



**COUNTY ASSEMBLY OF MOMBASA
THE HANSARD**

Tuesday, 7th March, 2023

Second Assembly – First Session
SEVENTEENTH SITTING

*[The County Assembly met at 11:00a.m at the County Assembly Buildings]
[The Temporary Speaker (Hon. Abdirahman Abdikadir) in the Chair]*

PRAYERS

The Temporary Speaker (Hon. Abdirahman Abdikadir): You may be seated. Serjeant, please before we proceed may you ring the bell so that we attain the minimum quorum?

[Quorum bell rung]

Members, maintain silence please. Clerk, please confirm whether we have a quorum to start the session?

[Quorum confirmed]

Thank you. Yes, Clerk?

NOTICES OF MOTION

ESTABLISHMENT AND MAINTENANCE OF ONLINE DATABASE FOR TOURISM AND OTHER SECTORS

Yes, Honourable Milka Ngare please issue the Notice of Motion.

Hon. Ngare: Thank you Mr. Speaker, I beg to give notice of the following Motion;

THAT AWARE THAT, Part 2 - 7(d) of the Fourth Schedule of the Constitution of Kenya, 2010 provides for local tourism to be one of the functions of County governments;

FURTHER AWARE THAT, that the Kenya Bureau of Statistics compiles statistics for various activities and sectors at the national level;

NOTING THAT the County does not have a statistics unit or databases for maintenance of sector-specific statistics;

FURTHER NOTING THAT the establishment and maintenance of databases online will simplify access to information by various stakeholders;

CONCERNED THAT, the lack of databases for sector activities and statistics particularly the tourism sector impinges on proper planning, service delivery, marketing promotion and effective revenue mobilization in the County;

I, therefore urge this Assembly to RESOLVE:

THAT, the County government of Mombasa in consultation with relevant national government ministries, departments and agencies to establish and maintain online County databases for tourism and other sectors for internal use and for use by other stakeholders.

Thank you, Mr. Speaker.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you. Yes, Clerk?

NOTICE OF MOTION

INCLUSION OF KIOSK TRADERS AS BENEFICIARIES OF MOMBASA COUNTY REVOLVING FUND
LOANS

Yes, Honourable Leila Nyache, is she present?

[Silence]

Anyone who has been authorized to issue the Notice of Motion on her behalf, Members?

[Hon. Mkanjala and Hon. Makanga stood up]

Yes, Honourable Frankline Makanga what is the issue?

Hon. Makanga: *[Inaudible]*.

The Temporary Speaker (Hon. Abdirahman Abdikadir): I can as well, see Honourable Florence.

Hon. Mkanjala: Let Honourable Makanga continue.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Do you have express orders from her to issue this Notice of Motion?

Hon. Makanga: *[Inaudible]*.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Pardon? I cannot hear you please?

Hon. Makanga: *[Inaudible] [off microphone]*.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Okay Honourable Frankline Makanga, please proceed.

[Interruption]

Yes, Honourable Katana what is the issue?

Hon. Katana: *[Inaudible]*... Mheshimiwa Spika. Kwa hivyo naona Mheshimiwa Florence hayuko sawa kulingana na kanuni zetu?

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you. Yes, Honourable Florence apologize?

Hon. Kachumbo: I apologize Mr. Speaker.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Apology accepted, proceed Honourable Makanga.

Hon. Makanga: Thank you Mr. Speaker. I stand in for Honourable Leila Nyache who unfortunately received a call while in the Committee room, that she has lost a family friend so she has left to attend to that matter. I, therefore Mr. Speaker, beg to give notice of the following Motion;

THAT AWARE THAT, the County government of Mombasa established the Mombasa County Revolving Fund in 2016 to assist small traders' access funds to start and boost their businesses;

FURTHER AWARE THAT, that the kiosks provide ordinary consumers at the grassroots level with basic goods and also help to provide employment and investment to youth, women and People with Disabilities (PWDs);

NOTING THAT in the previous allocations and disbursements of funds not many of these kiosk owners benefitted from the revolving fund loans;

CONCERNED THAT, if not addressed, this anomaly would disadvantage and deny an invaluable opportunity to a crucial though neglected segment of small traders and our population;

I, therefore urge this Assembly to RESOLVE:

THAT, the County government of Mombasa to prioritize, among other small traders, the allocation and disbursement of funds from the Mombasa County Revolving Fund to kiosk traders in every Ward to enable them boost their businesses.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you. Yes, Clerk?

MOTION**DESIGNATION OF SMOKING ZONES IN MOMBASA COUNTY**

Yes, Honourable Frankline Makanga MCA Chaani Ward please move the Motion.

Hon. Makanga: Thank you Mr. Speaker. I beg to move the following Motion;

THAT AWARE THAT under the Kenya Constitution, non-smokers have the right to a safe and healthy environment. This includes the right to be protected from adverse effects of second-hand smoke Article 42, of the Constitution states that every person has the right to the highest attainable standard of health and wellbeing, including reproductive healthcare. The Constitution also guarantees to clean and safe water, air and an environment that is not harmful to health;

FURTHER AWARE THAT, Tobacco Control Act of 2007, section 33 provides that no person shall smoke in any place except in designated smoking areas;

NOTING THAT, smoking in public can cause significant health risks to both smokers and non-smokers. Second hand smoke which is the smoke exhaled by the smoker is a combination of the smoke coming from the burning end of the cigarette and the smoke exhaled by the smoker. This inhalation increases risk of developing cancer, heart disease, stroke, chronic obstructive pulmonary disease commonly known as COPD among other disease;

FURTHER NOTING THAT, smoking in public can also contribute to air pollution. Burning tobacco releases toxins and particulates into the air which can be inhaled by other people in the area;

COGNIZANT THAT, smoking in public can leave unpleasant odor in the air which can be difficult to get rid of. This smell can linger long after the smoker has left the area and can be very unpleasant for people in vicinity;

FURTHER COGNIZANT THAT cigarettes are a major cause of fires with an estimated 20 per cent of all fires caused by smoke. Smoking in public can increase the risk of fires which can lead to severe property damage and loss of life;

CONCERNED THAT, cigarette butts are one of the most commonly found items of litter on the streets and public places. This indicates that the consumption of cigarettes is real in the County and thus posing the following risk;

- 1. Health Risk*
- 2. Environmental pollution*
- 3. Fire occurrences*

FURTHER CONCERNED THAT, there are no designated areas or zones for smoking in Mombasa County;

I, therefore, urge this Assembly to RESOLVE THAT:

1. *The County government to provide designated smoking zones. These specially designated areas to be clearly marked and able to provide a safe and comfortable space for those who wish to smoke.*
2. *The County government to ensure that the designated smoking areas are regularly maintained and monitored to ensure that they are clean and safe. Any litter should be disposed of in the proper receptacles and all smoking materials should be extinguished before leaving the area.*
3. *The County Government should come up with smoking policy and any other regulation to ensure that both the smokers and non-smokers rights are not infringed.*

Mr. Speaker I would to ask Honourable Allen Katana from Shanzu Ward to second.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes proceed.

Honourable Allen Katana: Thank you Mr. Speaker Sir we have had very good Motions in this Honourable House Mr. Speaker but with this I support it a 100 per cent. Thank you.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Well, noted. Members, I now propose a question that the Motion by Honourable Frankline Makanga on designation of smoking zones in Mombasa County be considered by this Honourable House in the same terms as moved?

[Question proposed and agreed to]
[Applause]

Yes, Honourable Frankline Makanga please make your contribution to the Motion?

Hon. Makanga: Thank you Honourable Speaker. Nasimama kuleta Hoja hii katika Bunge hili na tunapoanzia mjadala huu Mheshimiwa Spika ieleweke vyema na iingie katika rekodi zetu za Bunge hili kwamba Mswada huu haujaletwa katika Bunge hili kwa sababu ya tofauti zozote za kibinafsi. Mheshimiwa Spika, katika Bunge hili tumekuwa na mjadala ambayo ni ya kuweza kusaidia kuinua viwango vya afya katika Kaunti yetu ama Gatuzi letu la Mombasa. Mheshimiwa Spika katika Bunge hili vile vile tukapitisha Mswada ulioletwa na Mheshimiwa Juma Kambi Mheshimiwa mkakamavu kutoka eneo la Shika Adabu akaweza kusema kwamba katika Bunge hili tuweze kuangazia ni namna gani tutaweza kupunguza ile mikurupuko ya magonjwa kama vile ya *blood pressure* na ugonjwa wa kisukari na pia kupunguza maradhi ambayo ni ya kansa ama saratani.

