. Joel Awino.

Thank you Sir and you are much welcomed to this County Assembly. So, I will let Honourable Ibrahim Omondi as the teacher in the House to give welcoming remarks, then I will let Honourable Prischillah, the Chief Whip as the Member from Mvita Sub-County will also give her remarks. Thank you. Yes, Honourable Ibrahim?

Hon. Omondi: Thank you Mr. Speaker for the opportunity. Mr. Speaker, I want to take this special opportunity to welcome the students from TUM, that is Technical University of Mombasa in this Honourable House today. Mr. Speaker, you will realize that it is very important for these particular students to be able to harvest and harness the skills from such institutions. Mr. Speaker, we will find that some of them will be able to utilize these particular opportunities in future when they are done with their academics. Mr. Speaker, it is also very important because this is a House where the Honourable Members oversight, represent and also legislate. Mr. Speaker, you are aware that the students are actually part of the Mombasa Community and therefore it is very important that they follow up on some of the things that we do in this House so that they are well cognizant and they are well aware of what we do in this House. Therefore, Mr. Speaker I welcome them and I would like to tell them that once again, it should not be the end but we still need them in this particular House next time. Thank you, I am a Member of County Assembly from Airport Ward, my name is Ibrahim Omondi; I also double up as the Chair, Education and Digital Transformation Mombasa County Assembly. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Makarani): Thank you Honourable Ibrahim. Yes, Chief Whip?

The Majority Chief Whip (Hon. Mumba): Thank you Mr. Speaker. I also stand to welcome the students of Technical University of Mombasa (TUM) and we also as Members of the County Assembly are totally glad that you have come to this House and see whatever we do or the business that we attend in this Honourable House. I am also a Member from Shimanzi/Ganjoni Ward that is a neighboring from Tudor and my colleague is not around but I am there to represent him because I am the Chief of the House. So, just feel welcomed and feel free to ask any question after the Assembly but we have rules and procedure in this House that you have to follow. Whenever you see something which is not good or maybe you want to cheer then you use your leg to cheer but I am just glad that you are here; just learn, observe then maybe if you would not have taken much of your knowledge for today, then you might plan another day that you can come and see what we do in this Honourable House. Just feel welcomed and feel home in Mombasa County. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Makarani): Thank you Honourable Prischillah, the Chief Whip. Yes, Clerk let us proceed with the next Order.

NOTICE OF MOTION

ENHANCEMENT OF SANITATION STANDARDS AND MANDATORY MASKING FOR SALONISTS
AND BARBERS IN MOMBASA COUNTY

Yes, Honourable Jacktone?

Hon. Madialo: Thank you Honourable Speaker. First, before I give this Notice of Motion, I would also like to join my colleagues in welcoming the students and also the Dean from TUM University to this House. Please feel welcomed, Mr. Speaker Sir, I would like to give a Notice of the following Motion;

AWARE THAT article 43 (1a) of the Constitution of the Kenya guarantees every person the right to the highest attainable standards of health, which includes the right to health care services, including reproductive health care;

FURTHER AWARE THAT the Public Health Act (Cap.242) empowers both the national and the County governments to put in place measures for the protection of public health including control of infectious diseases;

COGNIZANT THAT the grooming sector, particularly salons and barber shops, involves close physical contact between service providers and clients which presents a high risk of transmission of communicable diseases including respiratory illnesses and skin infections;

CONCERNED THAT in many such establishments across the County sanitation standards are often sub optimal and the use of personal protective equipment such as face masks is not uniformly enforced;

RECOGNIZING THAT improved hygiene, including regular sanitization of equipment and mandatory wearing of face masks by service providers, can significantly reduce the risk of disease transmission;

I, urge this Assembly to RESOLVE that the Department of Health in Mombasa:

- 1. To develop and enforce regulations requiring all salonists and barbers to wear face masks while attending to clients,*
- 2. To roll out a public health sensitization campaign on the importance of hygiene and disease prevention in personal grooming establishments,*
- 3. To establish regular inspection and certification mechanisms to ensure compliance with sanitation standards,*
- 4. To collaborate with the Department of Trade and other relevant stakeholders in implementing these measures across the County.*

I, thank you.

The Deputy Speaker (Hon. Makarani): Thank you. Yes, Clerk?

STATEMENTS

RESPONSE TO STATEMENT BY MEMBER COMMITTEE ON HEALTH HONOURABLE
FRANKLINE MAKANGA ON THE OPERATIONALIZATION OF UTANGE FIELD HOSPITAL

Honourable Bernard Ogutu, or any other Member from Health Committee? Honourable Frankline are you responding? Okay then proceed.

Hon. Makanga: Thank you Mr. Speaker and first maybe to join Honourable Members in welcoming our young brothers and sisters from the Technical University of Mombasa.

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My name is Franklin Makanga Member of County Assembly representing the people of Chaani Ward that is in Changamwe Constituency and a Member of the Health Committee. Honourable Speaker, I wish to respond to the Statement sought by Honourable Mwinyi Mtoto Hamisi...

[Interruption]

The Deputy Speaker (Hon. Makarani): Honourable, just a minute...!

[Silence]

Hon. Makanga: Honourable Speaker, you know we have several responses and the Clerk was not able to specifically say which one because we have a supplementary Order Paper...

[Interruption]

The Deputy Speaker (Hon. Makarani): Then as per the Order Paper let us start with the one from Honourable Allen Katana...

Hon. Makanga: Well guided Honourable Speaker...

[Applause]

I wish to respond to a Statement requested in this House by Honourable Allen Katana, the Member of County Assembly Shanzu Ward that was sought on Wednesday October, 2024 at 2:30p.m. during the 77th Sitting. Honourable Speaker, we have a well detailed response in relation to the issues that were raised and I believe the Honourable Member Allen is also in possession of the said response and can confirm to this House Honourable Speaker that the issues around operationalization of the said hospital being Utange Field Hospital has since been addressed. This hospital is fully functional and he can attest I believe he will have a right of response to confirm that position that right now the facility is in operation and any other pending works that needs to be done I believe also it is well captured in the said report and therefore Honourable Speaker the sought statement is fully responded to within the premises of the law. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Makarani): Thank you Honourable Frankline. Yes, Honourable Allen Katana are you in agreement with the response?

Hon. Katana: Thank you, Honourable Speaker for giving me this opportunity. I have some reservations on the Report because I have just received it in 15 minutes time and it is a pamphlet of a number of pages so maybe I be spared some time maybe in the afternoon or our next sitting I can probably give my views whether I am okay with the report or not. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Makarani): Okay thank you. Honourable Member, you are at liberty to peruse the Report if you have, and as per say your reservations you can as well bring back a statement to this Honourable House on where you think it has not been responded well.

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Hon. Katana: Most obliged.

The Deputy Speaker (Hon. Makarani): Thank you. Yes, Clerk?

RESPONSE TO STATEMENT BY MEMBER, COMMITTEE ON HEALTH HONOURABLE
FRANKLINE MAKANGA ON THE EMPLOYMENT STATUS OF COUNTY STAFF AT MIRITINI
HEALTH CENTER

Yes, Honourable Frankline Makanga, on behalf of the Chair?

Hon. Makanga: Thank you, Mr. Speaker. I rise to respond to a statement requested in this House by Honourable Kibwana Swaleh Member of the County Assembly for Miritini Ward that was sought on 5th March, 2025 at 2:30p.m during the 6th Sitting. Honourable Speaker, Honourable Kibwana has sought to get the employment status of casual staff at Miritini Health Centre. I'm aware that he's not in the premises; however, the response is well detailed. It has all the information that had been requested and therefore, Mr. Speaker, maybe the very same information can be shared with him for further perusal and reference and in case he's not satisfied with the responses, then he can do an addendum request for statement to be able to be responded to by the most hardworking Committee in this House. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Makarani): Thank you, Honourable Frankline Makanga. Now, that the Honourable Member who had requested for this Statement is not around, I will proceed with our businesses. If he has any reservation, he will also come back to this Honourable House and bring back his Statements to the floor of the House. Yes, Clerk?

RESPONSE TO STATEMENT BY MEMBER COMMITTEE ON HEALTH HONOURABLE FRANKLINE
MAKANGE ON SECURITY OF COUNTY HEALTH FACILITIES

Once again, the Health Committee. Yes, Honourable Frankline Makanga?

