

COUNTY GOVERNMENT OF BUNGOMA
COUNTY ASSEMBLY OF BUNGOMA
COUNTY ASSEMBLY DEBATES
THE DAILY HANSARD
THURSDAY 12TH OCTOBER, 2023
Afternoon Sitting

3rd County Assembly

2nd Session

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COUNTY ASSEMBLY OF BUNGOMA

THE DAILY HANSARD

THURSDAY 12TH OCTOBER, 2023

The House met at 2:30 p.m.

(Mr. Speaker [Hon. Emmanuel Situma] in the Chair)

PRAYER

COMMUNICATION FROM THE CHAIR

Hon. Members, in our public gallery we do have a visiting delegation from Milo Friends Girls Secondary school from Webuye West sub county Sitikho Ward who have come to learn about the proceedings of the County Assembly sittings and the operations of the assembly. The delegation comprises of the 40 students and six teachers. Students be upstanding. Kindly be seated please.

(Applause)

Kindly be seated please.

Members, the said girls are accompanied by six teachers, namely

1. Rose Wandabwa
2. Constant Tahataha,
3. Mr. silastic Barasa
4. Bonface Juma
5. Ms. Stella Naibei
6. Ms. Jacqueline Echesa

Kindly be seated. Hon. Members at appropriate time during statement time, I will allow members to make few remarks about visitors in the public gallery.

Next item,

PAPERS

THE PUBLIC FINANCE MANAGEMENT BUNGOMA COUNTY TRADE DEVELOPMENT LOANS FUND REGULATIONS 2023

Mr. Speaker: Hon. Ipara I am wondering what's not happening.

(Loud consultations)

Hon. Johnston Ipara: Thank you, Hon. Speaker. I rise to table the revised Bungoma County Trade Development Loans Fund Regulation 2023.

(Hon. Johnston Ipara laid the paper on the table)

Mr. Speaker: Hon. Members, the Bungoma County Legislative supplement No. 2 Legal Notice No.2: The Public Finance Management Act number 18 of 2012. (Bungoma County Trade Development Loans Funds Regulations 2023) are hereby tabled and the same are committed to Committee of Bungoma County Delegated legislation for processing the same are reporting back to the House accordingly. So the committee has the time frame of having the same processed and reporting back the House accordingly.

Next item,

QUESTIONS AND STATEMENTS

Mr. Speaker: Hon. Members, allow me before I proceed allow Honourable members to make very brief remarks about our visitors in the public gallery Milo Girls from Sitikho Ward. At most four people before we proceed chair Education, Vice Chair Education you start .Member of Education Committee Yes, Hon. Obama

Hon. Abraham Obama: Asante Bwana Spika. Nachukua fursa hii pia kupongeza wanafunzi wetu kutoka Sitikho na kuwa karibisha hapa katika Bunge hili . Walimu wetu nawaambia kwamba licha ya mshahara mdongo mnayopata ni kidogo lakini ipo siku itakua kubwa .Ni mwito kutoka kwa Mungu, ni kazi ngumu lakini vumulieni. Langu kwa wanafunzi nawasihi kwamba mkipata nafasi ya kusoma msome kwa sababu sisi wakati wetu tulikua na shida sana hatukupata hii basari mnayopewa sahi na *Scholarship ya wings to fly*. Sasa msome kwa bidii, sisi tuko hapa kesho hatuko nyinyi mtakuwa katika bunge hili. Hili Bunge ni la kutunga sheria na kuhakishia wananchi kwamba wanpate Huduma nzuri kutoka kwa serikali ya Kaunti

Mr. Speaker: Thank you, Hon Obama. Yes Hon. Caleb

Hon. Caleb Wanjala: Thank you, Mr. Speaker. I would like also to encourage students from Milo which is in Sitikho ward, neighboring Bukembe East Ward. We share a lot because part of the Nzoia Sugar Factory nucleus is in Sitikho Ward. I know amongst these students we have candidates who maybe just a few days they are going to sit for the exam.

First of all, I would like to wish them success. Just like my colleague Hon. Obama has said, is also to encourage teachers, teaching is a calling and as you teach these children, you never know who you are raising, because Honourable members who are seated here were prepared by teachers. So count yourself blessed that you have an opportunity to instill good virtue amongst these students and God will bless you for that.

To students, whatever you want your parents can do for you but our time will come where they will not do it for you. You will have to work and use the knowledge you have acquired to maneuver in the challenges of life. So take your education seriously because whatever you do now will work for you in future.

Put God first, of late we have seen a lot of things going on in schools. A good example is Eregi girls and other schools, a quiet number of students who are being influenced by others who come

from a background that is not godly or maybe they are learning things that are not good for them. Let God be your guide and you will succeed. When you read the book of Proverbs 12:1, the Bible says that *whoever hates correction is stupid and is counted like an animal*.

Sometime when your teachers correct you, they mean good for you and they want the best out of you because they are preparing you, they are equipping you to be successful in the future.

We would like to appreciate your parents for voting in Hon. Grace Sundukwa, in fact she was voted as the best MCA in the whole of this country. So we are proud of her and she's good and we appreciate for that.

Mr. Speaker: Thank you, Hon. Caleb. Hon. Jeremiah Kuloba,

Hon. Jeremiah Kuloba: Asante Bwana Spika Kwa kunipa fursa hii niwape wanafunzi hawa mawaidha ambayo yataweza kuwasaidia maishani mwao. Cha mbele nawaambia someni kwa bidii mkafaulu katika mitihani yenu. Nyinyi ndio viongozi wa kesho na tunawategemea nyinyi na mnaweza kufaulu mkawa viongozi wa kesho, ikiwa mtakuwa na nidhamu mkiwa nyumbani na mkiwa shuleni.

La mno zaidi wekeni Mungu mbele katika maswala yenu yote mnayoyafanya ana la mwisho ni kuwatakia kheri na fanaka katika mitihani ijayo najua kuna watahaniwa kati yenu. Nendeni mpite mtihani yenu.

Mr. Speaker: Thank you, Hon. Kuloba. Hon. Jack Wambulwa,

Hon. Jack Wambulwa: Thank you, Hon. Speaker. First of all, may I take this opportunity to thank and welcome the students of Milo second school who hails from Sitikho Ward. I want to take this opportunity to ask them actually to thank the parents on behalf of the people of Sitikho for having elected Hon. Grace Sundukwa as their member of the County Assembly. She is one hardworking lady and she is an example to the ladies who are amongst the students who are here, that the future is bright for all of you but it's only bright to those who are bright.

The teacher Constant Takhatakha, he hails from my ward. And is one of the committed teachers that am always looking forward to see him take over one of the major Kimaeti schools because actually for the time he's been at Sitikho, I have been getting positive reports from the principal and so far I want to urge him to work hand in hand to make sure that these students deliver.

To the candidates, I want to wish you success that during the upcoming exams, you work hard and make sure that you succeed. More so as you see this House we are mixed. We are ladies and gentlemen. Nothing divides us we are all united and we are focused to deliver

Your parents are sacrificing because they are investing in you and when they invest in you, don't think about your old man having land if you are a gentleman, or even don't think of getting a rich husband, if you're not educated. Even rich husbands choose those who are educated. So we want

to urge you have to work hard and make sure that you deliver and the people of Sitikho or wherever you come from proud.

Mr. Speaker: Thank you, Hon. Jack. Hon. Everlyne Anyango, proceed

Hon. Everlyne Anyango: Thank you, Mr. Speaker for catching my eye. I rise to welcome the students of Milo Girls to this house and tell that education is the only equalizer in life. To my girls unless you have something in your hand, you will never get the husband you wish to get or a man who will be a father and a role model to your children.

You have been given an opportunity by both the community and parents because most of you, I know go to school because maybe they're being paid for by the county government, or even the area MCA. Having been given that opportunity you need to work hard and I don't want to emphasize the word hard.

I want to tell you that you work smart, balance all the subjects and the social life after school. For those who are candidates, I pray that God bless you. I don't want to wish you luck because luck is for the lazy ones that only sit and wait for anything that will pass by for them to get hold of it, but I pray that God may help you and see you through so that when the results come out, you have scored well.

I know you are coming in as the better people. Maybe most of you will be ministers in this county, right from here to the national level.

For the teachers, thank you very much for bringing these students into this house because this is the house that makes the law that governs this County. We have our speaker and we respect him and that's why when any Hon. Member is crossing here, he/she shall bow down and this one trickles down to the school and to the students telling you that without discipline, you are nobody in the community.

(Applause)

Mr. Speaker: Thank you, Hon. Everlyne. Hon. Stephen Wamalwa,

Hon. Stephen Wamalwa: Asante Sana, Mheshimiwa Spika. Pia nami nachukua fursa hii kuweza...

