



## COUNTY ASSEMBLY OF MOMBASA

### OFFICIAL REPORT

Tuesday, 8<sup>th</sup> October 2019  
The House met at 11:10 a.m.

*(The Speaker (Hon. Aharub Khatri) in the Chair)*

### PRAYERS

**The Speaker** (Hon. Khatri): Hon. Members you may be seated. Yes Clerk?

### NOTICE OF MOTION

#### REVIEW OF THE COUNTY ASSEMBLY STANDING ORDERS

Hon. Mwamwiri please give the Notice of Motion.

**Hon. Athman Mwamwiri:** Review of the County Assembly Standing orders. Mr. Speaker Sir, I beg to move the following Motion as amended.

WHEREAS, Section 14 (a) of the County Government Act, 2012 provides that a County Assembly may make Standing Orders consistent with the Constitution and the Acts regulating procedures of the County Assembly;

WHEREAS, the current Standing Orders now in use at the County Assembly were formerly in use at the National Assembly and were to be used pursuant to section 14 (7) of the County Government Act, 2012 as interim Standing Orders until the County Assembly makes its own Standing Orders;

WHEREAS, after usage for some time, gaps, deficiencies and omissions have been observed in the current Standing Orders which require fixing;

WHEREAS the National Assembly being a respected legislative institution in our country and worldwide has made so many amendments to its Standing orders to keep them abreast with the changing times;

WHEREAS, with the passage of time and usage there is need to review and fill the gaps, omissions and inadequacies in the current Standing Orders;

NOW, THEREFORE, the County Assembly of Mombasa hereby resolves as follows:

1. THAT, the Committee of Rules and Procedures to undertake a review of the Standing Orders to update them incorporate best practices from the National Assembly and other jurisdictions;

2. THAT, the Committee of Rules and Procedures shall within 90 days of approval of this resolution table necessary amendments to the Standing Orders in this County Assembly for consideration and approval;

3. THAT, once amendments are approved by the County Assembly the complete Standing Orders be published and circulated within 90 days thereof.

Thank you Mr. Speaker.

**The Speaker** (Hon. Khatri): Thank you Hon. Mwamwiri. Yes Clerk next order?

### STATEMENT

Yes Hon. Fadhili.

**The Deputy Speaker** (Hon. Mwalimu): Ahsante Mheshimiwa Spika nasimama na kifungu 41(2)c ambacho uko na uwezo wa kuniruhusu ama kutoruhusu. Mheshimiwa Spika nilikuwa naomba Bunge hili...

*(Interruption)*

**The Speaker** (Hon. Khatri): 41(2) c inasema nini Mheshimiwa Fadhili.

**The Deputy Speaker** (Hon. Mwalimu): Kuwa Mheshimiwa anaweza kusimama na kuomba kupeana taarifa kupitia kwako.

**The Speaker** (Hon. Khatri): You have a Statement?

**The Deputy Speaker** (Hon. Mwalimu): Ndio nilikuwa nataka nikujulishe.

**The Speaker** (Hon. Khatri): Yes?

**The Deputy Speaker** (Hon. Mwalimu): Nilikuwa naomba kama yawezekana kuna mkasa wa Ferry ambao umetokea...

*(Interruption)*

**The Speaker** (Hon. Khatri): So Hon. Fadhili you have a Statement?

**The Deputy Speaker** (Hon. Mwalimu): Ndio Bwana Spika.

**The Speaker** (Hon. Khatri): Unaweza kusoma Kanuni ya Bunge 40(2) inasema nini?

**The Deputy Speaker** (Hon. Mwalimu): Ndio Mheshimiwa Spika nilikuwa naomba kuwa ikiwa kutakuwa na uwezekano Nyumba hii iweze kuzungumzia swala la Ferry...

*(Interruption)*

**The Speaker** (Hon. Khatri): But Hon. Fadhili Standing order number 40(2) hujatusomea labda utusomee utueleze. Yes Hon. Charles Kitula are you standing on a point of information? Maybe you want to inform the Deputy Speaker?

**The Chief Whip** (Hon. Kitula): Mheshimiwa Spika ningependa kumsaidia Mheshimiwa Fadhili kwamba kwa utaratibu wa Mabunge, Seneti, Bunge la kitaifa kwamba linapotokea janga la dharura Bunge wanapatiwa mda kuona watakavyo itekeleza viongozi wa Bunge waweze kulijadili, kwa rukhsa yako.

**The Speaker** (Hon. Khatri): Sijakataa but you see tuko katika Bunge, Bunge liko na sheria zake kutumia. Yes Hon. Mohamed?

**Hon. Mohamed Hatimy:** Ahsante Mheshimiwa Spika. Mheshimiwa Spika labda Mheshimiwa Fadhili amesimama na Kanuni ya Bunge 41..... (*Technical Hitch*).

**The Speaker** (Hon. Khatri): Thank you. Yes Hon. Mwamwiri.

**Hon. Athman Mwamwiri:** Ahsante Mheshimiwa Spika. Mheshimiwa Spika ningependa kumjulisha Mheshimiwa Mwenyekiti ya kwamba angeekeza hoja yake kwa 40 sehemu ya kwanza, ambayo una rukhsa ya kuingilia shughuli za Bunge na kupeana rukhsa kujadili mazungumzo lakini kulingana na Kanuni zetu zimesema Jumanne masaa ya mchana natumai hili liko kwa uwezo wako mimi naona masaa mwafaka ni muda wa mchana tuweze kujadili. Ahsante sana.

**The Speaker** (Hon. Khatri): Thank you Hon. Mwamwiri. Hon. Fadhili I just wanted to make it very clear to all Members about Statements; you see the problem Members we are not following the Standing orders. I have no problem, everyone knows the issue of the Likoni Ferry but my main issue is what I want to bring into this House is about the issue of Statement; Members we should know the procedure of bringing a Statement in the House we should have a written Statement so that every Member can have a copy of the Statement and even the Clerk should have the Statement. This is because we have been having issues whereby Members are asking Statements and we have to go back to the Hansard and get the things that Members have been asking so we do not get the proper concept of the Statement. So please moving forward Hon. Members let us follow the Standing orders and if we have a Statement even if it is an emergency Statement let us make sure we have it written so that everyone can have a copy so that we all know what we are discussing, Yes Hon Fadhili.

**The Deputy Speaker** (Hon. Mwalimu): Ahsante Bwana Spika. Mimi nilikuwa naomba kama nilivyotangulia kusema kwamba ni Kiti chako ndicho kitakachotupa rukhsa kuweza kuzungumzia jambo hili. Ningeomba kama saa nane ikiwezekana Nyumba hii iweze kuzungumzia janga lile ambalo limekumba Kaunti yetu na mkasa ambao mpaka sasa hivi bado linaumiza wakaazi wa Mombasa haswa wa Likoni. Ahsante Mheshimiwa Spika.

**The Speaker** (Hon. Khatri): Thank you Hon Fadhili. So I think we can have it in the afternoon and we can discuss the issue which is of concern, I think the whole country is concerned of the same issue. So Clerks make sure it is in the Order paper. Yes Clerk, next order.

**ADJOURNMENT**

Hon. Members the Assembly stands adjourned until Tuesday 8<sup>th</sup> October, 2019 at 2:30 p.m.

The House rose at 11:20a.m.