Hon. Makanga: Thank you, Mr. Speaker. Again, I rise to respond to the Statement that was sought by Honourable Mwinyi Mtoto Hamisi. This statement was sought on 12th March, 2025 at 2:30p.m during the 10th Sitting. Honourable Speaker, the same again was to look into the issues of security of the County Health Facilities. A response to the said request has also been done and it's well detailed, Honourable Speaker, highlighting every facility with the issues that were raised. Mostly it was revolving around issues of doing perimeter walls and the same again has been attached in the said response for the Member and any other Member to get reference and maybe they can seek any other clarification from the Committee if need be. So, Honourable Speaker, the said response has been well responded to within the timelines as guided by your office. Thank you, Mr. Speaker.

The Deputy Speaker (Hon. Makarani): Thank you. The same applies to Honourable Mwinyi Mtoto Hamisi. Yes, Clerk?

MOTIONS

ENHANCEMENT OF SANITATION STANDARDS AND MANDATORY MASKING FOR SALOONS AND
BARBERS IN MOMBASA COUNTY

Yes, Honourable Jacktone Madialo.

Hon. Madialo: Thank you, Mr. Speaker. Mr. Speaker, so I beg to move the following Motion.

AWARE THAT Article 43.1A of the Constitution of Kenya guarantees every person the right to the highest attainable standards of health, which includes the right to health care services, including reproductive health care,

FURTHER AWARE THAT the Public Health Act Cap, 242 empowers both the national and county governments to put in place measures for the protection of public health, including control of infectious diseases,

COGNISANT THAT the grooming sector, particularly saloons and barbershops, involve close physical contact between service providers and clients, which presents a high risk of transmission of communicable diseases, including respiratory illnesses and skin infections,

CONCERNED THAT in many such establishments across the County, sanitation standards are often sub optimal and the use of personal protective equipment, such as face masks, is not uniformly enforced,

RECOGNISING THAT improved hygiene, including regular sanitization of equipment and mandatory wearing of face masks by service providers, can significantly reduce the risk of disease transmission.

I, urge this Assembly to resolve that the Department of Health in Mombasa,

- 1. To develop and enforce regulations requiring all saloonists and barbers to wear face masks while attending to clients,*
- 2. To roll out a public health sanitization campaign on the importance of hygiene and disease prevention in personal grooming establishments,*
- 3. To establish regular inspection and certification mechanisms to ensure compliance with sanitation standards,*
- 4. To collaborate with the Department of Trade and other relevant stakeholders in implementing these measures across the county.*

I, thank you, Mr. Speaker.

The Deputy Speaker (Hon. Makarani): Who is your seconder?

Hon. Madialo: My seconder will be the Honourable Member from Kongowea Ward, Honourable Mwaura.

*[The Deputy Speaker (Hon. Fadhili Mwalimu Makarani) exited the Chair]
[The Temporary Speaker (Hon. Frankline Makanga) in the seat]*

The Temporary Speaker (Hon. Makanga): Honourable Mwaura?

Hon. Madialo: No, Honourable Speaker.

The Temporary Speaker (Hon. Makanga): Honourable mover of the Motion!

Hon. Madialo: I withdraw the seconder.

The Temporary Speaker (Hon. Makanga): You had not consulted, so can you give us another seconder, please?

Hon. Madialo: Honourable Florence Kachumbo, this beautiful girl from UDA; from UDA party.

The Temporary Speaker (Hon. Makanga): Is that part of the seconding?

Hon. Madialo: Yes.

The Temporary Speaker (Hon. Makanga): Yes, Honourable Florence?

Hon. Kachumbo: I second.

The Temporary Speaker (Hon. Makanga): What is it, Honourable? Honourable Nyota, please sit down because we have now to move...

[Interruption]

Hon. Hamisi Nyota: Honourable Speaker, I am concerned that Honourable Jacktone Madialo referred a member as a beautiful girl. We do not have a beautiful girl in this House.

[Interruption]

The Temporary Speaker (Hon. Makanga): Honourable Nyota! You are out of order! Are you objecting the fact that Florence is beautiful?

[Laughter]

Honourable Madialo, wait first! You have moved your Motion; we are supposed to put the question and then we proceed. Honourable Members, I now propose the question that the Motion moved by Honourable Madialo be debated in this House.

[Question proposed and agreed to]

Clerk?

[Consultations]

Honourable Members, you know it is chilly in Mombasa and you may get yourself confused by what is happening, so allow me to propose the question again because we have to get the right records in our Hansard. Honourable Members! Honourable Members, a Motion has been moved by Honourable Madialo in relation to sanitation as read out and I now propose the question that the said Motion be debated in this House.

[Question proposed and agreed to]

Yes, Honourable Jackson Madialo, please make your contribution to the Motion?

Hon. Madialo: Thank you, Mr. Speaker Sir. First, I would like to urge Members that we should be responsible Members; we were elected to this House to pass laws and also to be custodians of laws, bylaws, regulations that will be helpful to the society and also protect the society from harm. I believe that all of us here would like to live in a healthy society; we would like to thrive in a society that is less of sickness and diseases and that is why if you properly go through my Motion, there is nothing much that I am requesting from Members other than to ensure that our environment, especially I believe all of us here, whether male or female, we find ourselves at one time or the other seeking services from saloonists or even from the barbershops. We are bringing this Motion, we or I am not trying to insinuate that our saloons and barbershops are in deplorable conditions, that is not the case, but to just ensure that the majority who are keeping to the highest standard of cleanliness and sanitation in their premises are encouraged and the few that are yet to up their game are also encouraged through this Motion to do so. Scientists even currently are opining that the Corona Virus is still in force albeit in different mild forms and I thank you Mr. Speaker because you are also a medical practitioner and you will also agree with me on this point. I believe when the Corona menace was at its peak, these measures were put in place and they were being observed not only in such premises but also everywhere.

So this is what I'm trying to put across and trying to say is that when we go to the Saloons or to the barbershops, we would want them, would like that they maintain the highest standard of cleanliness in their premises, number one, and also number two, when they are attending to clients, this Motion will be encouraging them to mask up because sometimes you will find that, for example, when you have gone to be shaved and maybe when they are scrubbing you, when they are scrubbing your face, face scrubbing, when they are scrubbing your face, they may be at that particular time also be talking around, joking around and at that time maybe if, for example, they are suffering from cold or flu, it will be transferred to you. I have also seen instances whereby somebody after being shaved, you realize that there are some rashes that develop on their heads or even skin, the rashes, and that happens when the equipment that is used in shaving is not properly sanitized. So, this Motion Mr. Speaker, and I will not mind, I will have done my civic duty as a Member of this Assembly to have brought this kind of Motion; so, whether it passes or it does not pass I will go back home fully satisfied that I will have done my God-given duty as a Member of a County Assembly. But let us not go to that point, I would urge that every Member support this because obviously it is a good Motion. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Makanga): Okay, thank you Honourable Jacktone Madialo. Yes, Honourable Manuari, please make your contribution.

Hon. Juma Manuari: Ahsante Mheshimiwa Spika. Nichukue nafasi hii kwanza kumshukuru Mwenyezi Mungu pili niwakaribishe wanafunzi wetu shule yetu ya ufundi TUM (Technical University of Mombasa) ambayo iko hapa kwetu Mombasa tunayo jivunia nayo.

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Mheshimiwa Spika, mimi nimesimama kidogo nitatofautiana na ndugu yangu Jacktone Madialo...

[Applause]

Nitakuwa tofauti na yeye kwa huu Mswada wake aliouleta siku ya leo. Ni Mswada mzuri lakini umekosa muelekeo na kutizama kuwa leo pale juu kuna wanafunzi wa kutoka *University* ya Mombasa ambao wamekuja waone wanayo zungumza wanafunzi wale wale naamini kuna wengine wanaishi maeneo ya Mombasa. Nina hakika hivi sasa pale kuna wengine wanasema Mungu akinijaalia kesho ama kesho kutwa nikitoka nitakwenda nikafungue kinyozi ama saluni. Ikiwa leo sisi Wabunge wa Mombasa tunapitisha Mswada na kusema kuwa ni lazima wawe na hivyo vitu vya kujistiri mdomo wao na kujilinda katika afya zao mimi ningeonelea ubora zaidi laiti angelijua ndugu yangu Madialo na akashurutisha serikali ya Kaunti ya Mombasa badala ya wale watu kutembelea watu na kuwatishia maisha na kuwatishia kazi zao kuwa hauna hichi hauna hichi na kutia ndani ili apewe kitu kidogo yeye angesema...