Mr. Speaker: Hon. Job, you are out of order

Hon. Stephen Wamalwa: Asante Sana Mheshimiwa Spika. Najua kwamba Mheshimiwa Mukoyandali ana mambo mengi fiche ambayo hatuyajui na kuyafahamu. Hata hivyo kwa ufupi sana nachukua nafasi hii vile vile kujiunga na wenzangu kutoa arifa fupi kuwapatia wanafunzi wetu mawaidha wakati wamefika hapa Bungeni.

Hili ni Bunge la Jimbo la Bungoma na ni mfano kamili wa Bunge ambalo liko Nairobi la kitaifa. Tukiwa hapa ni kufanya kazi ambayo tumetumwa na jimbo letu la Bungoma. Ya pili ni kuweza kuangazia maswala ambayo serikali ya Bungoma inafanya na vile vile kutunga sheria . Hayo ndo

majukumu matatu halisi ya wabunge hapa na tukiwa hapa. Hapo kitambo kiasi kidogo tulikuwa tunasema kwamba upinzani na upande wa Serikali.

Hata hivyo wakati huu tuna wakati tunasema tuna sehemu mbili ya walio wengi na walio wachache. Mkono wa kushoto wa Spika ni kwa wale ambao ni wa chache na mkono wa kulia ni wa wale ambao ni wengi katika Bunge. Tukiwa hapa vile vile wanafunzi tuna wale maafisa ambao wanasimamia usalama wa Bunge wanaitwa masajenti wamevaa mabwanda yao unaweza kuwaona kinagaubwaga katika kila sehemu wameketi kila sehemu ya bunge kuhakikisha kuwa kuna usalama wa kutosha.

Mbele ya Spika wetu kuna makarani . Kila karani ana kazi yake . aliyeketi mkono wa kulia kabisa ndiye anayeongoza ,yule wa katikati vile vile ana kazi yake , yule wa mkono wa kushoto ana kazi yake . Pale mbele ni chombo ambacho ni ishara ya usimamizi wa bunge hili ambayo wanaita *mace* . Isipokua hapa inamaanisha Bunge hili haliwezi likafanya shuguli yeyote na ikiwa shughuli itafanyika basi itakua ni bure bilashi .

Spika ndiye kinara wa bunge hili akisaidia na yule amabaye ni karani ,hasli mkuu wa bunge hili . Kwa hivyo nataka ni waombe kwamba mkitoka hapa muwe muweza kusoma .Wajue kwamba mlitembezwa na maafisa wetu wa usalama mkaeza kuangalia kila pembe la bUNGE hili na mkaeza kuelezwa jinsi gani tunafanya kazi hapa .

Nachukua nafasi hii kuwaeleza kwamba mkiwa wanafunzi shuleni, fuateni maadili mema na najua kwamba mnajitayarisha kufanya mtihani wenu wa mwisho . Wale wa kidato cha nne , nataka tu niombe kwamba kudurusu vitabu vyenu kusikome .Mwendelee kudurusu hadi siku ya mwisho kwani kila siku ni ya muhimu . Mujue kwamba yule ambaye analala sasa hivi inamaanisha kua kule mbele atakua ndie bawabu wengine wakilala . Hivyo basi tunawaomba tu muwe wenye nidhamu kuu walimu wenu wasiwe na shuguli nyinginezo ila tu kuhakikisha nyinyi mnapewa kile amabacho kimewatuma kufanya shuleni .

Tunawaomba sana kwamba mnapofanya mtihani wenu wa mwisho mkawezekufanikiwa wale ambao si watahaniwa , muwapatie wenzenu nafasi ili wakaeze kufanya mtihani wao kwa njia nzuri nanyi mjitayarisha kujiunga kidato kilicho mbele yenu.Jina la shule ni nzuri . Nilipokua mdogo kulikua na kinywaji kinaitwa milo na sikuwai jua kwamba shule hio Milo haswa jina hilo ni la lugha yetu halisi hapa ama ni jina ambalo lina sababu fiche .Lakini muwe kama jina lenu la shule jina nzuri lina maana nyingi nzuri sana . Kwa hivyo nataka ni waombe kwamba mkirudi shuleni muweze kuzingatia hayo.

Katika Bunge hili muwe na ufahamu kuwa tuna lugha tatu tunatumia .Lugha mojamwapo ni kiingereza/Kimombo ambacho ukianaza kuongea kwa kimombo huwezi ukabdilsihsa ukaongea kiswahili na ndio maana mnaambiwa kwamba shuleni msiwe wanafunzi wa kuchanganya ndimi zenu muonge sheng, muonge kingereza ,muchanganye lugha ya mama. Ukianza kuongea kiingereza hakikisha kwamba umekamilisha maongezi yako na kuwasilisha ujumbe kwa

kiingereza .Ukiongea kwa Kiswahili, lugha yetu ya kiafrika lugha ya taifa vile vile unaongea kwa lugha ya taifa sanifu mufti kutoka mwanzo mpaka mwisho ili uweke mirindimo yote ya takriri ,ueke tashdidi,ueke tanakali, ueke nahau na mambo yote

(Applause)

Mawimbi yote ya lugha yetu ya taifa ya kiswahili .Lugha ya tatu ni ya Ishara . Ikiwa wewe ni mheshimiwa na pengine una ulemavu flani unaruhusiwa kuongea kwa ishara .Lakini bahati mbaya Mheshimiwa Spika mimi sijasomea ishara ata nikifanya hivi sijui nafanya nini

Mr. Speaker: Hon. Mulongo, understand that language

(Laughter)

Hon. Stephen Wamalwa: Kwa hivyo wanafunzi wa tukufu na walimu wetu hapa tuna lugha tatu ambazo zinatumiwa na tukitumia lugha hizo zote haswa kugha ya kiswahili lazma ima faima uzingatie ngeli. Ngeli zote bila kupotoka na kupotosha . Kwa hivyo asanteni sana mnaporudi shuleni mueze kuzingatia hayo .Mheshimiwa mwakilishi wenu hayupo nasi ametumwa na Bunge hili kuwakilishi bunge katika nafasi nyingine yeye anasimamia waheshimiwa hawa katika afisi yetu kubwa Nairobi kwa shirika linaitwa CAF yaani umoja wa waheshimiwa wote katika jamuhuri ya kenya .Waheshimiiwa wa Bunge la kaunti yetu. Kwa hivyo asanteni sana kwa niaba yake tunawa karibisha nakusema kwamba muueze kufanya bidi mungu awabariki sana awatunukie faraja zake . Mimi nawaombea kwamba jala ala jalia awajalie heri njema

(Applause)

Mr. Speaker: Thank you, our Deputy Speaker. On the members on behalf of all of you now, let me take this chance wish the form four candidates all their best in the end year exam. KCSE Candidates I wish them all the best in the examination.

For teachers, we appreciate your good work you are doing because teaching is a calling not meant for everybody thank you come again.

Next item,

RESPONSE TO A STATEMENT RAISED BY HON. JOSEPH NYONGESA DIRECTED TO THE CECM EDUCATION AND VOCATIONAL TRAINING

Mr. Speaker: You bring in the CEC if he is accompanied by the Chief Officer they both come in. Hon, Members, we will have some slight change in our procedure.

Previously, we have been asking the clerks table to read afresh the statements but unfortunately, when they are transcribing in the HANSARD, there is no space for the for the table clerks. So we will be asking the owner of the statement to read a fresh the statements, which will be captured, then allow the CEC to respond accordingly.

Members before us, we have our CEC for Education. Dr. David Wanyonyi accompanied by the Chief Officer for education. Nicholas Kiboi they have come in obedience of invitation to respond statement raised by our Leader of Majority Hon. Joseph Nyongesa.

Members, you do agree that in my communication at the commencement of sitting because of the nature of the statement sought covering 45 wards. It was agreed that basically the same be answered in the opening plenary where all the members of the 45 wards can be able to get the gist of the expenditure of 3% of the vocational training, amount of money and 3% of the of the budget .

Honourable Majority because of the HANSARD recording, there is no space for the Clerks at the table so you will go through your statement afresh, then I will be able to invite our CEC to respond as per the response given to us here which members all of you are having on your gadget. So Hon. Leader of Majority you proceed and ask your statement then the CEC will have a chance to respond but now you will respond using the dispatch microphone because you cannot be sitting while responding to us. Proceed Leader of Majority

Hon. Joseph Nyongesa: Thank you, Speaker for your guidelines. Even before I read my statement at least the CEC could also be in a position just to share with us the status of the scholarship so that at least when we are from here this weekend we know how maybe to tackle it because as we speak they are at home. Basing on your guidelines, so I don't know I will be reading one I wait for the response before I go to two or I read the whole of it.

Mr. Speaker: Read the entire statement. Then I think a as we get the feedback will be saying number one answered number two, that way to the end.

Hon. Joseph Nyongesa: I thought maybe we could tackle number one as we go to number two

Mr. Speaker: Is also a formula. We can have it done that way you ask he responds

Hon. Joseph Nyongesa: Thank you.

Mr. Speaker: Then that means, Honourable Members you are at liberty to seek clarification in the middle of the response from the CEC. You are not barred from asking or interjecting to seek clarification. Let's proceed.