Mheshimiwa Spika katika hali hiyo hiyo, leo hii tumejipata katika Kaunti yetu ya Mombasa tuko na watu wengi ambao wanaugua saratani na kati ya saratani ambazo ziko na umaarufu zaidi katika Kaunti yetu ya Mombasa ni kansa ya mapafu (*Lung cancer*). Mheshimiwa Spika, ugonjwa mwengine ambao pia uko katika takwimu ya juu ndani ya Mombasa ikiwa nimehudhuria kongamano hivi majuzi katika hoteli ya Pride Inn tukiangazia magonjwa ya kifua kikuu ama almaarufu TB sababu moja pia nyengine ambayo imechangia katika masuala ya ugonjwa huu wa kifua kikuu ni kwa sababu ya uvutaji sigara. Mheshimiwa Spika, sasa ieleweke kwamba uvutaji huu sio lazima mtu awe ndiye mvutaji lakini kuna ile inaitwa *second hand smoking* itakuwa ni sawa ama si sawa kuwa katika Bunge letu wako wengine ambao hapo nje katika jamii wanaathirika kwa sababu ya *second hand smoking*.

Mheshimiwa Spika, kile tunasema ni kwamba wale ambao wako na starehe ya uvutaji sigara ni ndugu zetu, ni baba zetu, ni wenzetu na tunawaheshimu na tunaheshimu pia haki zao za kikatiba lakini ili kulinda afya, ili kulinda *air pollution* ama mazingira kuchafuka tungeomba Mheshimiwa Spika Bunge hili lipitishe ya kwamba badala wenzetu ama wafanyikazi wetu...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Order! Order! Honourable Fatma, if you continue to persistently consult loudly, I might be forced to ask for your withdrawal from these chambers, please be advised. Thank you. Please proceed.

Hon. Makanga: ...Ahsante kwa kunilinda Mheshimiwa Spika! Ahsante Mheshimiwa Spika unapata tunatembelewa na ukiangalia katika takwimu ni kitu ambacho hata ukienda katika tovuti ya *google* utaona kwamba Mombasa Kaunti tuko na uvutaji mwingi wa sigara. Mheshimiwa Spika, sisi pia tunasema hatupingi watu kuvuta sigara kwa sababu ni uamuzi wao na ni haki yao ya kisheria lakini tungeomba uvutaji huu uweze kuangazia ama kufuatilia sheria zilizoko Mheshimiwa Spika. Si sawa leo hii unatoka hapa unashuka pale nje wako watu wamekuja kulipa ada katika Kaunti hii na unakutana na mtu amejificha kwa choo Mheshimiwa Spika akiwa anavuta sigara hii ni starehe ambayo mtu anafaa kufanya akiwa anafurahia kwa sababu ni pesa zake Mheshimiwa Spika lakini saa hii wanaenda kujificha kwa choo ili wavute sigara. Mheshimiwa Spika watengewe mahali, wawekewe hata kama ni maji wakifika pale wavute wasikie vizuri ili waweze kuendelea na biashara zao Mheshimiwa Spika...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Joshua Ong'au?

Hon. Ong'au: Mheshimiwa Spika, Mheshimiwa Frankline *is not in order* akisema watu wanavuta sigara mpaka chooni *let him prove that*.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Okay proceed.

Hon. Makanga: Mheshimiwa Spika, naomba unilinde kwa kitu kimoja mtu asisimame tu kusema ni *prove* kitu bila kusimama na *Standing Orders*! Kwa hivyo kabla mtu asimame aweze kufuatilia kanuni zetu za kudumu aseme anasimama kulingana na kanuni ipi ya kudumu.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Ojay were you standing on a Point of Order or a Point of Information?

Hon. Ong'au: *[Inaudible]* On a Point of information!

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, proceed Honourable Makanga (*Hossana*)? Yes, Honourable Milka?

Hon. Ngare: Honourable Speaker, I think this is a House of rules and regulations and we are referred to as Honourable Members. I do not think it is in order for Honourable Frankline Makanga to refer to another Honourable Member as *mtu asisimame* I would like him to withdraw that and use the proper language. Thank you.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Well, noted Honourable Frankline...

[Interruption]

Okay wait! Honourable Florence, are you on a Point of Order?

Hon. Kachumbo: Mr. Speaker Point of information, I think it is not fair Honourable Joshua Ong'au...

The Temporary Speaker (Hon. Abdirahman Abdikadir): Who is *Ojay*?

Hon. Kachumbo: Sorry, Honourable Joshua Mose to respond to you while sitting, I think it is not fair, it is rude.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you Honourable. Yes?

Hon. Ong'au: I apologize Honourable Speaker.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Accepted...

[Applause]

Yes, Honourable Frankline please proceed?

Hon. Makanga: Ahsante...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Before you proceed, you should apologize and withdraw the Statement or rather the reference you made to the Honourable.

Hon. Makanga: Mheshimiwa Spika naomba samahani kwa hilo lakini ningeomba Kiti chako uweze kunilinda kwamba Waheshimiwa hapa wanapoamua kusimama kupinga ama kuchelewesha Mswada huu kusonga ama kuja na wazo tofauti la kuunga ama la kupinga Mheshimiwa Spika walifanye hilo kulingana na kanuni za Bunge Mheshimiwa Spika hili ni Jumba la sheria na ningeomba Waheshimiwa wenza haya yote yanapofanyika tuyafanye kulingana na sheria kwa hivyo naomba utuongoze niweze kuendelea. Ahsante.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Members please stand guided that we should not engage in any *filibustering* activities. Yes, Honourable Makanga please proceed?

Hon. Makanga: Ahsante Mheshimiwa Spika, nimepeana na nilikuwa nimeanza ilikuwa naendelea vizuri tulikuwa tuko karibu kumalizia Hoja hii; Mheshimiwa Spika kusimama na kusema kwamba Kaunti yetu ya Mombasa iweze kuchangia vile haki za ndugu zetu ambao wanavuta sigara Mheshimiwa Spika walindwe kwa sababu si vizuri na ukitembea katika *street* zetu, ukitembea katika maduka yetu ya jumla na majumba yetu ya jumla ukienda mahali zile taka zimetupwa utakutana na baki ya sigara ama vile vinavyotumika katika kuvuta sigara. Mheshimiwa Spika, mimi natoka katika eneo la Chaani Wodi, eneo ambalo tumekuwa na mikasa ya moto kwa sababu watu wanavuta vile wanaweza kufikiria na ndio unapata hata wakati mwengine taka zikibebwa zikipelekwa mahali zinakuwa *disposed* unapata mioto inaanza yenyewe bila watu kuwakisha katika maeneo yale. Kwa sababu gani Mheshimiwa Spika, hakukuwa na *disposal* ya yale mabaki ya sigara ambayo yalikuwa na moto ambayo yalizingatia sheria. Kile tungeomba Mheshimiwa Spika ni kwamba serikali hii ya Mombasa itenge mahali ambapo watu watakuwa na uwezo ya kwamba mtu akitaka kupiga starehe yake atapiga bila

kuona ya kwamba amebaguliwa na bila kufinyilia wengine kuna watu ambao mimi naongea kama mtaalam katika masuala ya afya kuna watu wako na ugonjwa unaitwa *allergic rhinitis*...

[*Interruption*]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Pardon!

Hon. Makanga: Kuna watu wana ugonjwa ambao unaitwa *allergic rhinitis* ambao huu ni ugonjwa ambao mtu akipumua vile vitu ambavyo vinaitwa *allergies* almaarufu wanasema vitu ambavyo vinaleta *allergies* Mheshimiwa Spika kuna watu leo hii ama dakika hii wakipumua moshi wa sigara Mheshimiwa Spika vifua vyao vitabana na hawataweza kupumua kwa njia ya sawa...

[*Silence*]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Just proceed please.

Hon. Makanga: ...Ahsante Mheshimiwa Spika, kwa hivyo kila tunachosema ni kwamba Mheshimiwa Spika ili kuwalinda hawa wenzetu ambao wana matatizo haya na nikwambie Mheshimiwa Spika kuna siku moja tukiwa nje ya Bunge hili pale chini ya yale miti Mheshimiwa Spika kukawa na mama pale anakohoa na baadae kukaja pale mtu akiwa anapiga starehe zake Mheshimiwa Spika ule moshi alipopumua ikawa kizaazaa kwa sababu ilibidi mimi mwenyewe nichukue kalamu nimuandikie dawa na tukampeleka pale Khardeboy kwenda kufanyiwa steaming ili iweze kufungua kifua chake Mheshimiwa Spika. Kwa hivyo tunayoyaongea hatulengi mtu binafsi ieleweke Mheshimiwa Spika. Lakini tunalenga kulinda ummah wetu tunalenga kulinda afya ya watu wetu, tunalenga kufanya mji huu uendelee kuwa mji mzuri uendelee kuwa mji wa kuwavutia watu na uendelee kuwa mji ambao umezingatia sheria na kanuni ambazo ziko katika sheria zetu.