[Applause]

Kwa wale walioko pale serikali ya Kaunti ya Mombasa iwe itasimama kidete kuhakikisha *sanitizer* wanapeana, *mask* wanapeana, *gloves* wanapeana vile vitu ambavyo vyote vinahusika na maswala ya afya. Kwa sababu mtu yoyote anayetoka shule mwanzo anaanza na saluni ndio akiomba Mungu amjalie kama atakuwa MCA. baadae kama atakuwa muhandisi, yaani ile kazi yake ya uhandisi atasonga na yao mbele lakini lazima ataanza angalau kusuka watu ama anyoe watu. lakini ikiwa leo twaambia lazima wawe na hivi vifaa walivyo visema. Tena akasema idara zihusike kufuatilia hapo tumefungua ufisadi kwa watoto wetu ambao wanaenuka sasa, kwa hivyo mimi nimesimama kupinga haya maswala ya huyu ndugu yangu. Ahsante Mheshimiwa Spika.

The Temporary Speaker (Hon. Makanga): Honourable Manuari, are you insinuating that the County government of Mombasa is corrupt? Are you insinuating that if...

[Interruption]

Hon. Juma Manuari: Mheshimiwa Spika nadhani hapo umeninukuu...

[Interruption]

The Temporary Speaker (Hon. Makanga): Wait; wait, so that we have it track rightly on record! Are you insinuating that the said departments, if mandated to do as recommended by the move of the Motion, then you will have opened a corruption path for those officers?

Hon. Juma Manuari: Mheshimiwa Spika, nadhani wewe umeninukuu kimakosa lakini kulingana na mtazamo wa nchi yetu ya Kenya na Kenya yetu hairudi nyuma inasonga mbele na tukizungumzia maswala kama hayo wewe mwenyewe unaelewa ni lazima akifika ataambiwa mimi sina pesa za kununua hii maana kila kitu itakuwa ni elfu kumi kwenda mbele lazima mtu atavutwa kandoni Kenya Mheshimiwa Spika wewe mwenyewe uko nayo kwa hayo machache Mheshimiwa Spika nasema Ahsante.

[Applause]

The Temporary Speaker (Hon. Makanga): Thank you, Honourable Madialo. Yes, Honourable Ibrahim Omondi Oyugi, Member for Airport Ward. Please make your contribution!

Hon. Omondi: Thank you, Mr. Speaker, for the opportunity once again. Mr. Speaker, I want to disagree with the Motion candidly and also with all my body organs, Mr. Speaker...

[Applause]

And, Mr. Speaker, I am going to give the reasons why I disagree with this particular Motion. In fact, Mr. Speaker, these Motions be panned out from this particular Order paper right after I have spoken.

[Interruption]

The Temporary Speaker (Hon. Makanga): Honourable Ibrahim, you see we have visitors in the public gallery and it is important that they do not go out of this House with the wrong impression of you. You are already a combination of many organs; what do you mean by you, yourself and other organs?

Hon. Omondi: Mr. Speaker, of course, I cannot be one without my organs, Mr. Speaker.

[Applause]

I am made with my body organs and all of us; we have disagreed with the Motion Mr. Speaker. Mr. Speaker Sir, as much as an Honourable Member who brought this Motion has stated very categorically that the Constitution of Kenya guarantees every person the right to the highest sanitation standard of health. At the same time, the Member should realize or the Member should know that the administration of UDA invested and they promised and they rate so much on the empowerment of the hustlers, the so-called small-scale traders. Mr. Speaker, Mombasa County cannot be left out in this particular bracket; we can imagine the implication of the cost that will come with enforcing this particular Motion to our small-scale traders.

[Applause]

Mr. Speaker, we are the Members of County Assembly who carry the plight and even who carry the views of the people from the ground and bring them to this House. Mr. Speaker, we all know under the situation under which those people; especially those barbers and the saloonist work, they strain a lot in coming up with those kinds of small-scale businesses so that they can make a living. Mr. Speaker, will you be assisting them by again hardening these conditions for them or we will be assisting them? Mr. Speaker, as much as also I want to agree with him, I want also to tell the mover of the Motion to hold on. First of all, to ensure that we empower these small-scale traders before we come up with this kind of rules, Mr. Speaker. Number two, there is a policy in this particular County Mr. Speaker which all the regulations and the procedures of coming up with this kind of businesses, we already have those rules and regulations existing, even as this Motion comes here, I would like to let the Member know that all this comes with a cost. And even, Mr. Speaker, there is this license that these small-scale traders are supposed to get to allow them to operationalize their business.

Mr. Speaker, these licenses do not come just like that, there is a cost that comes with it. There are the procedures. we have the regulations Mr. Speaker, and even the health department of this County is aware of all this. I would like to inform the Member who has come up with this particular Motion that this one is just going to be one of the ways of improving corruption in this County. Mr. Speaker, the enforcement units in Mombasa County, most of them are going to take advantage of the situation, they are going to harass these helpless traders on the ground. In the name that they do not meet the condition, or in the name that they do not have masks, they do not have these other materials that are needed for them to run that particular business. Mr. Speaker, we shall be opening up for corruption in our County instead of discouraging corruption and as I finish as a Member, we know the procedures of this House are very clear Mr. Speaker with due respect and I respect your Chair I know that as much as you are a health practitioner, Mr. Speaker, the procedures of this House inform us that the Speaker remains blind, Mr. Speaker. Therefore, Mr. Speaker let the majority have their way and let the minority have their say. Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Makanga): Thank you, Honourable Ibrahim Omondi for your contributions. Honourable Priscilla Mumba, Chief Whip, Majority Party, please make your contribution.

The Majority Chief Whip (Hon. Mumba): Ahsante Mheshimiwa Spika nimesimama tena kupinga vikali Mswada huu na kwa nini nimesimama kupinga, nimesimama kupinga kwa sababu Mheshimiwa Spika ukiniangalia kwa umri wangu pengine kwa ajili ya vipodozi utaniona ni mrembo lakini ni nyanya wa miaka 52. Na kazi hii inafanywa katika saluni na nimekuwa pale zaidi ya miaka thelathini na nikipodolewa na sijashikwa na ugonjwa wowote na naangaliana na anaenitengeneza, ananitakasa ananifanyia kila hali ya huduma na tunazungumza, tunacheka sijapata maradhi ya kutoka saluni lakini maradhi ninayo sasa hivi ambayo hayakutoka saluni, na uzuri huu wote ninaonekana, wewe hujui mimi nina sukari wala presha. Hiyo *pressure* niliipata hapo saluni? Hiyo sukari niliipata hapo saluni? Mheshimiwa Spika, lazima tueleze ukweli. Hili jambo Mheshimiwa Madialo namuheshimu sana ni Bishop wangu na katika upande wa kidini hakika chochote atakacho niambia nitafanya lakini katika hii Nyumba Bishop samahani kwa leo kwa sababu ulioleta ni maneno yamepotea na wakati...

[Interruption]

The Temporary Speaker (Hon. Makanga): Yes, Honourable Prischillah hold on. Honourable Ibrahim.

The Majority Chief Whip (Hon. Mumba): Mheshimiwa Spika, nimejitetea kuwa sitaki kujuzwa.

The Temporary Speaker (Hon. Makanga): We need to know why he is standing, are you on a point of order or point of information?

Hon. Omondi: Thank you, Honourable Speaker.

The Temporary Speaker (Hon. Makanga): Before saying thank you Honourable Ibrahim can you tell me whether you are on a point of order or?

Hon. Omondi: Thank you Mr. Speaker, I am on a point of order and I want to inform the House Mr. Speaker.

The Temporary Speaker (Hon. Makanga): To inform the House on what? The Member does not want to be informed. The Member has said she does not want to be informed, you had your time.

Hon. Omondi: Mr. Speaker, the rules and procedures are very clear, I do not want to inform the Member, I want to inform the House Mr. Speaker.

The Temporary Speaker (Hon. Makanga): Which procedure, which procedures? Which Point of order are you standing on? Which Standing order.

Hon. Omondi: Mr. Speaker, the point of order is well known.

The Temporary Speaker (Hon. Makanga): Please inform us for record purposes.

Hon. Omondi: We should not confuse people.

The Temporary Speaker (Hon. Makanga): Please inform us so that we have it on record.