Hon. Joseph Nyongesa: Thank you Speaker. I am here to seek a statement in relation of the utilization of the 3% of both scholarship and bursary funds. The CECM to respond on the following one provide the expenditure reports of the 3% of the scholarship and bursary funds. I think there it will be better

Mr. Speaker: CEC you proceeded to give us a feedback on item number one as sought in the statement.

CECM Education: Thank you Mr. Speaker. Allow me also to read again because that is how I will be guided better. Provide expenditure report of 3% of the scholarship and bursary funds. I responded as the 3% expenditure report for scholarship and bursary as at 30th June 2023 is as indicated in attached annex. The total allocated funds for the education support was 400 million, which was scaled up to 5.4 million during the supplemental budget. The 3% of the allocated amount is 15,720, 000 which was expended as follows; launching of the county Scholarship Committee 305,000.

Normally we have the scholarship committee at the county level. We have the ward level then we have the county level. So at the county level, we spent that much. Education Support Scheme board members' facilitation. We facilitated there coming of course in terms of seating allowance, meals, it cost 351,000. Allow me demonstrate thus that we are talking about the Education Support Scheme Fund. It is a fund and it runs from first of July up to 30th of June. Therefore, vetting had been done and this was prior to students remember when you had the issues of COVID these students join institutions in May or there about 2022 therefore vetting was done but we have this term reverting which we are...

Mr. Speaker: Kindly be very clear their 2022 May. That was the previous financial year's budget.

CECM Education: I am talking about vetting

Mr. Speaker: of course that the previous budget.

CECM Education: Mr. Speaker, the members the term re vetting I was just trying to qualify the term re vetting. Yes. So as I qualify that term re vetting under verification of beneficiaries. So the re vetting is because we had numbers and this one, Speaker just allow me to explain a bit.

When I came to office I was sworn in November and we found the numbers were such that the amount that was allocated seemed to be less consequently we thought at the executive level what can I do? Therefore, we had to do some re vetting to reduce the numbers guided by the amount that we had.

So 4,353, 250 scholarship launch, this was in December. We spent 3,023, 500. Then we have consultative meetings with education stakeholders in Kisumu and Diced offices to deliberate on form two beneficiaries and getting a way forward. It cost 3 million and at this level allow me explain that there are activities in the department. Our own activities we had some money and we didn't want to go beyond the 3%. So we did internal borrowing. Therefore 2, 575,621 were borrowed from the normal Departmental Budget and we have bank charges which are also a cost for the 3% 184,661.

I move on to B because...

Mr. Speaker: Yes Majority

Hon. Joseph Nyongesa: Thank you Speaker.

Mr. Speaker: You just leave your books there, there is no problem Because when you respond you must come back to the microphone.

Hon. Joseph Nyongesa: Because actually our need is maybe to get some clarity. If the CEC could tell us the membership of this committee and maybe to open up how many are they? Then to also clarify to us reverting was done by the committee at the executive level or Ward level because these ones majorly for the County level. So I don't know which re vetting are they doing instead maybe they were just verifying because re vetting was done by the committee members the ward level and putting in mind that as he came in he said and we should underline this word that there were no funds but now we can see the figures. If the committee, over the figure that he is going to tell us, could utilize 4 million on re vetting 3 million or so. May be such a thing also to be put in mind. So were benefiting the committee or the students?

Mr. Speaker: hope you are writing some here before you come in. Just hold on first before you come in. I am seeing some two people Hon. Mukhongo and Hon. Ken ask before I allow him please

Hon. James Mukhongo: Thank you Honourable speaker. We need the CEC to be smart in giving us some information because looking at the question, 3% of the fund is 15 million. Don't just give us block figures. It is better for you to say the 3 million was spent on this activity. This much was spent on this activity this much was spent on this activity for us to understand.

Mr. Speaker: Thank you what you want to ask then CEC will have time to respond

Hon. John Kennedy: Thank you, Mr. Speaker mine is just on the tabulation, the breakdown that the CECM has given what I have unless I missed something is about 11.1 million. So maybe he can just go through again.

Mr. Speaker: You CEC you now have a chance to respond.

CECM Education: Thank you, Mr. Speaker. First let me follow the Leader of Majority has asked about committee membership and the committee membership we have at two levels, we have the ward level and the at the county level. At the ward level, there are five at the county level, there are nine and these nine when they meet we require an X official, the CEC is an X official. So you will find that when we meet or they meet if I am present we can go up to 10 and specifically in this case at hand. We had a lot of issues to do with numbers.

So I used to have the ICT person sit in so most of the time they were 11. I think *Mhehsimiwa* has asked about re vetting. I wish to share this, re vetting was done in January 2023 and the figures I say it that when we talk about the fund. We are looking at it from first of July up to so in reporting these issues have to come together.

Hon. Mukhongo has talked about I should very specific and I want to say that...

Mr. Speaker: Yes Hon. Kikechi,

Hon. Bernard Kikechi: Thank you, Hon. Speaker. Mine is just maybe if *Waziri* Can clarify? At what level?

Mr. Speaker: who is the *Waziri* now?

Hon. Bernard Kikechi: Okay, they CEC honourable Speaker Can you clarify at what level was riveting done was it at the ward level or at the county level? Thank you.

Mr. Speaker: It's okay. We'll clarify that I am seeing Honourable Job

Hon. Job Mukoyandali: Sorry, Mr. Speaker. Thank you for giving me this chance. Honourable Nyongesa Our Majority Leader has raised a very good statement and I don't want to appear like I am siding with *waziri* but I am really following up. How I wish we gave him time so that he becomes our lead. He runs us through then after he finishes maybe we ask now our questions we will move. That's just my view.

Mr. Speaker: Thank you. Majority you are online.

Hon. Joseph Nyongesa: Thank you Speaker if our CEC could help us. You see, we are now dealing with a committee of nine members. So when you say vetting, re vetting and verification of beneficiaries at 4.3, then you will tell us how many days were spending these 4.3 million. That's the issue that we want

Mr. Speaker: CEC now. Jack you have something else? You know, we must find a way of moving. Okay, me I am prepared to sit up to 1pm the way you know I always eat breakfast and lunch, super. So let's proceed.

Hon. Jack Wambulwa: Thank you, Hon. Speaker. I want to request the CECM to be clear on what the majority has put to him. Actually he has made it easier for him. We are more interested in the 3% on scholarship the 15 Million. Tell us how much went to each ward. I think that's what members are interested in knowing how much went to each word and it went through who because as we talk some of us, nobody has ever received amongst our committee members. Like in my ward I will give an example; nobody ever saw the 3% of scholarship in Kimaeti Ward Thank you.

Mr. Speaker: Yes, CEC, you are now

CECM Education: Thank you. Honourable speaker I will seek your indulgence because the questions appear like they are interlocked but allow me answer what the leader of Majority raised. He talked about the nine memberships. There is another question. That's where I was your seeking your indulgence that some of them are related.

Then it has been the question of is re vetting done at the county level or at the ward level? I am using the guidance from the 2019 Bungoma Education Support Scheme regulation. A product of this House and it talks about the fund.

In this case, I want to state that the 15% I am putting together with what Hon. Jack has raised the 3% and I think its part of the equation that follows .3% how is it used? So the indulgence of the Speaker, the Honourable Members if there is 3%. 3% it is not for the ward only, it is for operations and the regulation says a total of 3% of the total amount will be used for administrative a purpose, that's the catch term Honourable members.

So when it comes to administrative purposes, it means that the use of that money begins from the CECs, office expenditure, operations and part of what I think is part of the equation that follows. Consequently, Speaker engagement of the Honourable Members, it is that as *Mheshimiwa* Jack asks how much reached the ward.

So the main issue here, back to what Leader of Majority rose is that the re vetting begins in the ward. Those are the people who do that re vetting but there must be a referee, somebody has to move from CECs office to be part of them to see what is going on and the expenditure when somebody goes there, he she has also gone on the same 3%. So *Mheshimiwa* Hon. Leader of majority it is that yes, it begins from the ward then it comes to the county level.

The position is that when you look at the regulation, it says that "and the county committee will verify" verifying It also talks about the guidance by the CEC. Verification requests this team to come and sit because it is there I am following the regulation of this House. So *Mheshimiwa* Jack that's how the county level also comes in. So it's like it's a partnership. It is not that this one's finishes and without the ward then the county cannot do anything. The county has now to get this and to finalize and that is where I get also the authority that there is a body that I sit with and now wind up.

Honourable speaker, Honourable Members, the chair of that committee and I have said an ex official is always the chief officer. So Hon. Kikechi I think it is part of the same equation was talking about, at what level does the county or the ward come in, unless otherwise I will still engage *Mheshimiwa* Kikechi for that. How much did each ward receive? Allow me repeat and I am not repeating for its sake, I am trying to stress the point that the work starts from the ward it comes to the county, the person sitting at the helm at the county is the CEC and I happen to be the one today before I leave this place.