Mheshimiwa Spika haya ambayo tunaleta ama haya ambayo nimeleta kama hoja sio maoni yangu ni maswala ambayo yako katika sheria *Tobacco Control Act 2007* hiyo section 33 imeweka bayana na ukinihusu Mheshimiwa Spika nitakusomea kadhaa ambayo yanalinda haki za wale wenye kuvuta sigara na wale ambao Mheshimiwa Spika hawavuti sigara kwa ruksa yako nikusomee uweze kuyaelewa. Ili pia unapoliongoza jumba hili katika kufanya maamuzi yafaa jumba hili lifanye maamuzi wakijua sheria hapa nje imewaamuru kufanya hivyo na pia ummah unawangojea kuweza kuwaongoza kama waheshimiwa. Mheshimiwa Spika sehemu ya 33 ya *Tobacco Control Act* ambayo mwaka 2012 iliweza kufanyiwa revision inasema kwamba uliruhusu kwa ruksa yako kwa sababu imeandikwa kizungu na labda tafsiri imeweza ku *distort* kuchanganya huo ujumbe uniruhusu nisome kwa kizungu ili Waheshimiwa hawa waweze kuendelea, 'Section 33 Prohibited smoking areas';

1. *No person shall smoke in any public space. (Note the word any).*
2. *Without prejudices to the generalities of subsection one...*

[*Interruption*]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Makanga, can you make your statements without any dramatic gestures please.

Hon. Makanga: Thank you, I stand guided. Number 2 without prejudice without generalities of sub section (1): *No person shall smoke in;*

- a. *Offices and workplaces including corridors, lounges, eating areas reception areas, lifts escalators, foyers, stair wheels, toilets, laundries amenity areas or such places.*
- b. *Court buildings*
- c. *Factories*
- d. *Cinemas halls, theaters video houses*
- e. *Hospitals, clinic and other health institutions*
- f. *Restaurants, hotels bars or other eating places*
- g. *Children homes*

And the list continues. Honourable Speaker, including which says public buildings and therefore Mr. Speaker I ask this House that was elected in a very competitive election in 2022 all these Honourable Members who are here. They were elected because people believed in them and those who believed in them Honourable Speaker are both smokers and non-smokers including in my Ward.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable are you on a point of order?

Hon. Mwaura: Yes Mr. Speaker, I think the Member started in Swahili and he is ending in English, I do not know whether the Standing Order allows that.

The Temporary Speaker (Hon. Abdirahman Abdikadir): I did allow it, stand guided, proceed please.

Hon. Makanga: Thank you Mr. Speaker, you were protecting me and I really appreciate you. I was allowed to proceed both in English and Swahili. Thank you Honourable Speaker. I was saying that this Honourable House, all these leaders here were elected by people who believed in them and when they took oath Honourable Speaker they were all excited they were all matching in this House. They were smart on that day and they took an oath that they will protect the people of the republic of Kenya under the Constitution of Kenya; it is at this moment a defining moment that we must make a decision to protect all the smokers and non-smokers. We are not passing this Motion to infringe on anyone's right but let us have these people protected and the rights of our people and the rights of even the environment to have it protected from air pollution Mr. Speaker. I therefore stand to ask this Honourable House to pass this Motion and I appreciate them in advance even as we push forward the health agenda in Mombasa County. Thank you, Honourable Speaker.

[Applause]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Joshua the floor is yours.

Hon. Ong'au: Mheshimiwa Spika leo nitaomba rukhsa kutumia lugha zote mbili kwa sababu ninavyo angalia hii *Motion* imeletwa na Mheshimiwa wa Chaani na iko na makosa mengi sana. For one; we already have a regulation about the issue of cigarettes so we cannot pass a Motion here that we contravene the other regulation of tobacco control for 2010 and again he has come up with some things in this Motion that tobacco smoking causes cancer, there are people who got cancer without smoking. Hii *tobacco* inalimwa na wakulima; we have people who are doing business to sell these tobaccos they trade here, he should go down sit again come up with the Motion afresh because he should stand informed that tobacco is one of the tax payers, its heavily

taxed and because we already have a regulation that is controlling the sale, smoke and usage of tobacco it will be wrong for us to pass this Motion. Thank you.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Joshua just for your information I do not think Honourable Frankline Makanga is calling for the outright banning of tobacco. Yes, Honourable Mwalimu please make your contribution.

Hon. Juma Mwalimu: Ahsante sana Mheshimiwa Spika. Mimi nimesimama kuunga mkono Mswada huu. Kwanza Mheshimiwa Spika uvutaji wa sigara unadhuru afya yako, hii ni kitu ambacho kiko wazi na ukichunguza Mheshimiwa Spika wengi wao wanaovuta sigara wanaugua kisukari, *cancer* na hata *pressure* na tunawajua. Mheshimiwa kwanza uvutaji wa sigara pia unakera kwa sababu ya moshi...

[Applause]

Hivyo basi kesho kwa uwezo wa Mwenyezi Mungu tutakuwa kule Mwakirunge kwa ile sherehe ya kina mama. Kwa hivyo tukimaliza sherehe, tutatafuta sehemu kule ambayo tutawatengea wale wavutaji wa sigara waende wakavutie sigara zao kule Mwakirunge. Ahsante sana Mheshimiwa Spika.

[Applause]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you. Yes, Honourable Fatma proceed please.

Hon. Fatma Swaleh: Ahsante sana Mheshimiwa Spika kwa kuweza kunipa fursa hii kwanza kabisa namshukuru Maulana Muumba mbingu na ardhi pasi na kizuizi kuwa hapa siku ya leo siku tukufu siku ambao sisi Waislamu tunaendelea na saumu. Mheshimiwa Spika, nimesimama kidete kama Mwenyekiti mdogo wa afya kupinga mjadala ulioletwa na Mheshimiwa ambae pia yuko katika Kamati ya afya Mheshimiwa Spika. Kwanza kabisa nashangaa kabisa Mheshimiwa akisema kwamba watu hua wanavuta sigara chooni. Sijui alifanya ama alitumia mbinu gani maanake mimi najua mtu akiingia msalini hua anajifungia mlango sasa sijui yeye alikua akienda akibishia watu akiona kwamba mtu anaingia pale ndani akivuta sigara. Harufu pia inaweza kutoka Mheshimiwa Spika...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Fatma, you are correct Standing Order number 87;

'A Member shall be responsible for the accuracy of any facts which the Member alleges to be true and may be required to substantiate any such facts instantly'.

So please be advised Honourable Frankline Makanga before you make allegations and insinuation. Yes, proceed.

Hon Fatma Swaleh: Ahsante Mheshimiwa Spika na vilevile Mheshimiwa Spika mimi nakumbuka nilipokua mdogo nilipo zaliwa nilipo fungua macho yangu nilimuona babangu ni mvutaji wa sigara kwa hivyo sio sigara peke yake ambayo inaweza kuleta madhara hata sukari Mheshimiwa Spika, inaleta ugonjwa wa sukari, vitamu vinaua vichungu vinaua lakini qadri ya Mwenyezi Mungu peke yake ndio inaweza kukupeleka katika ardhi. Mheshimiwa Spika, kuna mambo mengi sana ambayo yanaumiza ama haki Mheshimiwa amezungumza kuhusu haki. Mheshimiwa Spika hivi sasa tuna janga la mashoga na lesbians Mheshimiwa Spika, samahani

Mheshimiwa spika nimeenda huko maanake lazima nizungumze kama mimi mzazi. Mheshimiwa Spika hili ni janga ambalo pia yeye kama yuko katika kitengo cha afya hua tunasikia tetesi kwamba kule ikifika kina mama wakitaka kuzaa mambo mengi huharibika Mheshimiwa Spika, hizo pia ni haki ambazo tunatakikana tuongee Mheshimiwa Spika...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, please.

Hon. Katana: Thank you Speaker, but I think the Honourable Member is not in order because he is discussing ?? about the Motion on the floor. Thank you.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Overruled!

Hon. Fatma Swaleh: Mheshimiwa Spika nataka kumueleza Mheshimiwa nimesema nagusia maanake hilo pia ni janga ambalo latutatiza hivi sasa. Mheshimiwa Spika kuna mambo ambayo Waheshimiwa yatutatiza na nyinyi kama Waheshimiwa wanaume mumenyamazia maanake munafurahia Mheshimiwa Spika...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Standing Order 80;

Indulgence of the County Assembly, a Member may explain matters of personal interest although there is no question before the County Assembly but such matters may be not debated.

So, you are in order! Honourable Fatma, please proceed.

Hon. Fatma Swaleh: Are you Fatma?

The Temporary Speaker (Hon. Abdirahman Abdikadir): Take a seat Honourable Katana.

[Applause]

[Interruption]

Yes, Honourable Kai are you on a point of order?

Hon. Kai: I want to disagree with Honourable Fatma to say that the men Honourable Members of this House are supporting either homosexuality or lesbianism it is very wrong to say that we are happy for the act. Unless you can prove that; how can you tell that Honourable Members or Honourable Sylvester Kai is happy or is supporting LGBTQ? Can you prove to this House?

[Applause]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Fatma first of all did you make those utterances and if you did, please substantiate. Yes, Honourable Fatma.