Hon. Omondi: Mr. Speaker, I want to inform the House that.

The Temporary Speaker (Hon. Makanga): Please inform us why you are standing.

The Majority Chief whip (Hon. Mumba): Mheshimiwa Spika, nimesema sitaki kujuzwa na kama nishasema, akae chini niendelee na hoja yangu.

The Temporary Speaker (Hon. Makanga): Please Ibrahim Omondi take your seat.

Hon. Omondi: Thank you Mr. Speaker. I respect but I have disagreed Mr. Speaker.

The Temporary Speaker (Hon. Makanga): Yes, proceed Honourable Prischillah.

The Majority Chief Whip (Hon. Mumba): Ahsante Mheshimiwa Spika kwa kunilinda ipasavyo. Naendelea na mjadala wangu. Kwa kweli ukisema lililo la kweli Mheshimiwa Spika linauma na siku zote msema kweli hapendwi na ndio maana unaona nasema kweli mpaka wengine wanaenuka kiti kinakuwa moto na nasema hali hii tunayoifanya ni kuwa lau Mswada huu ungekuja katika njia ya kusema hivi, tunataka vinyozi vyetu, saluni zetu zikishafunguliwa Kaunti ichukue juhudi kupitia kwa upande wa Afya wachukue kitengo fulani kiwe kikishalipa tu, maanake wanalipa leseni Kaunti hii na huduma tunawapatia kama watu wa Kaunti mtu akiwa amefungua biashara yake inatakikana Kaunti kupitia haya ma hospitali yetu, waweke kitengo maalum cha kuwa watakuwa pengine pahali fulani kumefunguliwa basi wapeleke vile bahasha ambavyo wanasema kuwa hichi ukitumia utakuwa na usalama, hichi ukitumia utakuwa na usalama. Lakini kusema ati kila atakae fungua kinyozi hata kinyozi cha mtaani Mheshimiwa Spika, hata hawa vijana wetu utakuta mtu amekaa mtaani sisi ni wanasiasa tunazunguka kwenye maskani za vijana wenyewe wamekaa wanatia stori wengine wananyoana nywele sababu watu

wako katika hali tofauti tofauti za kimaisha. Mheshimiwa Spika, watoto wa kike nao utakuta wamekaa wanasongana nywele, wanafanya mambo mengine ya urembo, utasema pia pale mtu atafute hiyo *mask* aweke, na kutafuta vifaa vyengine vya usafi na hali mtu ako maskani amekaa na wakitoka pale hizo *mask* zengine zitakuwa sasa zinatupwa hivyo hivyo kuanza kuja uchafu mwengine maana wakati mimi nimevaa ile *mask* nikishamaliza kazi nikiitoa sio wengi watakuwa wana akili ya kujua lazima kutafutwe dust bin ya kuweka kile kitu, tutaanza kuziona zikitupwa tupwa hata wakati wa Corona tuliziona zikitupwa tupwa kila mahali na tukawa tunasema sasa hapa pamevumbuliwa mambo mengine ambayo hayastahili. Mheshimiwa Spika, sisi ni waafrika na hatujafikia kiwango cha kuwa na uzungu mwingi mpaka uweke hivi, ufinike hivi kwa sababu itakuwa tunaweka vikwazo zaidi na watu wenye wanafungua biashara kama vile Mheshimiwa Manuari alivyosema ni watu wa chini, ni watu ambao wanaanza maisha. Wengi hivi vinyozi ambavyo nyinyi Waheshimiwa ambao munaenda ambazo ni za maana vina watu kidogo sana lakini vinyozi vingi na saluni nyingi ziko mitaani ambazo zinafanywa na watu wetu ambao wanaanza kuinukia. Hata katika ruwaza ya Gavana ambae yuko hapa anatoa kitu inaitwa *skills* mitaani; kuna watu wanapelekwa saluni, kuna watu wanapelekwa kufundishwa mambo ya kinyozi, akitoka pale awe na ujuzi wa kuanza kile kibiashara chake kidogo. Leo tunamuwekea vikwazo vingi vya magonjwa, vikwazo vya usafi, vikwazo vya dini, kwa nini watu wa shirika la Afya ambao wako hapa katika Kaunti wasitumie wajibu huo Mheshimiwa Spika wahamasishe watu kwanza tujue je, hili jambo limehamasika vya kutosha kuliko kuanza kutia majukumu mengine. Yule amelipa Kaunti pesa afanye kabiashara kake kadogo tena twamletea askari wa Kaunti pale mlangoni, hebu nionyeshe sanitari ziko wapi? Hebu nionyeshe glovu ziko wapi?

The Temporary Speaker (Hon. Makanga): Mheshimiwa Shila labda kwa sababu ya kumbu kumbu za Bunge hili kwa sababu hayo unayoyasema ndiyo yaliyo katika maombi ya aliyeleta hoja hii. Je, wewe unapinga ama unatilia pondo?

The Majority Chief Whip (Hon. Mumba): Mimi napinga Mheshimiwa Spika, kwa sababu gani...

[Interruption]

The Temporary Speaker (Hon. Makanga): Lakini unayoyasema yanaunga mkono hoja ambayo imeletwa.

The Majority Chief Whip (Hon. Mumba): Hapana siungi mkono kwa jambo hilo ambalo linataka kuwekwa; nimesema Mheshimiwa Spika kama umeninukuu vizuri kuwa tunaposema kuwa wale wapewe, ni sisi Kaunti tuchukue hilo jukumu sio yule mfungua biashara, yule mfungua biashara ashalipia *County rates*.

The Temporary Speaker (Hon. Makanga): Honourable Sheilla, therefore that is to mean you are proposing more recommendations to be mad as amendments to the Motion.

The Majority Chief Whip (Hon. Mumba): Ndio maana nikaipinga kwa sababu sio kamili kwa sababu nikisema...,

[Interruption]

The Temporary Speaker (Hon. Makanga): So, you are proposing amendments to the recommendation.

The Majority Chief Whip (Hon. Mumba): Hata marekebisho siyataki maanake hiyo ikisema itaingiza pesa katika mfuko wa mtu ambaye hawezi kuifanya yale. Kwa hivyo mimi kamili nasimama kuipinga kamili ninukuliwe vizuri sana sitaki na siitaki na ikapita leo Mheshimiwa Spika mimi nina uwezo kufanya yale ambayo sitayataka.

The Temporary Speaker (Hon. Makanga): Thank you. Yes, Honourable Patrick Mbelle Please make your contribution.

Hon. Mbelle: Thank you Mr. Speaker. First allow me to commend the Honourable Member for Mikindani Honourable Jactone Madialo for bringing this Motion and am sure with good intention but allow me to at this moment respectfully to give an objection to this Motion; not to its entirety, and not to the spirit, but probably to the scope of the Motion. Mr. Speaker Sir, if you are to envision a Mombasa that should stand shoulder to shoulder with tourism giants like Dubai, Singapore, Miami and Barcelona. I think we must think beyond just masks and sanitization of items that are supposed to be used for that trade in our saloons and barbershops. Mr. Speaker, I think we are all aware that the grooming industry in Mombasa is not only to be looked at as a health hazard, but the grooming and saloon industry in Mombasa is a pure reflection of our society to the tourists that come to this city, and it is a reflection of what exactly our tourism industry is like for anyone who seeks services. That is a way who comes out of this particular city. So, Mr. Speaker Sir, I would wish to put in a few suggestions for the Member to probably consider as he brings back this Motion for us to support probably in future. Allow me to read the recommendations because he had earlier hinted to me about this Motion and I did my research and I came up with a few points just for him probably to check out in future, and for the Members to consider in future. So, Mr. Speaker Sir, you would allow me to read. And I propose that instead of just focusing and enforcing mask wearing and inspection, that we recast this conversation to include the following.

1. A County grooming skills accreditation program that is tied to international standards of cruise ships, airlines, and hotel standards that are internationally recognized, while equipping our service providers with skills that open up to global employment opportunities,
2. To incorporate the health and grooming standards into tourism development plans that we develop here in our County, ensuring that the salons and barber services in Mombasa can meet the expectations of high-end tourists.

Mr. Speaker Sir, as I wind up,

3. We develop a strategic branding of Mombasa's grooming sector as part of our cultural tourism package, which we would try to compare to places like Turkey and Thailand, whose services are globally recognized, and most tourists go to those places just to go and seek their grooming services
4. We invest in a modern training hub within the County for youths interested in the grooming industry, aligned with our employment goals and with an eye of exporting

labour to those tourism destinations that we wish to take people of standards like those who would have produced.