So what happens is that we operationalize this money part of the money, *Mheshimiwa* has talked about the specifics. About how much went where and *Mheshimiwa* let me say this when the team leaves Bungoma and it will not be one, Bungoma is wide enough, they are going to Ndalun, they are going to Chepyuk, they are coming to Musikoma is an expenditure and at one time, this one am very sincere. We had a lot of problems with finances.

Then I said to I have a vote to charge. Why should we stop at the county level? We can use even the fuel from this levy because they are doing the scholarship work. So *Mheshimiwa* when you look at the days these people are in the field and I have a number of documents that I will be tabling here that they were using as they go to the field from the county level. That's how the money was used. *Mheshimiwa* as I sit here today, the monies that went to the ward there was 55000 there was 33,000 ...

Mr. Speaker: Honourable CEC you know, I'm trying to look at your reports. You have your report? The response?

CECM Education: Yes

Mr. Speaker: You have a copy your response? The one you brought here. This was the booklet you have it.?

CECM Education: Yes I have it.

Mr. Speaker: Look at this page where your name appears .You have it?

CECM Education: That's page three

Mr. Speaker: It is not paginated so I don't know which page is that were your name appears

CECM Education: It appears on the third page?

Mr. Speaker: To me is on the third that is page three.

CECM Education: Yes, please.

Mr. Speaker: Is it signed by you?

CECM Education: I think the one am carrying is signed

Mr. Speaker: So the one I was given is not signed. Let's go ahead with the same report. Look at where the boards fund manager report appears. Chairperson of the board fund figured that page? Is it signed?, You are not the CEC is it signed?

CECM Education: I have not reached that page.

Mr. Speaker: After the management team the next page is the board

CECM Education: Honourable Speaker if you don't mind because I sit with so many people, they may have interchanged the one I signed and brought a wrong one. I am sorry for that

Mr. Speaker: I want you to look at this report I am referring to because it came from you before I am able to seek clarification. Be shown the one I am having then we will be able to proceed. Are they signed?

CECM Education: They are not signed.

Mr. Speaker: Even the bank statement area, is it certified? Are they certified?

CECM Education: Honourable Speaker, about the bank statements I think when I asked the staff they were to get it on soft, and this is in soft, there is a likelihood of that variation.

Mr. Speaker: You know the challenge we are having is that the way it is we cannot even take them to be very serious; it is like a love letter and nothing else in it. The seriousness of the issue at hand isn't being taken by you, because if you are the one writing a report to the Assembly and you can't sign it for us to consume then we can't take you serious.

CECM Education: Honourable Speaker, I sincerely apologize.

Mr. Speaker: We will allow you to go on so that people ask you questions, but next time as a free advice, let the officers forwarding this report sign and counter. You know what you table you are going to leave it here so you are tabling evidence before us which you are not even owning up, it is like a love letter to a girlfriend.

When you look around is like everybody wants to ask you questions so I don't know if I should let them ask you questions on what you are not able to own up or not.

Hon. Isaiah Sudi: Hon.Speaker, I expect the CEC to have done his homework well, we may leave here not knowing what he has done because he is just fumbling. The question was very straightforward, like now the 9 member committee, what are their allowances per day so that we know and tabulate ourselves. As we are sited here, we know our allowances when we go out, he needs to tell us so that we know how the money was expended, and it is so easy.

For the past 30 minutes we are just on one question without an answer. We are giving him a chance but let him be straightforward that this is what we did so that we also get it right because we are following.

Hon. Lindah Kharakha: thank you Mr. Speaker for giving e this opportunity, I am sitting here trying to catch what exactly is going on. I wish we had a structured way of how the CEC can present issues.

First of all, I think we should allow him present his response to the question asked then after that we can ask questions here and there. At this point we are looking like we are bullying him, sorry to use that word...

Mr. Speaker: There is no bullying in this House, everybody is protected,

Hon. Lindah Kharakha: I understand, sorry for using the term but what I mean is we are looking like we are going back and forth and we are not getting the exact thing from the department. It might look like he is not hands on in the department but given a good opportunity; the Honourable CEC can be able to explain himself better so that others who are not in the committee or who are not well versed with the department have an opportunity to know what is going on.

Mr. Speaker: We will allow him to proceed but what we are trying to say is even if we proceed, 9 members of a committee consumed 3Million, even when you people you go out I always have tabulation, committee clerk such an amount of money, Speaker such an amount, MCA such an amount, how many days, venue then we indicate the figures, that is where the point is.

Hon. Linda Kharakha: Yes Mr. Speaker, I have no dispute on the questions and issues at hand, all I am asking is can the questions be read then we get the response then now get all the questions from Members?

Mr. Speaker: But when I was giving the response here I was very clear, we read question 1, get feedback, and then question 2

Hon. Linda Kharakha: Honourable Speaker at this point, it is looking like we are going back and forth, that is my concern.

Mr. Speaker: Hon. Nganga, I am coming back to you,

Hon. Everton Nganga: Honourable Speaker thank you, Hon. Sudi is disturbing me, protect me.

Mr. Speaker: You are protected proceed

Hon. Everton Nganga: Thank you Mr. Speaker, I am for the idea that if there are questions you give us time we ask questions and the number of questions you set if they are 4 or 5, you let him respond then we move on instead of interjecting all the time, we are jumbling him which is not correct.

Hon. Kennedy Wanyama: Thank you Mr. Speaker, my concern was that my question had not been answered; it was a direct question but is not yet answered.

Mr. Speaker: He was noting down, Hon. Makari

Hon. George Makari: Thank you, Hon.Speaker. I would like to say that actually we are unsettling the gentleman, let's be procedural. What we should do is leave him respond and if there is any interjection it should come from the mover of the question then any other interjection from us can now arise after the CEC. This CEC is ours, all of us are from Bungoma County, let's give him time to respond then from there the Leader of Majority can disturb him because he is

the owner of the question but the rest of us can wait until he is done. This guy is ours and I have never seen an honest man like him.

Hon. Johnston Okasida: I will be very brief, as we were passing messages to the students, we were saying that the purpose of education is critical thinking and I want to say this; you have just said that the document you are holding is not signed, the attachments are not certified, how do we proceed with uncertified documents? Why can't we allow the holder of the documents to take them and certify them and let him sign the documents so that when we are walking the journey we are walking on the same lane?

Mr. Speaker: Before we proceed because he did say that he will have them signed but they are his, he confirmed so if he has confirmed they are his, let's be able to allow him because this day is set aside for him. When we adjourn the next time he will be on the Order Paper may be next month. I asked him are they from your office and he said yes so I think let's allow him because if he has owned them. It would be something else but he has said he is sorry, they were prepared by his office but not all of them were signed.

Hon. Johnston Okasida: Honourable Speaker, picking up from where you have left, bank statements are not prepared from the department of Education, how will this particular person own them? How can we know that they were generated from the bank where they are purported to have come from.

Mr. Speaker: That being the position and if we go that direction we will have to stand him down because among the annexures behind here which is item number 2 in our statement here which says; Provide bank statements indicating withdrawals. He is saying he was given a soft copy.

Members question number 2 is talking about bank statements and you know how we always get it, if it is voluminous they can send it to your email you print it out but for this purpose, you may need to have one which is certified. You can get one on soft copy and even doctor it to look something else. But he is a good man he cannot be the one engaging in doctoring but since it has come here it is something else. Leader of Majority, you know some of the Members in this House know what is ought to be here

Hon. Joseph Nyongesa (Leader of Majority): Thank you Speaker, actually indeed we have a very active House. What Hon. Okasida is saying is right because this is just maybe a basis of building up a case and in future maybe if somebody disowns then we may not have an escape goat. Through our own wisdom and from what you have heard from members, let the CEC own them by signing because we are looking at misuse of funds and the documents are not certified so my kind request...

Mr. Speaker: Honourable members, the challenges we are having here are very interesting, the CEC will sign his part but the problem is he is not the fund administrator, he is not the fund administrator from the record neither is he the chairperson of the board or the fund, I am sure of that so he will sign his part as the CEC Education then now what happens on the next pages? The area which is important is the fund administrator, so members I think whichever way you want

us to go about it, this document must be certified by him, he will just take this one to the bank they certify and bring it back, have the fund manager and chairman append signatures. With what is being raised by members, we cannot proceed.

Hon. Joseph Nyongesa: The committee members also should sign the activities they did so that no one is used as a scape goat. When you go down to the Wards what we know is 65 but they have said 75 also the Ward administrator should own it.

Mr. Speaker: Let us allow the CEC time to go and prepare and bring a proper response because what you are saying just like in your committees when you have done an activity there is an attendance sheet that you always sign.

(Loud consultations)

Order Members

Order Members

Honourable chairperson of education what is the issue? I have seen you want to speak.