Hon. Fatma Swaleh: Mheshimiwa Spika naomba samahani kwa hilo sikusema kwamba yaani wanielewe tu maana wenye kutenda vitendo hivyo wanao julikana wengi ni wanaume na wamenyamazia Mheshimiwa Spika! Naomba samahani Mheshimiwa Spika, naomba unilinde niweze kuendelea...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Nyota. When a Member rises on a point order during the speech of another Member the Member who was speaking shall there upon resume his seat. Yes, proceed please.

Hon. Hamisi Nyota: Thank you Mr. Speaker. I think Honourable Fatma should withdraw that Statement and apologize to the male Members of this House. Thank you.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Fatma, I ask you to withdraw and apologize to all male Members in this House.

Hon. Fatma Swaleh: Am sorry, *samahani*. Mheshimiwa Spika, vitamu...!

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): That is half-hearted apology please make a, yes, all the male Member you need to apologize to them...

[Interruption]

Honourable Nyota, please take your seat. Please apologize profusely.

Hon. Fatma Swaleh: Sawa Mheshimiwa Spika. Waheshimiwa wenza waliona jinsia tofauti na mimi naomba samahani.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Accepted.

Hon. Fatma Swaleh: Mheshimiwa Spika kama nilivyozungumza awali kwamba ukinunua sigara, imeandikwa pale; *uvutaji wa sigara unadhuru afya yako* ni wewe mwenyewe Mheshimiwa Spika. Tayari wale wenyewe wenye kutengeza zile sigara washatuandikia, tena ukiangalia Mheshimiwa Spika walivyo wajanja wametuandikia kwa lugha zote mbili, Kiswahili na Kizungu. Kwa hivyo Mheshimiwa Spika, kuna starehe nyengine huwezi kumkazata mtu Mheshimiwa Spika na tena vile vile ukumbuke katika hizo hizo kampuni za sigara, kuna waume zetu ambao wameandikwa kazi hapo, kuna watoto wetu ambao wameandikwa kazi hapo. Tuseme leo hii tunakatisha maana yake ameanza kidogo kidogo, wajua Mheshimiwa Spika ni kama vile, samahani Mheshimiwa Spika naomba kuijenga hoja Mheshimiwa Spika. Mheshimiwa Spika wajua ngoma ikilia hivi, ikianza unaanza hivi kutingisha kichwa Mheshimiwa Spika, unaanza hivi, ikiendelea unaanza mwili, ikiendelea unaanza kabisa kabisa Mheshimiwa Spika, Mheshimiwa amekuja na hii hoja alafu itaenda mahali pengine, pengine mpaka watu wengine watakosa ajira Mheshimiwa Spika ni yule mvutaji sigara amepewa masharti.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Frankline, what is the issue?

Hon. Fatma Swaleh: Mheshimiwa Spika nilinde.

Hon. Makanga: Mheshimiwa Spika, am on point of information. Kwanza...

[Interruption]

Hon. Fatma Swaleh: Mheshimiwa Spika, *I do not want to be informed*.

Hon. Makanga: Kwanza am the mover of this Motion. Honourable Speaker, let it be on record that I Honourable Frankline Makanga of Chaani Ward, am not moving a motion to...

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Makanga?

Hon. Makanga: Yes.

The Temporary Speaker (Hon. Abdirahman Abdikadir): You will be given an opportunity to respond to the Motion?

Hon. Makanga: He is misleading the House Honourable Speaker.

The Temporary Speaker (Honourable Abdirahman Abdikadir): It's okay you can note it down and then you will be given,

Hon. Makanga: He is misleading the House.

The Temporary Speaker (Hon. Abdirahman Abdikadir): She...

[Interruption]

Hon. Makanga: She is misleading the House saying that am pushing of the burning of smoking Honourable Speaker.

The Temporary Speaker (Hon. Abdirahman Abdikadir): You will be given an opportunity to respond to that. Please take your seat... Proceed.

Hon. Fatma Swaleh: Mheshimiwa Spika naomba Mheshimiwa mwenza anielewe, nimesema ameanza kuja na *Motion* hii, itaendelea kwa kiwango fulani fulani sijasema nielewe vizuri Mheshimiwa najua wewe ni rafiki yangu, jirani yangu, shemeji yangu Mheshimiwa...

The Temporary Speaker (Hon. Abdirahman Abdikadir): Pardon, are you saying am biased towards you? Are you alleging that?

Hon. Fatma Swaleh: Mheshimiwa Spika naomba unilinde! Naomba Mheshimiwa tu anielewe vizuri, nimesema ni kama chumvi ukitia kidogo kidogo inakolea, kwa hivyo ameanza huu Mswada wake kidogo, utaendelea mwisho utadhuru watu Mheshimiwa Spika! Lakini Mheshimiwa Spika ukiangalia katika ile pakiti ya sigara Mheshimiwa Spika imeandikwa kwa lugha zote mbili; na kwa hivyo ni maoni yako mwenyewe aidha uvute au uwache Mheshimiwa Spika. Kwa hayo machache na mafupi nimesimama tena kuupinga.

[Applause]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Milka, please make your contribution?

Hon. Ngare: Thank you Mr. Speaker for giving me this opportunity to give my contribution on the Motion brought to this House by Honourable Frankline Makanga. I want to implore upon my fellow Honourable Members that we rely need to understand the Motion, stick to the main agenda and debate on it soberly. I have stood in support of this Motion for the following reasons; the Honourable Member is talking about, is not asking us to burn smoking, is talking about allowing designated...

[Applause]

Honourable Speaker, protect me.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, you are protected

Hon. Ngare: A direct neighbor of mine here at my right is threatening me now.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Okay.

Hon. Ngare: The Honourable Member is asking that there be designated areas, designated zone of smoking so that we can protect both the smokers and the non-smokers. We are aware that when smokers, and am not alluding any particular person in this House some smokers can be careless, some smokers can throw the cigarette butt not filter carelessly and children may end up picking them up and eating them and that might cause harm to the children health and you know children when young, they are very delicate and if they get to eat this, the remains from the cigarette, they get chest diseases, we end up getting an up rise of diseases that might congest our hospital and therefore use funds that could have been otherwise used elsewhere.

[Applause]

The Honourable Member has given three prayers, if I look at prayer number two, he talks about fire occurrences if am not wrong yes. Some of this fires that we see, big fires that occur especially during dry season in some of our game parks have been caused by a careless smoker who threw a remain of a cigarette butt and that caused that fire, that has very advanced effect on our environment. The natural habitat for our wildlife which again boils down to the decline in our economy because when you destroy a natural habitat for our animals then the effect are quite adverse and we will have a decline in the collection of revenue from tourism. Simply what the Honourable Member after having listening to him very carefully and read what he has listed down, it is very simple let us have what is known as outdoor smoking, where we will have special structures constructed...

[Interruption]

I am on the floor.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Fatma, you are testing my patience, please be guided, just sit. Proceed.

Hon. Ngare: ...Outdoor smoking where we will have convenience for both the smokers and non-smokers; they will have if we for example the County decide that they are going to have a special structure, maybe even give it to a private company to construct a smoking zone where we will have the smokers using that structure which can be either during the rainy season or at all time and all season thing it will not inconvenience anybody. Then the remains will be collected carefully using containers, trucks assigned by the County government they will be collected carefully, they will be taken to designated area where they can be processed into other product as litter so that we do not have anybody being inconvenienced. If we have the smokers in that structure, in that special structure it should be beautiful and attractive also so that they are enjoying their smoking, they are not being intimidated as smokers secluded in a certain place, it is also going to protect us. That structure is going to be made in such a way that the smoke is does not get into other building within here, it is going to protect everybody, the smokers will have an easy time smoking, the non- smokers will also be protected. The children are not going to pick up the remain of the butts so that it can harm then, I think like that, the life is going to be good for all of us...

[Applause]

Mr. Speaker, this boils down to a motion that was passed in this House sometimes back on providing litter bins for this County which has never been implemented. Honourable Mwaura, I hope you are listening to this, another Members has just talk about several Motions being passed here and there is no implementation. We are employing upon you Honourable Mwaura, please let your committee to make a follow up on this, if we all combine our effort, have this litter bin, have this structure that we are asking the County Government to construct and everybody is going to be happy. We will not have all these little things being litter everywhere and with that, I do not want to be informed...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Fatuma, sorry Honourable Milka.

Hon. Fatma Swaleh: Mheshimiwa naomba kutaarifu Nyumba.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes?

Hon. Fatma Swaleh: Mheshimiwa mwenza akizungumza, anamzungumzia Mheshimiwa Mwaura kwa ukali. Mheshimiwa anatakikana azungumzie Nyumba na akikuangalia wewe Mheshimiwa Spika; naomba na tena Mheshimiwa Spika ni kama ambaye anaanza ku *command* Mheshimiwa mwenzake, kila mtu ni Mheshimiwa hapa Mheshimiwa Spika. Ahsante.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you but I think Honourable Mwaura can speak for himself.