So, Mr. Speaker Sir, at this moment, I would want us to look at this Motion with a futuristic eye; to look at what economic endeavors or what economic benefits that this Motion can bring to the people of Mombasa, and particularly the youths that have already got into this sector that would wish to pursue further skills or further opportunities in this sector, and that we look at it, not just from the grooming perspective, or from the sanitation perspective, but let us look at it from a futuristic point. Mr. Speaker Sir, I would also wish to register that at some point, I was an alumnus, of the Technical University of Mombasa, and I would wish to correct my senior Member here Manuari, *hakiitwi Chuo Cha ufundi*, it is no longer *Chuo Cha ufundi*. It is now a university; it used to be a polytechnic then. It is now a university. So, I also want to welcome them and make them aware that I was also a student at that particular institution at some point; much was taught to me, both in terms of academics and social welfare, and I am very certain and sure that these Members that have sat up there would one day be very good members of this society, and I wish you all the best. And this is what we do, to make sure that the future of Mombasa becomes better than it is. So, thank you Mr. Speaker.

The Temporary Speaker (Hon. Makanga): Thank you. Yes, Honourable Hamisi Nyota, please make your contribution.

Hon. Hamisi Nyota: Thank you, Mr. Speaker. Mr. Speaker, I stand to oppose the Motion brought forth by my good friend, Honourable Dr. Madialo. Mr. Speaker, as we all are aware that in Kenya and particularly in Mombasa we are struggling with the giant of unemployment amongst our youths. And these barber shops and saloons, much as they provide a basis of employment to our youths in the society, Mr. Speaker, I found this Motion subjective. The fact that the mover of the Motion has just targeted only specific businesses, that is barber shops and saloons. The way he has put his Motion, he has just structured it to insinuate that most infectious diseases and health hazard are only found in saloons and barber shops. But I can tell you, Honourable Jacktone Madialo, I think you should go back to the drawing board and restructure your motion, because in this House, it is a House of record, and we do pass laws which are universal and not subjective laws. I believe if you get on a matatu, people cluster a lot in matatus, but they don't get those infectious diseases as you speak, the hotels. There are a lot of businesses in Mombasa, but I just do not understand why you only pick two businesses, saloonists and barber shops. But I think it's a good Motion, it is only that you have to go and sit down, go back to the drawing board and restructure it. Maybe the way he has put it, Honourable Patrick Mbelle in future, this House can consider your Motion, but much to say is that maybe you can also do research, maybe to convince the House why you are targeting the barber shops and the saloonists. Maybe if your Motion is backed by evidence, it can be easy to convince this House that only those infectious diseases and health hazard are found in saloonists and in barber shops. Thank you so much, Mr. Speaker.

The Temporary Speaker (Hon. Makanga): Thank you Honourable Hamisi. Yes, Honourable Pamela Ojala, nominated Member, ODM Party.

Hon. Ojala: Thank you, Mr. Speaker for giving me this opportunity. Before I proceed, I also want to acknowledge the presence of our comrades from Technical University, Mombasa. Mr. Speaker, I want to join my colleague in opposing this Motion brought to this Honourable

House by my good friend and a brother from Mikindani Ward, Jackton Madialo. Mr. Speaker, I also want to say it is an important Motion before us this morning. But I would urge my brother, Jackton Madialo, to go do more research on this as all of us are aware that we talked of saloons and the barber shop. Majority of youths are the ones running the barbers and the saloon, Mr. Speaker and as we always witness that in Kenya, we have majority youths who are jobless and they are seeking for employment. Mr. Speaker, as you are aware we cannot be able to absorb more youths in this government because lack of the resources. This is the way that our youths can also be able to put food on the table, by looking at self-employment; of opening these barbers and the shops. Therefore Mr. Speaker, I stand to oppose the Motion. Thank you, Mr. Speaker.

[Applause]

The Temporary Speaker (Hon. Makanga): Thank you, Honourable Ojala. Yes, Honourable Samuel Mwaura, Member for Kongowea. Please make your contribution.

Hon. Mwaura: Thank you Mr. Speaker for noticing me. I was just crossing the bar just to inform my brother Honourable Jactone Madialo to do the needful and maybe withdraw this Motion just to bring it some other time when he has done some more research. Mr. Speaker, I want to join my colleagues in opposing the Motion and that is why I was crossing the bar to just inform him to withdraw and I am doing it even now that because of the reasons that have been raised by my fellow colleagues. Honourable Members, there are so many grey areas in this Motion and Mr. Speaker the good thing that my good friend Honourable Jactone Madialo can do is just to withdraw the Motion and maybe bring it some other time. Mr. Speaker, reading the Motion in the first paragraph I see Honourable Jactone Madialo while stating that it is guaranteed in the Constitution that we have the highest attainable health standards, I can see him also including reproductive healthcare in this Motion. Mr. Speaker, and maybe this is why Honourable Bomoa, Honourable Ibrahim Oyugi was saying that with all his organs, maybe it is because of this statement, I do not know how it relates, how the reproductive health relates with these barbers and the salonists, Mr. Speaker. Mr. Speaker, I also find it discriminative when he talks of...

[Interruption]

The Temporary Speaker (Hon. Makanga): So Honourable Samwel Mwaura, where is the issue of reproductive organs coming in again?

Hon. Mwaura: Mr. Speaker, it is in this Motion!

The Temporary Speaker (Hon. Makanga): Reproductive organs?

Hon. Mwaura: I have read it in the Motion and he has read it as well. Maybe it has not caught your eye Mr. Speaker and I find it discriminative because he talks of barbers and the saloonists and maybe because Honourable Madialo is a Bishop he has not visited the massage parlours which are even more delicate than the salons and i welcome him sometime I will accompany him to a massage spa so that he may have some experience also there. So Mr. Speaker it is a bit discriminative as Honourable Hamisi Nyota has clearly put it, we are so congested even in Matatus, but there is no requirement for people to put masks, so, I really want

to encourage my brother to withdraw the Motion. Most of us have really added value to this Motion and then he will bring it sometime later, Mr. Speaker, and for the benefit of those that are present, of our guests, I wish to welcome you to this House. My name is Honourable Samwel Mwaura I represent the good people of Kongowea Ward and I am also the Chairperson of the Implementation Committee, *karibuni sana*.

The Temporary Speaker (Hon. Makanga): What you have not said is that you are a Deacon in charge and you are just opposing a Motion by a Bishop. Yes, Honourable Allen Katana please make your contribution.

Hon. Katana: Mheshimiwa Spika, nikushukuru sana kwa kunipa nafasi ambayo mimi naiona ni adimu. Mheshimiwa Spika na nikizungumza kwa hekima yako pia naomba unisikize sana, kwa sababu ni kama kwamba Waheshimiwa wenza ambao tuliochaguliwa kuja hapa kwa ajili ya kuwasaidia wakaazi wetu wa Jimbo letu la Mombasa, tunataka kuweka sababu ambazo zitatumfanya sisi tusiwahudumie vyema watu wetu. Mheshimiwa Spika, nataka kusema ya kwamba na watu wengi hawaamini kwamba nitasema hivi Mheshimiwa Spika lakini nataka kuunga mkono mia fil mia Mswada huu ulioletwa na leo na Bishop, Honourable Jactone Madialo...

[Applause]

Mheshimiwa Spika nikupe mfano Babangu alikuwa mucha Mungu sana, lakini ninavyo kuambia hivi Mheshimiwa Spika kwa miaka 22 mimi Mheshimiwa Allen Katana ni yatima kwa sababu marehemu Babangu alipata ugonjwa wa ukimwi kwa kunyolewa katika kinyozi na wazazi wangu wote wamekufa na gonjwa hili Mheshimiwa Spika. Inanishangaza sana kuona waheshimiwa wanasimama kutetea hoja ya gharama ili hali mimi Mheshimiwa Spika kwa Mswada huu sioni gharama yeyote na sitaki kujuzwa lolote na mtu yeyote, ahsante. Sijamaliza naona wamesimama Mheshimiwa Spika...

[Interruption]

The Temporary Speaker (Hon. Makanga): Yes, Honourable Juma Manuari, what is it?