Hon. Benjamin Otsiula: Sorry Hon. Speaker, I concur with your ruling and I am not about to say anything contrary. I have seen information coming round the way members are raising questions, it is very important that those questions are responded to. However, I realized that some of the questions being put to the CEC cannot be responded to at this particular time as much as he is going to respond to the statement raised by the Leader of Majority and other questions coming in between.

I also wish to urge members that when we have CEC responding to questions and in future if he is not in a position to respond to a particular question he should own up and seek for more time so that we don't find ourselves in this scenario.

Otherwise, your ruling is sound, let the CEC be given time to provide details and do a breakdown as per each particular event so that it can save him time while presenting the issues.

Hon. Jack Wambulwa: Honourable Speaker, I also want to concur with the ruling that you are yet to make especially now that we are proposing we give the CEC enough time so that he can go and prepare a valid report that will have been authorized by him, signed and confirmed for it to be taken serious by this house. In addition to what you are just saying, there are recipients who were receiving this money and for purposes of transparency and accountability it will be good that we also confirm that even these committee members at the Ward level did actually sign and confirm that they received the money. That way it will be very easy for you my brother the CEC so that it is easy for you to confirm that indeed this money was not misappropriated, these are the Members who received from each ward, and this is the much received on particular dates. That way it will move us somewhere, otherwise I want to concur Speaker.

Mr. Speaker: Honourable Members, I see you still want to speak but to cut this thing short, let us allow the CEC go look at the question and answer the way it is. To be very honest, when you

come here and you are asked what was not in the statement you can't answer it, let us stick to the questions in the statements and allow him to answer the way it is.

Secondly, CEC this document is not mine, when I leave, it is going to be put in our archives here as a record, but it is not signed. If I knew it was not signed from the onset, we couldn't have allowed you to come and respond to it. Luckily, we allowed you but I remember I chased the CEC of Health over the same issues, you must own it so that when we ask you it becomes your document.

Honourable Members, allow me give the CEC time because we are discussing something that happens, he goes and prepares the documents properly. You people always get your bank statements online but I think he thought having that one is sufficient, unfortunately, when you come before the House, they must be stamped and signed by the bank officers. The way you go before PAIC committee, you must have stamped records not the one you have been able to access online.

For fairness, we allow the CEC more time; we will want to give him two weeks. CEC just take your time, bring us the report so that when you are here we are able to look at the items straightforward and move on; but, if they come the way they are, you will be hammered with a question that you will not be able to believe in and I think that is the best way forward.

Since you are here, I will give you up to 26th October, a Thursday at 2:30pm. Take your time, the week starting on 23rd, you can send me a report we share with Members; we look at it so that when you come here you clarify issues. When you come with such a statement, I am the worst because I have been going to court and we know whenever you go to court you must have signed documents that you are able to defend anytime you are asked to. Thank you we allow you to leave and we wish you well this coming weekend.

(Applause)

Next item

MOTION

REPORT BY THE SECTORAL COMMITTEE ON FINANCE AND ECONOMIC PLANNING ON 9 MONTHS FINANCIAL STATEMENTS FOR THE PERIOD ENDED MARCH 31ST 2023.

Hon. James Mukhongo (Chairperson Finance and Economic planning): On behalf of Finance and Economic Planning Committee, I wish to move a motion on the report by the committee on Finance and Economic Planning on 9 month financial statement for the period ended 31st March 2023.

Preamble

It is my pleasant duty to present the report by the Committee on Finance and Economic Planning on the nine months executive Financial Statements Financial year 2022/23 for period ended

March, 31st 2023. The document was tabled in this County Assembly on 3rd May, 2023 and was committed to each Sectoral Committee for processing and reporting back. Committee mandate is well known to everyone so I will not read it.

Committee Membership

The Committee on Finance and Economic Planning as currently constituted comprises the following Members:-

1. Hon. James Mukhongo	Chairperson
2. Hon. Orize Kundu	Vice Chairperson
3. Hon. Stephen Wamalwa	Member
4. Hon. Vitalis Wangila	Member
5. Hon. Aggrey Mulongo	Member
6. Hon. Francis Chemion	Member
7. Hon. Jack Kawa	Member
8. Hon. Everlyne Mutiembu	Member
9. Hon. George Makari	Member
10. Hon. Christine Mukhongo	Member
11. Hon. Godfrey Mukhwana	Member
12. Hon. Tony Barasa	Member
13. Hon. Violet Makhanu	Member
14. Hon. Everton Nganga	Member
15. Hon. Catherine Kituyi	Member

Guiding principles in the Examination of the Bungoma County Government Quarterly Reports and Financial statements

In the execution of its mandate, the Committee on Finance and Economic Planning is given a legal backing under the Public Finance Management Act, 2012, County Government Act, 2012 and the Constitution of Kenya 2010. These statutory provisions include the following:

- I. Constitutional Principles on Public Finance
- II. Direct Personal Liability
- III. Obligations of Accounting Officers

Acknowledgment

May I take this opportunity to thank the office of the Speaker and Clerk for giving the Committee logistical support that made this exercise a success.

I also appreciate the Honorable members and the secretariat of the Committee for their commitment and dedicating their time to examine the department of Finance and Economic

Planning nine months executive Financial Statements Financial year 2022/23 for period ended March, 31st.

It is therefore my privilege, on behalf of this Committee to table the Report on the nine months executive Financial Statements Financial year 2022/23 for period ended March, 31st. The report is signed by the chairperson.

KEY HIGHLIGHTS ON THE BUNGOMA COUNTY GOVERNMENT, DEPARTMENT OF FINANCE AND ECONOMIC PLANNING NINE MONTHS FINANCIAL STATEMENTS FINANCIAL YEAR 2022/23 FOR PERIOD ENDED MARCH, 31

The total budget for the County in the financial year 2022/23 is Kshs.14, 821, 204, 142 as per the approved 1st supplementary budget with the breakdown of the sources as indicated below:

No.	Source	Amount
1	Equitable share	10,659,435,192.00
2	Equitable share brought forward	867,288,525.00
3	Retention	293,425,903.00
4	Conditional grant Development partner	1,540,443,462.00
5	Conditional grants National Government	113,228,200.00
6	Local revenue as per Act	500,000,000.00
7	AIA	847,382,860.00
	Grand Total	14,821,204,142.00

The financial statement submitted gives an expenditure outlay of Kshs. 14,164,547,621 i.e Kshs. 656,656,521 less the approved amounts. The difference relates to AIA in the ministry of health for facilities

OVERVIEW ON REVENUES

In the period under review, the County transferred from County Revenue Fund (CRF) account to respective operational accounts Kshs. 6,303,156,902. This represents 45% revenue realization from equitable fund as opposed to 75% expected. Revenue realization from local revenue stood at 10%, level 4 and 5 Health facilities are not included.

(a) Exchequer Releases

Description	Period ended March 2023	Comparative period March 2022
	Kshs.	Kshs
Total Exchequer release quarter 1	1,664,556,086	1,514,522,313
Total Exchequer release quarter 2	2,409,398,463	2,821,653,159
Total Exchequer release quarter 3	2,229,202,353	2,271,332,689
Total	6,303,156,902	6,607,332,689

(b) Receipts and payments for the period ended 31st March 2023

Out of the Kshs. 6,303,156,902 received during the period, Kshs.99, 456,109 was from National Agricultural and rural inclusive Growth Project (NARIGP) and Kshs.5, 344,642 from Agricultural sector Development Support Project (ASDSP). The department utilized Kshs. 6,204,930,588 translating to 44% absorption rate. Key Expenditure items include personnel emoluments 57%, office operations 17% and 6% development

Social security benefits relate to gratuity for chief officers, County Executive Committee Members paid to provident fund to be paid on expiry of contracts .Kshs.772, 981,290 was transferred to the County Assembly.

	Period ended March 2023	Comparative period.
	Kshs.	Kshs.
Receipts		
Exchequer releases (Transfer from CRF)	6,303,156,902	6,607,508,161
Other receipts (Mabanga ATC)	18,395,495	16,616,359
Total receipts	6,321,552,397	6,624,124,520
Payments		
Compensation to employees	3,512,979,410	3,218,169,746
Use of goods and services	1,032,758,738	936,293,433
Transfer to other Government entities	772,981,290	696,343,439
Other grants and transfers	489,256,980	517,327,834
Social security benefits	46,456,661	2,275,629
Acquisition of assets	348,638,108	900,272,579
Other payments	1,859,400	121,816,408
Total payments	6,204,930,588	6,392,499,067
Surplus /deficit	116,621,809	231,625,453

(c) Comparison of budget and actual amounts

Budget for exchequer release for the period ended 31st March 2023 was Kshs.10, 486, 988,086, actual received was Kshs.6, 303,156,902 which is 60 per cent. The table is provided and members can go through it.

(d) Comparison of budget and actual amounts on Development

The county expected to receive exchequer release of Kshs.4, 446,860,420 for the year.

By quarter 3 periods ended 31st March, Kshs. 3,335,145,315 should have been received, but Kshs. 537,235,961 was received instead which is 16%.