Hon. Ngare: Thank you Mr. Speaker, thank you so much.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes.

Hon. Ngare: I want to finish by saying that we need to debate soberly and we need to look at the contents of the Motion, see the benefit of that Motion to this House, to the County and what is the overall outcome of the Motion and the benefits without targeting any particular people. I would want to urge my fellow Members that we support this Motion so that we have a better environment for a better County. Thank you so Much Mr. Speaker.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you. Yes, Honourable Seif Manuari.

Hon. Juma Manuari: Ahsante Mheshimiwa Spika. Kwanza ninashukuru Mwenyezi Mungu kwa juma hili la leo. Pili, nichukue nafasi hii kupingana na hili swala la mwenzetu aliye lileta ndani ya Bunge, mimi simuungi mkono na wala sitoliunga mkono na niko na sababu nyingi kwa nini simuungi mkono. Kwa sababu ukiangalia hata alivyo andika hapa anakwambia mambo ya *Health*, mambo ya afya wakati mimi nikienuka babu yangu alikuwa ni mvuvi kuanzia mdogo; natoa mfano nikiwa mdogo babu namuona anavuta sigara na ameishi miaka mingi zaidi mpaka mimi sasa hivi niko na watoto wakaribia wajukuu na kama ilikuwa yadhuru afya najua babu yangu sasa hivi ningekuwa nishamzika. Pili, mimi nimwambie ndugu yangu hili swala la uvutaji sigara mtu kama starehe huijui achana nayo; kwa sababu mtu yeyote anayevuta sigara unapo muona akivuta sigara huwezi kumuona akishika sigara akivuta huwezi muona akijichanganya na watu, kwanza atatafuta kona akae peke yake maana ule moshi kila ukipiga pafu akili zinapiga mbali. Kila ukipiga pafu kama ni uongo na unasema kuwa inadhuru afya ndugu yangu Mheshimiwa kutoka kule nini *Ojay* mwangalie afya yake...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Sorry Honourable Manuari, take your seat. Honourable Manuari?

Hon. Juma Manuari: Yes.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Members, any Member who wish to speak on any matter in which the Member has a personal interest shall first declare the interest, Honourable Manuari are you a smoker?

Hon. Juma Manuari: Ndio Mheshimiwa.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Okay declare your interest and proceed. Declare your interest please, proceed.

Hon. Juma Manuari: Mimi naongea kama mvutaji sigara na ukimuangalia ndugu yangu Honourable Joshua afya yake na afya ya mwengine ambaye havuti sigara ni vitu viwili tofauti na mimi ukiniona ati mwili umekonda hivi sio ati nini? Ni zoezi jingi ndio maana siwezi nona kama yeye lakini ningejiachilia hata saa hii ungeshangaa sana...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Manuari, that is body shaming please refrain from that! Proceed.

Hon. Juma Manuari: Ahsante Mheshimiwa Spika. Mimi nasimama kupinga hili swala la uvutaji wa sigara. Ahsante Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Eliud make your contribution.

Hon. Kimari: Ahsante sana Mheshimiwa Spika nimesimama hapa kuunga mkono hoja ya Hossana.

[Applause]

Mheshimiwa Spika sijui kizungu hakieleweki ama ni vipi? Na ningeomba in future Mheshimiwa akileta hoja hapa, ikisomwa na lugha ya kimombo anatafsiri pia na lugha ya Kiswahili ili iweze kueleweka vizuri kwa Waheshimiwa Wenza. Hii lugha Mheshimiwa Spika...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Member what is the issue? Members what is the issue? Honourable Joshua?

Hon. Ong'ao: On a point of order. Honourable Member from Nyali Sub - County, that is an insult to Members of this House we understand all the languages we know Kiswahili; we know English even sign language.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Okay.

Hon. Kimari: Samahani Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Okay.

Hon. Kimari: Mheshimiwa Spika nikisimama hapa kuunga hii hoja, kuna sheria kadha wa kadha zimepitishwa na Bunge kuu la Kaunti, na ukiangalia katika Bunge Kuu kuna Katiba ilipitishwa mnamo mwaka wa elfu mbili na kumi (2010) na pale katika ile Katiba kuna haki ya kupata mazingira masafi yalio imarika na salama kwa afya ya binadamu. Mheshimiwa Spika, ndugu yangu Mheshimiwa *Hossana* anaongelelea kuhusu *third party* ama *second party* ya yule mvutaji sigara; ile *impact* analeta kwa yule mtu mwengine Mheshimiwa Spika na ukiangalia mji wetu wa Mombasa hakuna mahali popote, kuna *public designated area* ya uvutaji wa sigara na ukiangalia katika mji wa Nairobi ambayo ni *capital* ya nchi yetu, kuna zile sehemu zimetengwa za uvutaji wa sigara. Mheshimiwa Spika, nimesimama kuunga hii hoja na vile vile ningependa hata kama ni zile area zote either kwa basi, Mikahawa, hata kwa Makanisa, kwa Misikiti Mheshimiwa Spika, kila mahali kutengwe sehemu za uvutaji sigara, kwa sababu kuna zile madhara zinaletwa na uvutaji wa sigara Mheshimiwa Spika...

[Applause]

Mheshimiwa Spika akina mama wakiwa waja wazito, uvutaji wa sigara umekuwa ukidhuru na wengine wao wanapata kwa Kiswahili hio jina inanipotea, '*miscarriage*' Mheshimiwa Spika katika kuavya mimba kwa sababu ya ule uvutaji wa sigara Mheshimiwa Spika. Kwa hivyo...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Fatma, this is your last warning.

Hon. Kimari: Mheshimiwa nilinde. Mheshimiwa Spika!

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Ogutu what is the issue?

Hon. Ogutu: Mheshimiwa Spika naomba Mheshimiwa Eliud atufafanunulie ni Kanisa ipi na Msikiti gani ambayo sigara inavutwa ndani.

Hon. Kimari: Mheshimiwa Spika inalingana na kanisa ile unaenda, kuna kanisa za Rastafarians.

[Applause]

Kuna ile sigara yao ambayo wao huvuta na ndio hiyo kanisa wengine wao wanasema ni kanisa ya Wajakoya na nikiendelea Mheshimiwa Spika...

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Members, let us refrain from the side shows and stick to the debate, proceed Honourable Eliud?

[Interruption]

Take your seat Honourable Fatma.

Hon. Kimari: Mheshimiwa Spika, mimi sijasema mahali popote kwa Msikiti kunavutwa sigara! Ni kusema nimesema sehemu zozote ambazo umma upo, zitengwe zile nafasi Mheshimiwa Spika

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Jushua what is it?

Hon. Ong'ao: Mheshimiwa ambaye alikuwa akiongea amemtaja kiongozi ambaye alikuwa ni *presidential candidate*, Wajakoya na Wajakoya amekuwa akisema yeye *he doesn't smoke*. Kwa hivyo naomba afafanue alimuona Wajakoya wapi akivuta.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes?

Hon. Kimari: Mheshimiwa Spika sijasema mahali popote Wajakoya na jina Wajakoya sijasema alikuwa amesimama katika kiti chochote Mheshimiwa Spika. Kwa hivyo jina Wajakoya lina watu wengi wanao julikana Wajakoya katika Taifa la nchi yetu.

[Applause]

Na Mheshimiwa Spika nikimalizia huu uvutaji wa sigara ovyo ovyo kila mahali, ukiangalia juzi juzi msitu wa Aberdares ule moto ulio sababisha ile msitu kuchomeka...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): When was that please?

Hon. Kimari: Ilikuwa wiki kadha zilizopita Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Okay.

Hon. Kimari: Nikipata habari kamili vizuri nitaleta katika Bunge hili Mheshimiwa Spika. Kwa hivyo mimi sina mengi ndugu yangu Mheshimiwa *Hossana* nakuunga mkono na nikiketi najua Mheshimiwa Mwaura...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Kai, please take a seat the Member is on the floor.

Hon. Kimari: Najua Mheshimiwa Mwaura katika Kamati yake hata hakikisha hili hoja limetekelezwa Mheshimiwa Spika. Ahsante.

[Applause]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, let me move to this side, Honourable Patrick? Make your contribution.

Hon. Mbelle: Mheshimiwa Spika kwanza nakushukuru kwa kunipa nafasi hii na nimesimama hapa kueleza umma na Waheshimiwa wenza ya kwamba, Mswada huu ulioletwa na Mheshimiwa *Hossana* ni Mswada ambao unanuia kuweka heshima kwa watu ambao wanavuta sigara...