Hon. Juma Manuari: Mheshimiwa Spika Ndugu yangu Mheshimiwa Allen Katana nataka atujuze kwani yeye alikuwa ni daktari na alijua wapi babake alipata ukimwi kupitia saluni kama hakuwa mzinzi, maana ukishasema tu umekufa na ukimwi sisi kama lugha ya kiafrika twajua ulikuwa mzinzi...

[Applause]

The Temporary Speaker (Hon. Makanga): Honourable Ibrahim Oyugi you are so happy and you are up on your foot, what is it?

[Interruption]

Hon. Katana: Mheshimiwa Spika, hawa watu ukiwa *entertain*...

[Interruption]

The Temporary Speaker (Hon. Makanga): It is good we hear him; it is within his privileges...

[Interruption]

Hon. Katana: Halafu usiwajibu uniwachie hawa wote ni wagonjwa wa akili hawa Mheshimiwa Spika.

The Temporary Speaker (Hon. Makanga): Thank you Honourable Allen Katana. Yes, Honourable Ibrahim Oyugi?

Hon. Omondi: Mheshimiwa Spika, thank you. Mr. Speaker I am standing on a Point of order I just want to inform the House that the Honourable Member who is actually commenting on this particular motion stated clearly that the father actually might have got the virus, HIV from the Barbers shop. Mr. Speaker first of all the Members has not told us how old was he when the father got infected. I want also to inform the Member that it is not only through the Barber shop that....

[Interruption]

The Temporary Speaker (Hon. Makanga): Honourable Ibrahim your contributions, your issues raised have already been noted...

[Interruption]

Hon. Omondi: The Member should withdraw the statement...

[Interruption]

The Temporary Speaker (Hon. Makanga): He has spoken on behalf of his late father, are you the son to the father?

[Laughter]

So please take your seat, he has commented...

[Interruption]

Hon. Omondi: And Mr. Speaker, is he the doctor?

[Laughter]

The Temporary Speaker (Hon. Makanga): Please take your seat Honourable Ibrahim. Yes, Honourable Allen.

Hon. Katana: Mheshimiwa Spika with all due respect, ni ombi langu ya kwamba hawa waheshimiwa waniache nizungumze mpaka nimalize kwa sababu walifikiria mimi nitawaunga mkono kwa kutofikiria kwao na mimi sishirikiani nao.

Lakini naomba kuwajibu Mheshimiwa Spika kwa kuwa umewapa nafasi kusimama naomba tuwajibu. Mheshimiwa Spika hawa watu wote unao waona hapa nilijuana nao hata miaka 3 haijaisha, kwa hivyo hawawezi dai kuwa wananijua ya kwamba vishahara vyao na vishahara vyangu vinafanana...

[Interruption]

The Temporary Speaker (Hon. Makanga): Honourable Allen, Honourable Allen...

[Interruption]

Hon. Katana: Mheshimiwa Spika umewapa nafasi niruhusu niwajibu...

[Interruption]

The Temporary Speaker (Hon. Makanga): Honourable Allen Katana you do not have to respond to them; you are addressing the Honourable Speaker...

[Interruption]

Hon. Katana: Thank you, Mr. Chair.

The Temporary Speaker (Hon. Makanga): So please address me and then continue making your contribution.

Hon. Katana: Ahsante, na Mheshimiwa Spika ninalo liomba ni hili

[Interruption]

The Temporary Speaker (Hon. Makanga): Honourable Prischillah Mumba, you know you are the Chief Whip and you should help us in maintaining order here; so, I do not know why again you are standing we are expecting...

[Interruption]

The Chief Whip (Hon. Mumba): Mr. Speaker I am also maintaining the order by telling Honourable Allen Katana he is out of order saying that all the Honourable Members are crazy. I am now in that position, why is he telling us we are crazy?

Hon. Katana: I, withdraw so that I can continue, I withdraw.

The Temporary Speaker (Hon. Makanga): Okay, thank you. Yes, proceed Honourable Allen Katana.

Hon. Katana: Mgonjwa ni mgonjwa tu Mheshimiwa Spika lakini naomba...

[Interruption]

The Temporary Speaker (Hon. Makanga): Honourable Allen Katana, you are out of order!

Hon. Katana: I withdraw; I withdraw.

The Temporary Speaker (Hon. Makanga): You are out of order! Honourable Allen please continue making your contribution.

Hon. Katana: And this is my humble request Mr. Speaker, I do not want any interruption until I finish.

The Temporary Speaker (Hon. Makanga): You are protected.

Hon. Katana: Ahsante Mheshimiwa Spika. Nimesema na nimesema kwa uchungu kwa sababu hili nalijua, wazazi wangu walikufa kwa gonjwa kwa kulipata kwa kinyozi na garama waheshimiwa walizo zitaja hapa ni kutetea mwananchi ambaye anafanya biashara ya saluni na kinyozi. Garama iliotajwa hapa, unajua shida ya Waheshimiwa ni kwamba wapatapo ratiba ya kikao, wapatapo hoja hawasomi wakaelewa, wanasimama tu kuparamia...

[Interruption]

The Temporary Speaker (Hon. Makanga): Honourable Samwel Mwaura, please take your seat. Allow Honourable Allen Katana to make his contribution. He is protected; he is protected. Honourable Allen, is protected please take your seat.

[Interruption]

Hon. Katana: Mheshimiwa Spika, mbona wananiogopa?

The Temporary Speaker (Hon. Makanga): Honourable Allen Katana, please proceed and make your contribution.

Hon. Katana: Thank you. Mheshimiwa Spika...

[Interruption]

The Temporary Speaker (Hon. Makanga): You are out of order, Chief Whip!

[Interruption]

Hon. Katana: Mheshimiwa Spika sijui kwa nini wananiogopa hawa na wakizungumza...

[Interruption]

The Temporary Speaker (Hon. Makanga): Hakuna mtu anakuogopa, pia wewe make your contribution we close the conversation.

Hon. Katana: Ahsante...

[Interruption]

The Temporary Speaker (Hon. Makanga): Honourable Samwel Mwaura...

[Background murmuring]

Honourable Samwel Mwaura please respect my seat and sit down.

[Interruption]

Hon. Katana: Members...!

The Temporary Speaker (Hon. Makanga): Take your seats, continue Mr. Allen Katana.

Hon. Katana: Mheshimiwa Spika, maombi yaliyoombwa hapa ijapokua sikubeba miwani Mheshimiwa Spika lakini sina makengeza. Mheshimiwa Spika, nipata ya kalulu hapa. Mheshimiwa Spika ombi la kwanza liliombwa, ni kwamba kutengezwe jopo ambalo litaweka sheria ya katika hizi saluni na vinyozi ili watu wawe wanavaa barakoa. Hii ya barakoa ndio gharama ambayo inaingia peke yake, hili ombi lingine hakuna gharama yeyote kwa sababu wanasema *to roll out public health sensitization campaigns on the importance of*; hili ni jukumu la serikali ya County na wapo wafanyikazi ambao wamewekwa Mheshimiwa Spika kufanya hivyo. La tatu, wakasema *to establish regular inspection and certification mechanism, we do not need to establish* kwa sababu tuko na maofisa wa kufanya ukaguzi tayari katika Baraza letu la County na ya mwisho iliyowekwa ni kwamba *to collaborate with Department of Trade*, yes kwa nini amesema *to collaborate with the Department of Trade* ni kwa sababu gani? Hii gharama ya barakoa na niulize hili Jumba, kama ni *operational licence* si sisi ndio tulipitisha? Ikiwa tumeleta Mswada wa maana wa kuzuia magonjwa ni sisi hili Jumba hili kama operational costs munaona ziko juu, muteremshe *operational costs* ili watu waendeleo biashara lakini wawe na vifaa vizuri vya kufanyia kazi. Tusisimame hapa na kudanganya gharama, gharama sisi gharama ndio tunaziweka, kama ni gharama zirudishwe watu wavae barakoa kuna Hepatitis B na magonjwa mengine mbali na ukimwi. Ukanyolewe mahali ambapo hapana spiriti na ilhali ndugu zangu tunaweza epuka haya mambo, tusipinga tu kwa kutaka kupinga tupate umaarufu tumepinga, ni ombi langu hizi roho mbaya ambazo pepo ametuingia tuitoe tupitishe huu Mswada ili watu wetu wapate manufaa, ahsante.

[Applause]

The Temporary Speaker (Hon. Makanga): Thank you Honourable Allen Katana. I do not understand, I mean you guys have made your contribution, Chief Whip what is it? What is it?