Development expenditure

The table is provided below.

(e) County own Generated revenue

The report does not indicate what the County managed to collect as own generated revenue in the period under review except Mabanga ATC reporting a collection of Kshs.18, 395,495. The Public Sector Accounting Standards Board requires separate revenue reporting for counties. AIA is a component of county own source revenue reported under the County Receivers of Revenue Statements.

The Public Sector Accounting Standards Board further requires selected entities like Level 4 and 5 health facilities to report separately. Its revenue is reported in the respective financial statements.

(f) Other grants

On the grants from development partners and National government, an actual amount of Kshs. 489,256,980 was remitted to the county as grants for implementation of the following programmes:

- i. Scholarship and other educational benefits Kshs. 200,000,000.
- ii. other capital grants and transfers Kshs. 289,256,980

(g) Account receivables

The accounts receivables (outstanding Imprest) across all departments amounted to Kshs. 294,183,471 against a balance of Kshs.46, 734,145 in year 2021/2022.However the comparative figure cannot be ascertained because 9 departments did not have any figure for the financial year 2021/2022.

Finance and Economic Planning department has the highest outstanding Imprest at Kshs. 144,557,460 followed by Office of the Governor and Deputy Governor at Kshs. 35,111,650. The list of individual officers holding unaccounted Imprest in every department as given in the report.

Breakdown of Imprest per department is shown below:

Breakdown of Imprest per department	Period ended 31st December 2022.Kshs.	2021/2022 Kshs.
Finance and Economic Planning	144,557,460	24,365,695
Governor & Deputy Governors	35,111,650	1,547,700
Public Administration	19,214,000	12,692,500
Gender ,Youth & Sports	33,033,400	
Health & Sanitation	12,194,325	
County Secretary	11,947,880	8,128,250
Lands Urban and planning	16,213,300	
Roads & Public works	1,261,500	
Agriculture ,Livestock & Cooperative Mgt	4,418,426	
Education & VTC	3,005,100	
Tourism and water	9,385,980	
Trade and Industrialization	537,600	
County Public Service Board	3,302,850	
TOTAL IMPREST	294,183,471	46,734,145

(h) Accounts payable (Retention) for all the departments was Kshs. 204, 054,364.

Outstanding retention 1 st July 2022	293,425,903
Addition for July 2022-March 2023	15,294,298

Total balance	308,720,201
Less retention payments July 2022-March 2023	104,665,837
Balance as at 31st March 2023	204,054,364

(i) **Pending accounts payables**

The account payables (pending bills) across all the departments was Kshs. 882,952,369 This amount is broken down in the report as follows:

DEPARTMENT	AMOUNT Kshs,
Finance and Economic Planning	287,662,821
Roads	226,152,585
Health	189,193,467
Agriculture	96,378,124
Water	9,524,805
Gender	12,046,479
Trade	12,528,550
Public Administration	16,201,992
Office of the Governor	6,959,268
Education	9,862,936
Housing	7,748,762
Lands	3,633,517
Public service Board	3,350,210
County Secretary	1,361,055
Tourism	347,800
TOTAL	882,952,369

The department has Accounts payable (Pending bill) outstanding amount of Kshs. 287,662,821 against a budget provision of Kshs. 28,979,503 .The largest percentage of this pending bills is staff pension payable to Lap fund and Lap trust. During the supplementary budget, the

department was allocated Kshs.248, 365,000 towards staff pension. A total of Kshs.48, 193,744 was paid towards offsetting this balance in the period under review.

DEPARTMENTAL EXPENDITURE ANALYSIS

The department of Finance and Economic planning had an annual approved budget of Kshs. 1,633,584,329 broken down as Kshs.1, 477,716,444 recurrent and Kshs.155, 867,884 development. The allocation to the various directorates is as below:

a) Economic Development Planning and Coordination services

The directorate was allocated Kshs.131, 466,381 and as at 31st March, 2023 the total expenditure was Kshs.115, 489,598 which translates to 88% absorption.

b) Monitoring & Evaluation Services

The directorate was allocated Kshs.57, 370,773, and during the period under review the total expenditure was Kshs.50, 580,703 translating to 88% absorption.

c) General Administration, Planning, Policy coordination and Support Services

The directorate was allocated Kshs.1, 288,879,290 and the expenditure during the period was Kshs.831, 103,867 translating to 64% absorption

Development Expenditure

The amount allocated to development was Kshs.155,867,884 with an absorption of Kshs.35,132,572 (23%) ,broken down as follows:

- i. Revenue system Kshs.35m
- ii. Emergency fund Kshs.102,298,000
- iii. ICT and Networking Equipment Kshs.5m
- iv. Supplier credit Kshs.13,569,884

Committee Observation and Recommendations

Observation

1. The County treasury did not indicate how much each department received as exchequer release to implement their programmes in the period under review. The reason for this is that the format of presenting the report does not allow the breakdown to be given
2. Other sources of revenue (other receipts) that make up 181 Million were not disclosed.

3. The report did not indicate what the County managed to collect as own source revenue in the period under review because it is given in the receivers of revenue report.
4. The report did not break down the grants received from the different development partners Kshs. 289,256,980.
5. Development vote in the budget had an allocation of Kshs.155,867,884 ,which was stated as emergency fund Kshs 102,298,000, revenue system 35,000,000, purchase of ICT networking Kshs 5,000,000 and supply of credit Kshs 13,569,884 yet in this report the same is indicated as Ward based projects with 23% absorption
6. The outstanding Imprest was Kshs 294,183,471 compared to Kshs.46, 734,145 previous year although the comparative figure cannot be ascertained because 9 departments did not indicate their figures.

Committee Recommendation

The committee recommended that:

1. The county Treasury should give amount of money disbursed to every department in the report going forward
2. The County Treasury should disclose the make-up of other receipts totaling to Kshs.181 Million immediately after the adoption of this report.
3. The treasury should break down the grants received from different partners by name and amount.
4. The County departments should adhere to the Imprest surrender period in line with the provisions of Regulation 93(5) of the Public Finance Management (County Governments) Regulations 2015 in regard to Imprest management and have all Standing Imprest fully accounted for by 30th June, 2023 as directed by the County Treasury circular.
5. The department of Finance and Economic Planning should comply with section 114(1) (2)(3) of the Public Finance Management Act 2012 on emergency Funds. The department should come out clear on whether this allocation of Kshs. 155,867,884 is for development or Ward based projects.

Surrender of Imprest is guided by Regulation 93(5) of the Public Finance Management (County Governments) Regulations, 2015. The County Treasury through circular No. 1/2023 dated 17th January, 2023 guided all accounting officers of county departments and entities to ensure imprests are surrendered on time. Standing Imprest is expected to be fully accounted for by 30th June, 2023.

We have some annexures, that is the adoption of the minutes and 9 month Financial Statement F/Y 2022/23 for the period ended 31st March.

We have the adoption schedule; we the undersigned members affix our signatures adopting this report with the contents there in. I think I went through the membership of the committee and all the members have signed the report. At this juncture, I wish now to call upon Hon. Aggrey Mulongo to second the motion.

Hon. Aggrey Mulongo: Thank you Mr. Speaker sir for giving me this chance to second the motion. I wish to thank the mover of the motion, the chairperson of my powerful committee. First and foremost, I thank all the members. Secondly, I want to thank you Mr. Speaker and your team for giving us time to come up with a very wonderful report. When you look at this report, imprests are Kshs.294Million, that is not small money, and if Kshs.294Million is there, what does the PFM Act talk about it? 7 days, if it is 7 days, why are the departments not following up the people to surrender the imprests?

Secondly, Finance or treasury if it is not going to work well with departments taken we are going to have lapses in our development. I second the motion.

(Motion proposed)

Hon. Kennedy Wanyama: Thank you Mr. Speaker for giving me an opportunity to contribute to this report of 9 months from the department on Finance and Economic Planning. I am extremely disappointed; this department is in charge of economic planning and more so it is a department that ensures compliance.

I want to touch on three areas, the first area is receivables and on receivables I want to dwell on the issue of imprests. Mr. Speaker this department is actually leading with an imprest of Kshs.144Million; this is despite of several advisories from the national treasury and very clear guidelines from the PFM Act. We have professionals manning this department and I just do not understand how and why this is happening.

The second area is on payables; on the area of payables again the department is leading with Kshs.287Million and more worrying is that most of these staff pensions that is what has been captured in the report. If it staff deductions or payment to creditors all these items have timelines. Why isn't the department effecting these timelines that have been provided for?

The third one and the most disappointing is the issue of the emergency fund; we appropriate a lot of money through this Assembly for this purpose; it is absurd that this department does not provide statements of expenditure. Procedurally even after spending this money the department is supposed to bring back those statements to this House ratification unless I am wrong. I am disappointed on those three areas and this department needs to pull up its socks. I thank you.