[Applause]

Na kwa hilo ni kwamba wanaovuta sigara wapewe heshima kama wananchi wengine. Watengewe sehemu yao maalum ya kuweza kuvuta sigara, ili nao pia waweze kuwa na nafasi ile Kiswahili wanasema kuji *nafas* bila kusumbuliwa na mtu yeyote. Kwa hivyo Mheshimiwa Spika mimi naunga hoja hii, ingawaje Mheshimiwa Mwenza *Hossana* katika hoja yako, kuna sehemu tu mbili tatu ambazo kidogo nafikiri zilikuwa zinaongelea mambo ambayo labda ungeyabadilisha. Moja wapo ni kusema kwamba ule moshi unaleta harafu mbaya kwa watu

ambao wako katika karibu na wale ambao wanavuta sigara. Hatujajua kama ni wote wanapenda ile harufu ama wengine wanachukia. Kwa hivyo labda tu katika hoja yako ungerekebisha hio, kwa sababu labda ingefanya mtu aweze kupinga bila kujua. Ya pili ni kusema ya kwamba kuisitiza tu ya kwamba ile heshima ambayo Mheshimiwa *Hossana* anajaribu kuwatafutia Waheshimiwa Wenza na wale ambao pia wanavuta sigara na nikisema hivyo Mheshimiwa Spika, sijui ni nani anavuta sigara maana sijui ni nani anavuta sigara na nani havuti ingawaje kuna mmoja amethibitisha kwamba anavuta sigara ndio maana nasema Waheshimiwa wenza. Kwa hivyo nasema hivyo nikiomba pia nilindwe, kwa sababu najua mmoja amesema anavuta sigara, ni kwamba ameweka hapa wazi kwamba anaomba Kaunti yetu ya Mombasa iweze kujenga sehemu maalum.

Lakini Mheshimiwa Spika naomba nitoke nje ya mada kidogo nikisema ya kwamba, kweli tunapo tafuta nia ana njia ya kutafuta uwezo wenzetu wapewe heshima Kaunti yetu ya Mombasa hivi sasa nikisikiza katika vyombo vya habari na hata Gavana wengine wakiongea ni kwamba hawajapata pesa kutoka *ex-chequer* Kiswahili sijui wanaitwa nani? Ningeomba tunapozidi kuleta mada kama hizi, pia tuisitize serikali iweze kuachilia pesa ili mada kama hizi, badala ya kumlaumu Mheshimiwa Mwenzetu wa Kongowea Mheshimiwa Mwaura, ya kwamba vitu havifanyiki ni kwamba kuna uwezekano ya kwamba Gavana hafanyi mambo haya kwa sababu hana pesa. Kwa hivyo ni muhimu pia sisi tuweze kusukuma Serikali kuu iweze kuachilia pesa ndio Mswada kama hii, iweze kupata hela ya kuweza kutimiza kulingana na maombi yetu ndani Bunge hili. Kwa hivyo naunga mkono hoja hii nikijua ya kwamba wanatafutwa heshima yao kama wavuta sigara ahsante.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you Honourable Sylvester make your contribution.

Hon. Kai: Ahsante Mheshimiwa Spika kwa kunipatia fursa hii. Nasimama kuunga mkono hoja ambayo imeletwa na Mheshimiwa wa pale Chaani, ambaye pia tunajua ni daktari kitaaluma lakini kabla niendeleo, nichukue fursa hii ya kipekee kumpongeza Mheshimiwa wa pale Mkomani Eliud Kimari kwa ajili ya ushindi wake. Tunajua alikuwa yuko na kesi na kiukweli ilikuwa inamnyima fursa ya kuwa mwenye kufikiria na kuweza kujenga Bunge hili kulingana na ile akili kubwa, ambayo nimeweza kuona leo. Mheshimiwa karibu sana tukaweze kujenga Bunge hili pamoja...

[Applause]

Kiukweli mimi nataka niseme ninamuunga mkono ndugu yangu Mheshimiwa Frankline Makanga kwa hoja hii ambayo ameweza kuileta leo, ili pia wale ambao ni waraibu wa sigara wasiweze kutengwa bali wakaweza kutengenezewa sehemu ambayo wataweza kuchukua huu uraibu wao kama vile watu wengine wowote ambao ni waraibu, na pia nisisitize kwa ajili ya mwelekezo wa Bunge, hata wakati mwengine ni vizuri Waheshimiwa kama tunachangia hoja yoyote, tukaweze kuelewa kwa upana zaidi, ili tusiishie kwamba labda tunazozana lakini ukiangalia mtu ama Kiongozi, ile jambo ambalo anazozana kwalo labda halijagusiwa mahali popote katika hoja hii. Mfano mzuri kama kuna mtu anataka kumtoa nje ya mada kiongozi, ya kwamba yeye eti amesema anapinga ama hataki ukulima wa inaitwa tumbaku ama ni vipi Mheshimiwa? Ni tumbaku? Hajasema kwamba anapinga ukuzaji wa tumbaku. Sasa kuna mwengine anasimama anasema yeye haungi mkono hoja hii, kwa sababu Mheshimiwa amekataa ukulima wa tumbaku sio kweli Mheshimiwa Spika na mambo haya nimeona kwa mara nyingi yanakuwa yanajirudia hivyo basi ikiwa itakuwa hali ni hiyo, mtu atakuja alete hoja yake katika Nyumba hii na iwe ni hoja ya maana lakini kwa sababu Mheshimiwa Frankline Makanga wakati

fulani alileta hoja na akaona amepingwa lakini sababu haikuwa ni ya haja utakuta ya kwamba kutakuja kuanguka hoja ambazo ni za kimsingi lakini watu watakuwa wamejengeana hofu; wamejengeana chuki na itapelekea na kwamba tutakuja kuanguka Miswada ya maana sana katika Jumba hili. Lakini nimeshukuru sana Mheshimiwa Spika kwa sababu unaendelea kutuelekeza vyema na unatufanya sisi sote tuelewe ya kwamba tumekuja katika Jumba hili kuhakikisha ya kwamba tunapitisha Miswada ambayo ni ya kusaidia mwananchi pale nje. Shukurani sana.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you. Members because of interest of time let us be brief with our contribution. Yes, Honourable Katana make your contribution, be brief please.

[Interruption]

Hon. Madialo: Point of order!

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes?

Hon. Madialo: Is it in order for the Honourable Speaker or President to grant permission to another Honourable Member when the Deputy Speaker is up standing?

The Temporary Speaker (Hon. Abdirahman Abdikadir): It is quite in order to do that, yes?

Hon. Madialo: I am well guided.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you, proceed.

Hon. Katana: Ahsante Mheshimiwa Spika na kiheshimu sana Kiti ulichokaa Mheshimiwa Spika na mazungumzo mengine tutafanya huko katika vikao vya Kamati, lakini Mheshimiwa Spika naomba nitangaze kusikitishwa kwangu na tunavyo endesha biashara zetu hapa. Majina tuliopewa ya uheshimiwa Mheshimiwa Spika, endapo watu wetu walio tuajiri watakuja kwa umma wakae pale watazame jinsi tunavyo endesha mijadala yetu itakuwa si kitu kingine zaidi ya kujidhalilisha....

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Katana, all Members are entitled to their opinions and we cannot curtail that. Please proceed now.

Hon. Katana: Ahsante Mheshimiwa Spika, labda kwa heshima ya Kiti ulichoketi, nitayameza maneno yangu labda tutapatana Kamukunji. Mheshimiwa Spika nataka kutoa hoja yangu ya kuunga mkono na ni kwa nini na sababu gani ya kuliunga mkono swala hili, katika Bunge hili inaeleweka si rahisi sana mimi kuchaguliwa kuunga mkono hoja maana hata ukinichagua na kama hoja naiona haina maana mimi naipinga moja kwa moja; lakini hoja hii Mheshimiwa Spika...

[Interruption]

Hon. Kai: Point of Order!

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Yes, Honourable Kai, are you on a point of order?! Honourable Members, I will not be taking any point of information henceforth please take your seat. Point of order which number, Standing Order?

Hon. Kai: Mheshimiwa Spika naomba kufahamishwa au kuelimishwa...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Point of Order! Which point of Order?

[Interruption]

Hon. Kai: Mheshimiwa Spika kama itakuwa ni sawa kwamba Mheshimiwa Spika mzoefu yuko katika Nyumba hii...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Sylvester Kai which point of Order are up on?

[Interruption]

Hon. Kai: I will have to peruse and I do not have the Standing Order....

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Please peruse and then get back to me...

[Interruption]

Hon. Kai: But I know it is not in order...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Take your seat please. Are you arguing with me?

[Interruption]

Hon. Kai: No, I cannot.

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Take your seat please...

[Interruption]

Hon. Kai: No, I cannot argue with you...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Take your seat.