[Interruption]

The Chief Whip (Hon. Mumba): Mimi nataka kujibu Kamati ya Ajira.

[Interruption]

The Temporary Speaker (Hon. Makanga): Wait, we have Members...

[Interruption]

The Chief Whip (Hon. Mumba): kwa sababu wanapewa ruhusa ya kutudhauraulisha kila anapozungumza na kutafua hoja yake tuko hapa hatujielewi...

[Interruption]

The Temporary Speaker (Hon. Makanga): Honourable Prischillah Mumba...

The Chief Whip (Hon. Mumba): Honourable Speaker, with due respect na *tunaheshimu Kiti chako lakini kwanza, hatuwezi ruhusu Waheshimiwa wenzetu atuone sisi kama wenda wazimu...*

[Interruption]

The Temporary Speaker (Hon. Makanga): Honourable Prischillah, those are your personal sentiments...

[Applause]

Yes, Honourable Juma Kambi then we to the Minority Leader. Okay, so please make your contribution.

Hon. Juma Kambi: Ahsante sana Mheshimiwa Spika kwa kunipatia fursa hii. Mimi nimechukua fursa hii kuunga mkono Mswada...

[Applause]

Uliioletwa na Mheshimiwa Jactone Madialo, huu ni Mswada wa maana sana na kama tunavyojua kila siku tunaambiwa tujihadhari kabla hatari, na huu Mswada ulioletwa unatukumbusha kwamba tunapoenda kwa vinyozi, tunapoenda saluni, lazima kuwe na tahadhari...

[Applause]

Na kama sisi ambao tunanyolewa baada kila wiki mbili, lazima tujitahadharishe; na vile vile sisi tumezoea tukishanyolewa huwa tupate kukandwa kidogo ya kichwa na hata ya kifua, tulia Mheshimiwa Prischillah Mumba; ba mkwe wako mbona una wivu...

[Interruption]

The Temporary Speaker (Hon. Makanga): Honourable Juma Kambi you do not need to address the Chief Whip; make your contribution we close in the conversation we are time bad; please...

[Interruption]

Hon. Juma Kambi: Haya basi Mheshimiwa Spika naomba unilinde...

[Interruption]

The Temporary Speaker (Hon. Makanga): You are protected.

(Interruption)

Hon. Juma Kambi: Kwa sababu wananitishia...

[Interruption]

The Temporary Speaker (Hon. Makanga): You are protected, you are protected please make your contribution.

[Background murmuring]

You are out of Order! Make your contribution.

Hon. Juma Kambi: Mimi ni kuunga mkono kwa yale yaliyoletwa kwa sababu huu ni Mswada wa maana sana ten asana kwa hivyo naomba Jumba hili pamoja na Mheshimiwa Prischillah Mumba aweze kuunga mkono Mswada na uweze kupita. Asante sana Mheshimiwa Spika.

The Temporary Speaker (Hon. Makanga): Thank you so much. Honourable Florence Kachumbo please make your contribution.

Hon. Kachumbo: Thank you, Mr. Speaker for this opportunity. I would like to welcome the students from Technical University. You are all welcomed. I would like to congratulate my fellow colleague, Honourable Jactone Madialo...

[Applause]

For bringing such a good motion. You see, hygiene is such an important thing, not only to people in the barbershop and saloon, also in street vendors, in all areas. And we see these regulations are not applied only to the barbers and to the saloons. Also, you see the hawkers, the street vendors, these are people who sell food, who sell things to us, and they are also using the same masks, they are using so many equipment's to ensure that hygiene is enforced or is implemented: so, I do not see why Honourable Members are making a fuss out of this and yet the Honourable Member is trying to protect all of us...

[Applause]

There are so many issues. You see at the saloon, so many saloonist, they are not actually maintaining hygiene. You see the combs are dirty and this is not to bring them down or to discourage them, but this is to ensure that every one of us is protected. Our children are protected; our parents are protected. This is not a motion to discourage anyone, any saloonist or barbershop, not to bring up their businesses. Actually, on the other side, this is to ensure that our people are protected, so Members let us all pass this motion and ensure that our people out there are protected. Thank you.

The Temporary Speaker (Hon. Makanga): Thank you, Honourable Florence. Yes, Honourable Morgan Matsaki. Chief Whip, you are making so many movements. I do not know. Mheshimiwa Morgan Matsaki, please proceed to make your contribution.

The Leader of Minority Party (Hon. Matsaki): Ahsante sana Mheshimiwa Spika kwa kunikumbuka kwa kunipa nafasi hii. Pili, nimesimama kuunga mkono mia kwa mia...

[Applause]

Ni kweli mambo yaliyozungumzwa ama hii hoja kama vile ilivyoletwa na Mheshimiwa mwenza, si mambo kwamba ni ya utata ama ni mambo ambayo yako ghali hasa usafi unaanza na sisi waheshimiwa na sioni ya kwamba twaweza kuona Mheshimiwa yeyote anaweza kuenda kinyozi mahali pachafu; lazima tunazingatia usafi na lazima mazingira ya eneo kama lile liwe liko sawa na sioni ughali wowote wa kwamba anayefanya kazi pale akose hata kununua hata barakoa ama awe hata spiriti akose wakati unaponyolewa usiweze kuweza kushughulikiwa. Ni muhimu sana tuzingatie hili jambo kwa sababu Nyumba hii kwanza ni lazima tuchukue jukumu kama waheshimiwa tuliochaguliwa kuliweka mkazo zaidi, sehemu kama hizo ambazo tunaenda kwa upande wa Waheshimiwa ambao ni kama Mheshimiwa Kiongozi wa wengi uzuri alio nao; mwangalie vile anakaa kasha aende saluni ambayo ni chafu kweli itawezekana hiyo?

[Applause]

Kwa hivyo tafadhali nimesimama kuunga mkono na ni vyema Mheshimiwa mwenza uliyeleta hoja hii tuzidi kukaza mkazo kwa upande wa hivi vipengele vine ambavyo umevileta. La mwisho nawakaribisha pia vijana wetu wa kutoka chuo kikuu, karibuni sana hili ni Jumba la mazungumzo, la kutengeneza sheria na zaidi ya yote hatupingani bali tunarekebisha Miswada na mimi nikisimama ni kama Kinara wa wachache Bunge hili la Mombasa Kaunti, ahsanteni sana nauunga mkono.

The Temporary Speaker (Hon. Makanga): Thank you so much. Yes, Honourable Jactone Madialo reply to the motion.

Hon. Madialo: Thank you Mr. Speaker Sir. First of all, there is one Member who requested that I withdraw for another time, but I would like to assure the Members who are for this Motion that I will not withdraw because I am 100 per cent sure that this Motion is going to pass; that I can assure those who are in support of this Motion who are of the same opinion and mind. Mr. Speaker and I would like to thank so much those who have given me support, and Honourable Allen Katana, thank you so much. And it is indeed sad, it is indeed very sad that people are trivialising health matters and somebody who has passed on because of negligence of the Barbers, so I really felt so bad when Members stood to begin belittling Honourable Katana, yet I believe he is still suffering from the pain of the loss of his parents. Let us always be sensitive whenever we debate; there are some matters that can never be, should never be trivialised. So, some of our Members, erred in understanding and execution; they have misunderstood totally this Motion because, if they would have taken time as Honourable Katana said, to understand the gist and the spirit of this Motion, no one would stand to oppose it. Number two, when businesses are established, there are things are expected of them example maintaining cleanness. It is expected of them, so this motion is not doing anything new. It is simply putting into place measures to ensure that, that which is expected of businesses is truly

adhered to. So, there is nothing special that this Motion is doing; also, things like mask are not expensive at all; in fact, Honourable Katana picked my mind. They are not expensive at all. You do not need to be buying mask at Kshs 10 everyday, you can simply use Kshs 30 to go to the tailor and mask, a piece of cloth will be made for you, be re-usable every evening you come from your premises, go wash it and tomorrow in the morning you will still have it, what cost is that? There is no cost there. Also, when somebody has not been affected all these years that should not be a reason to oppose, because you have not been affected but you might be affected tomorrow.