Hon. Johnston Ipara: Thank you Hon. Speaker. First of all let me laud Hon. Mukhongo for presenting the way it is supposed to be. I want to talk on three issues; the first on one emergency fund as provided for by the Public Finance Management Act; it says that "either after you have used that money or you intent to use the money you will after you have used present that expenditure to the County Assembly for approval". Hon. Speaker for the last one year and one

month that we have been in this Assembly I have never seen this. I want to urge the chairperson to state on how they are going to make this particular department comply with the requirements of the Act.

Two; declaration of funds to each department; my do we make this a confidential matter? Why do we make it a top secret? Why can't we declare that we have given this money to the department of Agriculture, we have given this money to the department of Trade for this purposes. This will create accountability, transparency and it will also show the entire of the county that this department was given and they were unable to do what they were supposed to do.

Lastly, you have seen from the first and today I want to believe this is the 7th document that is presented on a statement of account for the last 9 months. It is repeated; imprest mismanagement continuous and don't forget this is a department that is supposed to guide and give revenue and finance policy on management of imprest. You are told that when you go on a journey on returning back one thing that you are supposed to do is to surrender the imprest that you have taken for that particular journey. Why does it take the holder of the imprest over months to surrender? How was it accumulated to Kshs. 140 million? Does it mean that this particular money was allocated to this department without clear purposes? If it had clear purposes and people went on a genuine journey, why are they unable to account for this money within the required of 7 days? I rest my case Hon. Speaker.

Hon. James Mukhongo (Chairperson Finance): (Mover to reply) thank Hon. Speaker. From the onset allow me laud Honourable members who have contributed to the motion. I also in particular thank the members of Finance and Economic Planning Committee and I promise to the House that we have taken charge of the department. We have agreed with my members who can bear witness that we are not looking aside in terms of compliance. I want to confirm to the members that yesterday we received the end year financial expenditure report where every department will look at its department. I beseech that we must emphasize on the issue of non-surrender of imprest. Looking at our report we have given those timelines to comply with after adoption of this report.

On the issue of emergency funds, it has been a disease since I entered this House, year in year out they have never given a report on how they have expended funds from this fund. It is a revolving fund which is not meant to be consumed and we forget about. It must be consumed and replaced so that when we have an emergency elsewhere, we can draw money from the same fund. However, I wish to submit that we have told the CECM Finance that when we will be interrogating our fourth quarter financial expenditure report that is one of the areas; as we will be bringing our report we must have attachments of the same expenditure and how they have

planned to refund back. If they fail even as a House we will sanction the relevant laws to put them on task so that they can work.

I promise and agree that I am the chairperson of the committee and we have a membership that belongs to the government side but our cardinal role here is oversight to the executive. Therefore, we are not going to leave anything.

Otherwise, I wish to request the members to adopt this report as it is so that some of the recommendations we are putting forth can be implemented. I submit Mr. Speaker.

(Question put and agreed to)

The ayes have it. The report plus its recommendations is hereby adopted by the House.

(Applause)

BILLS
THE BUNGOMA COUNTY INSPECTORATE COMPLIANCE AND ENFORCEMENT
BILL, 2023

Hon. Francis Chemion: Thank you, Hon. Speaker. I beg to move that the Bungoma County Inspectorate Compliance and Enforcement Bill, 2023 be read for the second time. I want to ask Hon. Mukoyandali to second.

Hon. Job Mukoyandali: Hon. Speaker, I am a member of the committee as indicated by a member on the floor. I second.

(Question put and agreed)

The ayes have it. I now direct the Bill to be read for a second time.

A Bill for an Act of the County Assembly of Bungoma to provide for the Establishment of Bungoma County Enforcement, Inspectorate unit and for Matters Connected thereto. *Second Reading.*

Mr. Speaker: Hon. Members, the Bill has been read the second time in compliance with Standing Order 141, we collapse into the Committee of the Whole House chaired by the Chairperson Committee of the Whole House.

COMMITTEE OF THE WHOLE HOUSE

Order for Committee read

(Mr. Speaker [Hon. Emmanuel Situma] left the Chair)

IN THE COMMITTEE

(Mr. Chairperson [Hon. Stephen Wamalwa] took the Chair)

THE BUNGOMA COUNTY INSPECTORATE COMPLIANCE AND ENFORCEMENT BILL, 2023

Mr. Chairperson: Order members, for those who are refreshing themselves do it in an orderly manner. We have learners around who are learning from every bit that we are doing, therefore, we should adhere to what we are doing strictly.

Members, I welcome you to the Committee of the Whole House for consider Bungoma County Inspectorate, Compliance and Enforcement Bill, 2023. I now call the Table Clerk to read out parts of the Bill in the sequence specified in Standing Order 144.

Clause 3 Objectives and Purpose of the Act

(Question proposed)
(Question put and agreed to)

The ayes have it. Before we proceed, I am reliably informed by our security orderlies that the students in the gallery would like to be given leave to be out of the gallery, they may leave at their own pleasure and we wish them well.

Clause 4 Jurisdiction

(Question proposed)
(Question put and agreed to)

Clause 5 Composition of the County Inspectorate

Question proposed;

Hon. Francis Chemion: Thank you chairperson. I now move that Clause 5 of the Bill be amended by;

- (i) Substituting sub-clause 4 (1) with 5 (1)
- (ii) inserting the word "county" immediately before the words "executive member" in sub-clause (2) so as to read 5 (2) the inspectorate shall consist of such number of officers and be constituted

in such a manner and such organization as the County Executive Member may in consultation with the County Public Service Board determine. I call upon Hon. Katasi to second the amendment.

Hon. Bridgid Katasi: Thank Chairperson, I second the amendment.

(Question proposed)

(Question put and agreed to)

The ayes have it

Question proposed that Clause 5 as amended be part of the Bill

(Question put and agreed to)

The ayes have it.

Clause 6 Functions of the Inspectorate

(Question proposed)

Hon. Francis Chemion: Thank you chairperson. I move that Clause 6 of the Bill be amended as follows

1. In sub-clause 1(b) by inserting the words "policies" immediately after the word "regulations" so as to read "1(b) enforcing the compliance with the Bungoma County laws, regulations and policies", "agencies in enforcing" immediately after the words "service fee" so as to read "1(f) liaising with other revenue collection agencies in enforcing service fee and land rates collection". In sub-clause 1(g) by deleting it in its entirety.

I call upon Hon. Jeremiah Kuloba to second the amendment.

Hon. Jeremiah Kuloba: I second the amendments.

(Question proposed)

Hon. Johnston Ipara: Thank your chairperson for the opportunity. I was trying to read this one "enforcing the compliance", do we enforce the compliance or we enforce Bungoma County laws, regulations and policies to ensure compliance? Is it compliance that we enforce or is the law that we enforce together with the regulations? Which one comes first?

Hon. Stephen Wamalwa (Chairperson Committee of the Whole House): That is a debate that is arising and it is open for the plenary. I would like the veteran members the likes of Mukhongo to be keen with this and every other member because it is important. You realize that the proposed amendments were brought forward by the Chairperson of the Committee who is sitting which were seconded. The Hon. Ipara has raised an issue which opens the plenary, I hope we are together? Hon. Ipara are you done?

Hon. Johnston Ipara: Hon. Chairperson, I want to request the learned friends in this House my daughter Hon. Linda and Hon. Otsiula to guide on this one. Do we enforce compliance or we enforce the law?

Hon. Johnston Ipara: That is why I have asked every one of us to be keen with the proceedings. Do we have Hon. Linda in the House? May be I have to put on my glasses to see where she is. I can see her now. Hon. Mukoyandali?

Hon. Job Mukoyandali: Thank you Mr. Chairman. I thought the clause is just clear that we are enforcing the compliance. What we are looking at is the execution bit of it. We are putting weight on the end product.

Hon. Johnston Ipara: These are issues used by those who go to courts, the advocates of the High Court. Hon. Okasida has been working closely with them in some quarters. Hon. Otsiula was mentioned also and he is here.

Hon. Benjamin Otsiula: I'm sorry Chairperson. I came in when the senior Hon. Chemion was on his feet. It will be bad manners to contribute to a topic or matter at hand which you are not well versed of. From my knowledge we always enforce the law to ensure compliance.

Hon. Johnston Ipara: Thank you Hon. Otsiula. Therefore, I request that the Hon. Otsiula and Hon. Linda, you remain in the House to the end. Members, ensure that the two members are here until the end. Hon. Chemion who is standing in for the Chairperson Public Administration, you have a chance to reply to this to enable us proceed.

Hon. Francis Chemion: Thank you, Hon. Chairperson. We came up with this and our issue was on compliance of the law and we saw that the law was not being complied with. Therefore, we came up with the word enforcing this law so that it is complied with. That was the reason Hon. Chairperson.

(Question proposed)

The ayes have it

Hon. Okasida, resume your seat. Honourable members, I have guided you that you have to be keen so that we move together at every level. May I take you through this, that after we propose a question, it means we are opening up the plenary that is when the chairman read the proposed amendments and called in his seconder. Now at that level, it is a window when Hon. Okasida Ipara brought in the concern. The discussion has been there and I have called the move to replay and he has done so, therefore, we cannot go back. The question has been put. It is important that we follow the procedures.