[Interruption]

Hon. Katana: Mheshimiwa Spika itabidi niongee haraka haraka kabla mwengine hajanitatiza maana naona mjadala huu umeliamsha Bunge hili. Mheshimiwa Spika sababu ya kuliunga mkono swala hili ni kwamba kusema ukweli kuna madhara katika kuvuta sigara kiholela nitatoa mfano ambao mimi umenikumba. Mheshimiwa Spika wale watoto niliowazaa kutoka kwa viuno vyangu ni wawili, lakini katika hesabu za dunia hii nina watoto watatu kwa ujumla Mheshimiwa Spika na mtoto wa kwanza nilimpata akiwa miezi miwili na nilimchukua baada ya wazazi wake walikuwa wanaishi nae kwa chumba ambacho hakina dirisha ni mlango tu na wale wazazi wote wawili walikuwa wavutaji bangi na mtoto huyu nilimchukua akiwa mdogo nikauguza maradhi ya kifua kikuu Mheshimiwa Spika nashukuru Mwenyezi Mungu alimsaidia hivi tunavyozungumza mtoto wangu huyo yuko Aquinas High kidato cha tatu baada ya kuugua maradhi ya kifua kikuu Mheshimiwa Spika. Hili ni jambo la kuhuzunisha kwa aliyekuwa akiwa karibu na yule mtoto akimpatia matibabu na kitu ambacho kinajitokeza hapa Mheshimiwa Spika swala alilo liomba Mheshimiwa wa Chaani msomi Daktari hajaomba mambo mengi.

Mheshimiwa Spika, ameomba kwamba itakuwa vizuri kama Serikali yetu ya Kaunti itaweka sehemu za watu hawa ambao wana uraibu huu wa kuvuta sigara wawe watajengewa. Mheshimiwa Patrick Mbelle ambaye namuheshimu sana akataja swala la pengine gharama ya kutengeza mabanda haya ama sehemu hizi za kuvutia inaweza kuwa shida kwa sababu ya ukosefu wa fedha Mheshimiwa Spika nataka nitangaze ya kwamba hata mimi nina uwezo Mheshimiwa Spika ni ruhusa ya Serikali ya Kaunti ipeane sehemu ili hizi nafasi zitengezwe kwa sababu ni muhimu Mheshimiwa Spika. Lengine ni kwamba Mheshimiwa Spika unajua mwenye upele, panapotajwa kujikuna mwenye upele huwa anawashwa tayari Mheshimiwa Spika. Sasa swala hili halijamtaja mtu binafsi na wala swala hili Mheshimiwa Spika halijataja ama halijafunga uuzaji ama uvutaji wa sigara, linalokuja ni swala la kwamba Mheshimiwa Spika watu wavute lakini kwa sehemu zilizotengwa. La zaidi ninalotaka kupendekeza katika Mswaada huu Mheshimiwa Spika ni endapo mtu atapatikana anavuta sigara mahali ambapo sipo, atozwe faini kali ya kama shillingi laki moja Mheshimiwa Spika. Kwa hivyo kwa hayo machache nataka kusema naliunga mkono swala hili. Ahsante Mheshimiwa Spika.

[Applause]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you. Yes, Honourable Fadhihi make your contribution.

The Deputy Speaker (Hon. Fadhihi Mwalimu): Ahsante sana Mheshimiwa Spika kwa kunipa fursa hii. Mheshimiwa Spika mimi naenda moja kwa moja nimeingia nikasikia mjadala, sijausoma hapa lakini Mheshimiwa Spika mimi nasimama kuupinga hoja hii...

[Applause]

Kulingana na nilivyo sikiza Waheshimiwa wenzangu. Mheshimiwa Spika haiwezekani, itakuwaje Mheshimiwa Spika?! Ntoa mfano wa kwamba wewe uweke mahali pa kuvutia sigara ni pale Mwembe Tayari, hawa wafanyi biashara wengine ambao hawako Mwembe Tayari Mheshimiwa Spika itakuwa twawajenga ama twabomoa Mheshimiwa Spika...

[Applause]

Mheshimiwa Spika, hili swala la kuwa kutengwe sehemu tu ina sababu zingine fiche chini yake! Mheshimiwa Spika yawezekana kuwa kuna wengine wafanyi biashara ambao wanafikiria kuwa lau likifanywa hili, maana hapa twaambiwa zitengwe hatujaambiwa zatengwa

sehemu gani? Mheshimiwa Spika twaweza keti hapa tupitisha kumbe twatengeza ama twategemea wengine biashara...

[Applause]

Mheshimiwa Spika ile sigara yenyewe huwa ishaandikwa pale *sigara inadhuru afya yako* ama sivyo Mheshimiwa Spika? Na Mheshimiwa mmoja anatuambia ya kuwa alichukua mtoto akamlea twakupa pongezi kwa kumlea lakini je, itazuia watu pia kuvuta sigara ndani ya vyumba vyao hii sheria ambayo twataka kupitisha ama hii hoja mbayo twataka kupitisha hapa. Mheshimiwa Spika tutakuwa tuna wengine ambao twawapatia sheria ngumu ngumu na wengine itakuwa twawapatia mambo rahisi Mheshimiwa Spika, kwa sababu ikiwa mimi nikija mjini nimetengewa mahali pa kuvuta sigara; Mheshimiwa Spika mimi naishi Docks nikitaka kuvuta sigara ni lazima nje mpaka County Assembly ili nivute sigara? Mwanzo Mheshimiwa Spika hiyo itatuletea sisi madhara mengi maana ikiwa itakuwa tutakuwa tumeweka kitengo cha kuvuta sigara ni hapa nje ya County Assembly...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Frankline Makanga just a minute...

[Interruption]

Hon. Fadhili Mwalimu: Mheshimiwa Spika si huoni tutakuwa tuathirike sisi twaleta madhara hapa....

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Hold on, hold on please. Honourable Frankline Makanga what are you up on?

[Interruption]

The Deputy Speaker (Hon. Fadhili Mwalimu): Mheshimiwa Spika sitaki Daktari aniarifu....

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Frankline proceed. Is it a point of information or are you up on a Standing Order?

Hon. Makanga: It is a point of information Mr. Speaker...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): No am not taking any point of information, you will be...

[Interruption]

Hon. Makanga: It is a point of information to the House....

[Interruption]

Hon. Fadhili Mwalimu: I do not want to be informed Mr. Speaker.

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Frankline...

[Interruption]

Hon. Makanga: It is a point of information to the House!

[Interruption]

The Temporary Speaker [Hon. Abdirahman Abdikadir]: Order! Order! Order!

[Interruption]

Hon. Fadhili Mwalimu: I do not want to be informed Mr. Speaker...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Order Honourable Frankline! You will be given an opportunity to respond to all this, yes proceed Honourable Fadhili.

Hon. Fadhili Mwalimu: Ahsante Mheshimiwa Spika. Mheshimiwa Spika mimi naomba waheshimiwa wenzangu tusimame pamoja, hii hoja ambayo iko mbele yetu leo tuweze kuipinga kwa manufaa ya wale wafanyi biashara ndogo ndogo Mheshimiwa Spika; wale wafanyi biashara ndogo ndogo tutakuwa twawaumiza na twawauwa. Waheshimiwa wenzangu kwa heshima na taadhima nawaomba sote tuweze kupinga hoja hii ambayo iko mbele yetu na pia vile vile italetta mfano mzuri ya wale waheshimiwa ikiwa mumesimama pamoja na wale wafanyi biashara wadogo wadogo, ahsante sana Mheshimiwa Spika na naomba tuipinga pamoja.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Honourable Members, it is 12:15 noon we have 15 minutes left and I want to give Honourable Frankline ample time to respond to this. So Honourable Members you will forgive me unless it is a very pressing contribution. Honourable Fadhili by your own admission with due respect you said you have even gone through the content of this document, so I fail to understand what exactly you are opposing. Now I will give this opportunity to the Leader of Minority please take the floor.

The Leader of Minority Party (Hon. Matsaki): Ahsante Mheshimiwa Spika na mimi nasema ahsante kwa sababu ulioweza kunipatia...

[Interruption]

The Temporary Speaker (Honourable Abdirahman Abdikadir): I give you 1 minute please.

The Leader of Minority Party (Hon. Matsaki): Ok. Mimi ninauunga mkono...

[Applause]

Hoja hii iliyoletwa kwa Nyumba hii si kwamba kampuni ya kutengeza sigara imekatazwa, ni sehemu tu zitengwe peke yake...

[Applause]

Uvutaji sigara hata ukiwa utavuta sigara pakiti 10 enda sehemu zitakazo tengwa ikiwa hoja hii tutaipitisha, hilo tu. Ahsante sana Bwana Spika.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Ok. I will be giving each 1 minute. Honourable Members, please 1 minute strictly or rather you can just stand and say either you oppose or you support it. Yes, Honourable Naim please, let us not waste time please...

Hon. Shafiq: Thank you Mr. Speaker Sir. *Mimi naomba kutumia lugha zote mbili uniruhusu tafadhali.*

The Temporary Speaker (Hon. Abdirahman Abdikadir): No! Not allowed, you are not granted.

Hon. Shafiq: Kindly?

The Temporary Speaker (Hon. Abdirahman Abdikadir): Do you support this Motion or oppose this Motion?