So, whenever we argue we should always argue from point of knowledge and understanding; it is the same as for example; there is a passenger who used the Mash Bus and complained that she found herself in the hospital panty less, demanding from the Mash company to know what happened to her. Then somebody in responding said, I have used the Mash Bus for all those years, so I support the Mash Bus, another good person came in to say that he has used it all these years, if it were you this person that was affected today, if she was not affected, she would also be in the same position to tell you that, she has also used the Mash Bus for so many years. That you have not been affected all these years is not guaranteed that you will not be affected tomorrow! Lastly, and these Clerks will bear me witness that I have brought a Statement which I believed it was supposed to be read today, I have not seen it being read. I am talking about operational cost; I have brought and the Clerks are here and I am on record, I have brought a statement because we passed here and His Excellency the Governor when he came into office reduced the rates of single business permit from Kshs 9600 to Kshs 5000, but right now the rates have gone back to Kshs 9600. I have brought a statement...

[Applause]

The Clerk Gibson here is a witness; it was supposed to be brought here today and I am wondering why it has not been brought to the House, so; let us not pretend to be a person who loves these businesses more than Madialo who is moving this Motion. I have brought a statement why have single business permits, the prices have been hiked back to Kshs 9,600 from Kshs 5,000. So, I want it to be brought back to Kshs 5,000. So about operational cost, I am even more than the rest of you, wanting the businesses to breathe, so kindly I believe that we have convinced you enough and I urge you with all humility, let us support this Motion thank you so much.

[Applause]

The Temporary Speaker (Hon. Makanga): Thank you Honourable Jacktone Madialo, Honourable Members you have all had time to debate, made your contributions and the mover has replied. I now put a question that the Motion on Enhancement of Sanitation Standards and Mandatory Masking for Saloonists and Barbers in Mombasa County moved by Honourable Jacktone Madialo be adopted by this House.

[Question put and agreed to]
[Interruption]

The Temporary Speaker (Hon. Makanga): Order! Sergeants-At-Arms please. Order Honourable Members, Honourable Omondi, please take your seat.

[Interruption]

Order! Honourable Prischillah take your seat, Honourable Ibrahim Omondi, take your seat. Honourable Pamela take your seat. Yes, now can you take your seat?

[Loud consultations]
[Consultations]

Honourable Members, when a question is put and there is contention, then the Standing Order allow us to do voting...

[Applause]

Therefore, I would ask our Clerks to help us do the tallying, those who will support and oppose and then we count it. So, I will call out every Member, to say whether they support or oppose then we will proceed from there. By standing, Okay? You stand and say okay.

Hon. Members: Yes.

The Temporary Speaker (Hon. Makanga): So, we will start with Honourable Katana.

Hon. Katana: I support a thousand times.

The Temporary Speaker (Hon. Makanga): Honourable Juma Manuari Kambi? Honourable *Bomoa* what is it?

Hon. Omondi: I am waiting for someone Sir.

The Temporary Speaker (Hon. Makanga): Okay.

Hon. Juma Manuari: Ahsante Mheshimiwa Spika nimetangulia kusema na yale yale niliyoyasema ndio nimetangulia nayo. Ahsante Mheshimiwa Spika.

The Temporary Speaker (Hon. Makanga): No, you have to say whether you support or you oppose.

Hon. Juma Manuari: I am opposing.

[Applause]

The Temporary Speaker (Hon. Makanga): Yes, Honourable Ibrahim Omondi?

Hon. Omondi: Ibrahim Omondi Member of....

[Interruption]

The Temporary Speaker (Hon. Makanga): Do not allow any Member to move out of the chambers, sergeant at arms? Yes, Honourable Ibrahim Omondi?

Hon. Omondi: I Ibrahim Omondi Member of County Assembly Airport Ward, I oppose with all my body organs, I say no!

The Temporary Speaker (Hon. Makanga): Yes, Honourable Patrick Mbelle?

Hon. Mbelle: Mr. Speaker Sir, I stand to support this. The spirit...

[Interruption]

The Temporary Speaker (Hon. Makanga): Thank you.

Hon. Mbelle: Mr. Speaker, allow me to finish.

The Temporary Speaker (Hon. Makanga): Honourable Ibrahim Omondi. Honourable Patrick Mbelle you have voted. Please take your seat.

Hon. Mbelle: No Mr. Speaker Sir, I have not finish, allow me to finish. I support the spirit of the motion but allow me to not support the scope of the entirety of the motion and in that spirit Mr. Speaker I wish to abstain from voting thank you.

[Applause]

The Temporary Speaker (Hon. Makanga): Okay.

The Majority Chief Whip (Hon. Mumba): Mbona hujielewi.

The Temporary Speaker (Hon. Makanga): Honourable Sheila, you are out of order. Honourable Morgan Matsaki?

The Minority Leader (Hon. Matsaki): I stand to support. Thank you.

[Applause]

The Temporary Speaker (Hon. Makanga): Honourable Florence Kachumbo?

Hon. Kachumbo: I support.

[Applause]

The Temporary Speaker (Hon. Makanga): Honourable Juma Kambi?

Hon. Juma Kambi: Mr. Speaker Sir, I support the Motion.

[Applause]

The Temporary Speaker (Hon. Makanga): Honourable Samuel Mwaura?

Hon. Mwaura: Mr. Speaker Sir, my position still stands, I oppose.

The Temporary Speaker (Hon. Makanga): Honourable Pamela Ojala?

Hon. Ojala: Mr. Speaker Sir, I oppose.

The Temporary Speaker (Hon. Makanga): Honourable Prischillah Mumba.

The Majority Chief Whip (Hon. Mumba): I oppose.

The Temporary Speaker (Hon. Makanga): Honourable Nyota?

Hon. Hamisi Nyota: I Honourable Hamisi Nyota, I stand to oppose the Motion.

The Temporary Speaker (Hon. Makanga): Honourable Jacktone Madialo?

Hon. Madialo: I support.

[Loud consultations]

The Temporary Speaker (Hon. Makanga): Order! Honourable Members, Honourable Shilla please come.

[Consultations]

The Temporary Speaker (Hon. Makanga): From the Hansard they are informing us that Honourable Allen you were not on microphone so please can you vote? You are voting once we want it captured in the Hansard.

Hon. Katana: Okay thank you Honourable Speaker for this very Honourable opportunity and as I speak kindly advise the Clerk to sit thank you. Mr. Speaker from my point of view it is very much not in order for us to vote when we don't have a quorum so, please.

The Temporary Speaker (Hon. Makanga): Honourable Allen Katana, the only thing you were to do was to make your vote on microphone.

Hon. Katana: We need change, okay thank you. I support the Motion.

[Loud consultations]

The Temporary Speaker (Hon. Makanga): Okay thank you. Honourable Sheilla what is it? Honourable Madialo wait, can we hear from the Chief Whip what is the issue?

The Majority Chief Whip (Hon. Mumba): Mr. Speaker, now I have decided.

The Temporary Speaker (Hon. Makanga): What have you decided?

The Majority Chief Whip (Hon. Mumba): I have decided as the Chief Whip of this House.

The Temporary Speaker (Hon. Makanga): What is it Honourable Shilla?

The Majority Chief Whip (Hon. Mumba): Mr. Speaker, it has come to my attention.

The Temporary Speaker (Hon. Makanga): That?

The Majority Chief Whip (Hon. Mumba): That Honourable Katana has done something, which as the Majority Chief Whip I have seen it and with the tension which is here.

The Temporary Speaker (Hon. Makanga): Which tension Honourable Shilla?

The Majority Chief Whip (Hon. Mumba): We have tension on both sides, so I have decided to now do my job and my job in this House is to say that there is no quorum.

The Temporary Speaker (Hon. Makanga): Honourable Shilla, you are out of order, take your seat, Honourable Jacktone what is it?

Hon. Madialo: My point of order Mr. Speaker is that according to the Standing order and please just allow me to execute my point to the last, because and I thank you that you are a lawyer. Standing order is that we made a mistake because the Standing order stipulates that before voting is called the House must first ensure that the quorum is met. So, it will be un-procedural and somebody can even take us to court for this reason. So, we did a mistake not to confirm first whether we meet the quorum.

[Loud consultations]

The Temporary Speaker (Hon. Makanga): Honourable Member, considering the views and the Standing orders that we have in this House, the vote on the said Motion is referred to the next sitting.

[Applause]

Yes, Clerk next order please.

ADJOURNMENT

Honourable Members and our visitors, this House stands adjourned until today Wednesday 23rd March at 2:30p.m. Thank you.

The House rose at 12:58 p.m.