Hon. Shafiq: I oppose this Motion...

[Applause]

With specific reasons.

[Applause]

I have reasons to guide it...

The Temporary Speaker (Hon. Abdirahman Abdikadir): Just one reason please?

Hon. Shafiq: Okay it is fine. Mr. Speaker, my friend here doctor he has only given one side to the non - smokers but he has not touched on smoker's part *naomba uniruhusu niongee Kiswahili Mheshimiwa Spika?*

The Temporary Speaker (Hon. Abdirahman Abdikadir): Proceed?

Hon. Shafiq: Ahsante sana Mheshimiwa Spika. Kwa wale wanaovuta sigara wako na effect zao pia kutoka Mheshimiwa aanze kuongea anasema ni starehe na ku *insist* kuwa ni starehe kuna watu waliingia kama starehe lakini wanashidwa kutoka ni vigumu kwao wao kuwacha na watu kama hao Mheshimiwa Spika wakikosa kuvuta inaleta madhara makubwa sana kwao nafikiri dakitari anaweza kuendelea...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Your one minute is up please.

Hon. Shafiq: One more, one more please?

The Temporary Speaker (Hon. Abdirahman Abdikadir): One minute is up Okay please?

Hon. Shafiq: Wacha nimalizie Mheshimiwa Spika.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Okay finish up please?

Hon. Shafiq: Kuna kitu kinaitwa *Red blood cells* kwenye mwili. Wavutaji wakiwa wamezoea kuvuta *the red blood cells* huwa zina *expand the moment* zime *expand they need air to be filled so* mtu akikosa kuvuta na akiwa amezoea kwa mwili wake inakuwa ngumu sana na

anapata *challenges* ya *heart rate* inazidi, *red blood cells* zitakuwa zimekuwa *expanded* na hawezi pata *enough oxygen*...

[Interruption]

The Temporary Speaker (Hon. Abdirahaman Abdikadir): Well, noted.

Hon. Shafiq: Ahsante Mheshimiwa Spika.

[Several Members stood up]

The Temporary Speaker (Hon. Abdirahaman Abdikadir): Honourable Members! Honourable Members! I will give you thirty seconds. Thirty seconds! I will start with Honourable Nyota? Do you support or do you oppose?

Hon. Hamisi Nyota: Thank you Mr. Speaker for giving me this opportunity I support this Motion with one reason...

[Applause]

One reason I think most members have not understood what the Motion is all about the Motion is not about smoking or not smoking the Motion...

[Interruption]

The Temporary Speaker (Hon. Abdirahaman Abdikadir): Honourable Members, that point has been made before, Honourable Nyota...

[Interruption]

Hon. Hamisi Nyota: We are moving to a...

[Interruption]

The Temporary Speaker (Hon. Abdirahaman Abdikadir): Honourable Nyota, take your seat please? Take your seat! Take your seat!

Hon. Hamisi Nyota: Mr. Speaker I want to make my contribution. I have not finished with my contribution.

The Temporary Speaker (Hon. Abdirahaman Abdikadir): Honourable Nyota take your seat please! Thirty second each, please? Take your seat. Honourable Madialo please?

Hon. Madialo: Thank you Mr. Speaker I support this motion because the mover of the motion is not saying that smokers should not smoke he simple saying there should be a designated place. Thank you.

The Temporary Speaker (Hon. Abdirahaman Abdikadir): Thank you yes Honourable Hawaa Abdulrahman? Thirty seconds.

Hon. Hawa Abdulrahman: Thank you Mr. Speaker Sir for this opportunity, I support the Motion.

The Temporary Speaker (Hon. Abdirahaman Abdikadir): Thank you.

Hon. Hawaa Abdulrahman: But there is also need for sensitization on active smokers because as much as we have a designated places there is also those that smoke at home, so there is need for sensitization to the active smokers so that they can protect the passive smokers.

The Temporary Speaker (Hon. Abdirahaman Abdikadir): Okay, so you are not fully supporting the Motion? Well noted.

Hon. Hawaa Abdulrahman: I am supporting! I am supporting.

The Temporary Speaker (Hon. Abdirahaman Abdikadir): It is okay. Honourable Hamida? Thirty seconds.

Hon. Noor: Thank you Mr. Speaker. Mr. Speaker, I stand to support the Motion.

[Applauses]

I stand to support the Motion because in Nairobi they have designated areas.

[Applause]

I think for this House the Health Committee should go to Nairobi and find out how they do it so that atleast they know...

[Interruption]

The Temporary Speaker (Hon. Abdirahaman Abdikadir): Thank you.

Hon. Noor: Since we are in the second city here so that we have a better environment, thank you Mr. Speaker.

The Temporary Speaker (Hon. Abdirahaman Abdikadir): Thank you. Now Honourable Members I give the opportunity to Honourable Frankline Makanga to respond briefly again.

[Loud consultations]

Pardon what is it?

[Honourable Ogutu stood up]

What is it boss?

Hon. Ogutu: Mheshimiwa Spika ahsante jambo la kwanza...

[Interruption]

The Temporary Speaker (Hon. Abdirahaman Abdikadir): What is the issue Honourable Ogutu?

Hon. Ogutu: I am coming to it Chair.

The Temporary Speaker (Hon. Abdirahaman Abdikadir): What is it exactly?

Hon. Ogutu: Nambari moja tunatumia pesa nyingi sana kufanya kazi ya awareness. Pili, starehe ni gharama kuna watu wanatoka hapa wanaenda Mtwapa kutafuta starehe yao kuna wengine wanaenda sababu kutafuta starehe yao....

[Interruption]

The Temporary Speaker (Hon. Abdirahaman Abdikadir): Honourable Ogutu order! Order! Take seat please?

[Honourable Ogutu voice raised]

Take your seat, please! Take your seat! Honourable member! Okay, yes Honourable Makanga, proceed?

Hon. Makanga: Honourable Speaker thank you, with your... thank you Member.

[Interruption]

The Temporary Speaker (Hon. Abdirahaman Abdikadir): Honourable Members, you will be given an opportunity to say *Ayes* or *Nay*, so just hold your horses. Proceed?

Hon. Makanga: Is it in order maybe I seek your indulgence...

[Interruption]

The Temporary Speaker (Hon. Abdirahaman Abdikadir): Please just respond? Just respond?

Hon. Makanga: I wanted to donate a half a second to my Chair in Health?

The Temporary Speaker (Hon. Abdirahaman Abdikadir): Do not? Do not! Please respond to the Motion.

Hon. Makanga: Thank you Mr. Speaker. I wish to respond to the comments made by the Honourable Members; first, I would like to appreciate every Honourable Member who stood on the floor both who those who supported and those who opposed. It is their right and it is a manifest of what they stand for so I appreciate all of them and secondly to appreciate those who have supported the Motion because they have understood...

[Applause]

One of the things that I have outstanding is that, they have able to read...

[Applause]

They have been able to understand. They have comprehended what it is in this Motion...

[Applause]

[Interruption]

The Temporary Speaker (Hon. Abdirahaman Abdikadir): Proceed? Proceed?

Hon. Makanga: Honourable Speaker on the issue on the designated areas. It is very clear and it is in every Act that supports it including the Tobacco Act Honourable Speaker, that it is not an issue of having the designated place in town being at the center of the Mwembe Tayari but for every building because there people in it and the imagination that every building we cannot miss a smoker then it means every building they set a site apart a place where one who feels to go and smoke they can go and smoke and Honourable Speaker this is not an issue of constructing or putting a premises it can be a set out place an open field where you go there take your staffs then you dispose even those who clean - up we are going to do a follow up of the remains we

will be able to do with easy but we allow everybody to smoke anywhere anytime Honourable Speaker the issue of fire very difficult to control...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Time! You have 30 seconds left.

Hon. Makanga: Honourable Speaker, I stand this day being the 7th of March, 2023 to appreciate this Honourable House that we have passed an important Motion, that we not only safeguard our dignity but we safeguard the dignity of our people...

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Time! Thank, you have thirty second left.

Hon. Makanga: The people that we represent and I want....

[Interruption]

The Temporary Speaker (Hon. Abdirahman Abdikadir): Time up! Thank you.

Hon. Makanga: Thank you so much Honourable Speaker.

The Temporary Speaker (Hon. Abdirahman Abdikadir): Thank you so much, now Honourable Members perhaps I have not given you an opportunity to express your sentiments now it is your opportunity to shout at your top of your lungs. I now put the question...you are allowed to shout...

[Consultations]

Yes, Honourable Members I now put the question that the Motion by Frankline Makanga on; *The Designation of smoking zones in Mombasa County* be adopted by this Honourable House in the same terms as moved.

[Loud consultations]

I will repeat it again please!

[Question put and agreed to]

[Applause]

Yes, Clerk?

ADJOURNMENT

Honourable Members, this House stands adjourned until Tuesday 7th March, 2023 at 2:30 p.m.

The House rose at 12:27p.m.