Therefore before we do anything else to complete that part so that we can now move on because the ayes had their way. Even if you have concerns, they are overtaken because the ayes had it. We are together?

Question proposed that Clause 6 as amended be part of the Bill.

(Question proposed and agreed to)

Our good Lawyer Hon. Linda is around and we are going to stay up to the end. Let us proceed.

Clause 7 Director of the Inspectorate

(Question proposed)

(Question put and agreed to)

The ayes have it.

Clause 8 Powers and Duties of the Director

(Question proposed)

Hon. Francis Chemion: Thank you Chairperson. I move that Clause 8 of the Bill be amended in sub-clause 1 by inserting the words "and any other enacted regulations" immediately after the words "this Act" so as to read "8 (1) the director shall be subject to consultations with the Executive Member Exercise such powers and perform such duties as are of may be provided or under this Act or any other enacted regulations". I take this opportunity to ask Hon. Makhanu to second the amendment.

Hon. Cornelius Makhanu: Thank you Hon. Chairperson. I second the amendments

(Question proposed)

(Question put and agreed to)

The ayes have it.

Question proposed that Clause 8 as amended be part of the Bill;

(Question put and agreed)

The ayes have it

Clause 9 Appointment of Enforcement Officers

(Question proposed)

Hon. Francis Chemion: Thank you Chairperson. I move that Clause 9 of the Bill be amended by inserting the new sub-clause 9 (2) so as to read; "9 (2) the recruitment shall be based on the provisions of the Constitution and other supporting laws". I take this opportunity to ask Hon. Job Mukoyandali to second the amendment.

Hon. Job Mukoyandali: Thank you, Hon. Chairperson. I second the amendment.

(Question proposed)

(Question put and agreed to)

The ayes have it.

Question put that Clause 9 as amended be part of the Bill

(Question put and agreed to)

The ayes have it

Clause 10 Deployment, Promotion and Discipline of Officers

(Question proposed)

Hon. Francis Chemion: Thank you Chairperson. I move that Clause 10 of the Bill be amended in sub-clause 2 by deleting the words "any of its functions to the County Secretary" immediately after the words "in writing" and replace it with the words "to the Chief Officer responsible for matter pertaining to the enforcement of county laws" so as to read "10 (a) despite sub-section (1) the County Public Service Board may delete any of its functions of deployment, promotion and discipline of officer to the Chief Officer". I call on Hon. Jeremiah to second.

Hon. Jeremiah Kuloba: Thank you Chairperson. I stand to second the amendments.

(Question proposed)

(Question put and agreed to)

The ayes have and the clause is amended as proposed.

Question proposed that Clause 10 as amended be part of the Bill

(Question put and agreed to)

The ayes have it.

Clause 11 Grounds for Breach of Disciplines

(Question proposed)

Hon. Francis Chemion: Thank you Chairperson. I move that Clause 11 of the Bill be amended;

1. by deleting the word "disciple" immediately after the words "a breach of" and replacing with the word "discipline" in sub-clause (1) so as to read "11 (1) the grounds constitute a breach of discipline by officers of the inspectorate which includes".

2. By deleting the word "remissness" and replacing it with the word "negligence" in paragraph 1 (e) Negligence in discharge of any duty. I call upon Hon. Katasi to second the amendment.

Hon. Bridgit Katasi: Thank you Chairperson. I second the amendments.

(Question proposed)

(Question put and agreed to)

The ayes have it and the clause is amended as proposed.

Question proposed that Clause 11 as amended be part of the Bill

(Question put and agreed to)

The ayes have it

Clause 12 Rules for Administration of Inspectorate

(Question proposed)

Thank you Chairperson. I move that Clause 12 of the Bill be amended by inserting the following new sub-clauses immediately after sub-clause (f) so as to read;

(g) Nature and manner of recordings to be maintained by the inspectorate

(h) Handling of all impounds.

I call upon Hon. Jeremiah to second the amendment.

Hon. Jeremiah Kuloba: Thank you Chairperson. I stand to second the proposed amendments on Clause 12.

(Applause)

Hon. Okasida, what is it?

Hon. Johnston Ipara: Hon. Chairperson, just get comfortable with me because we must assist this county make good laws that make sense. Nature and manner of recordings to be maintained. You cannot maintain recordings, you maintain records and I believe this is a typo error.

Mr. Chairperson: Hon. Okasida, you cannot put the cart before the horse. This is a House of rules and procedures and in normal circumstances when the mover has moved and seconded, what follows? I have to propose a question. Therefore, you are running first. That is why I am saying that I am comfortable with you always.

Hon. Johnston Ipara: Thank you Chairperson for the observation.

(Question proposed)

Hon. Johnston Ipara: Thank you, Mr. Chairperson. This is a learning session. I want to seek for clarification from the chairperson of the committee on what they meant. Because they are saying nature and manner of recordings to be maintained by the inspectorate. I want to believe that this must have been a typo error where they wanted to say records. If it is a typo error I propose an amendment on this to change from "recordings" to "records".

Mr. Chairperson: Hon. Okasida, when you propose an amendment automatically you also call a seconder because it is a motion within a motion.

Hon. Johnston Ipara: Hon. Chairperson, I call upon Hon. Linda to second the amendment.

Hon. Linda Kharakha: Hon. Chairperson, I second the amendment to change "recordings" to "records" so as to read "the manner and nature of records to be maintained by the inspectorate".

(Question proposed for an amendment within an amendment)

Mr. Chairperson: Honorable members, you have to look at it so that you can make an informed decision. Delve into it and see if Hon. Okasida and Hon. Linda are right.

Hon. Francis Chemion: Thank you, Hon. Chairperson. I look at the word "recordings" which is used here which means to store sounds or moving pictures using electronic equipment so that they can be heard or seen later. Hon. Chairperson these recordings are key for the directorate especially if they are going to charge a person in a County Court. They will require the recordings. Therefore, they can take pictures of whatever they have impounded and present them

to the court. Thus they record and store which they may use later in charging the offenders of the law. I think that is the perception of the author of this bill.

Mr. Chairperson: Honourable members, look at the context of the clause so that we don't alter and confuse. Hon. Mukoyandali you can proceed.

Hon. Job Mukoyandali: Thank you Chairperson. Just the way you have put it, in this particular case we are looking at the context of the use of the word "recordings", our county *Askaris* mostly they are working within our Central Business Centre (CBD)...

Mr. Chairperson: Honourable members, let us follow so that we get the context. I beg that you are keen on this and I equally request that you don't leave.

Hon. Job Mukoyandali: Hon. Chairperson, the context is that when I am being accused of parking the vehicle wrongly, what would be the evidence that they will rely on that indeed I parked the vehicle wrongly? In this regard, they can present some pictorial evidence showing that they are not mere allegations but it is true that I parked the vehicle wrongly. Therefore, the word "recordings" has been used rightly Hon. Chairperson.

Hon. Ken Wanyama: Thank you, Mr. Chairperson. I think the issue should be what was the intention of the drafters? They are only looking at electronic data or it also includes manual, because if it includes the manual records as well, then the use of the word "records" will make more sense. If it is strictly on electronic records, then "recordings" will make more sense. Thank you.

Mr. Chairperson: Thank you members, I want to say this for your information. I will allow Hon. Linda to contribute courtesy of the Committee of the Whole House, if it was a normal plenary she will not. Hon. Linda, proceed.

Hon. Linda Kharakha: Thank you, Mr. Chairperson. I want to blow my mind on the nature of the intention of the writer was meant is gathering evidence. Therefore, we do away with the use of the words "handling recordings" so that say "handling of evidence gathered" so that we are cutting across from any nature of the documents whether physical or live recordings to ensure that we are not limited to recordings only in that matter. I'm looking at it in terms of maybe they have impounded goods then it will either video recording which is live or even statements being put down on the nature of the goods. Maybe if we moved away from saying recordings as to how I asked earlier that we propose its records then we can move to now evidence gathered so that it's cutting across.

Mr. Chairperson: Thank you Hon. Linda. Hon. Aggrey, then I will put the question. The mover will reply after that. Hon. Waliaula Mulongo Aggrey!

Hon. Aggrey Mulongo: Thank you Chair. When you look at the statement itself and then you go to 12 (h), its answering 12(g). Why am I saying that? When you look at recording when you are going to handle all impounds those are goods and goods are recorded not recordings but they are recorded so it means we must have records. The word there is records not recordings.

Mr. Chairperson: Well, I now call upon the mover of the motion within a motion to reply. Hon. Ipara!

Hon. Johnstone Ipara: Thank you Chair. I want first of all to thank the contributors who have said this and Honourable Chair when you read 12 you find that its saying recordings and we normally maintain records and when you go to 12(h) it confirms actually what was required. If you impound goods, they are in different nature either perishable or non-perishable or permanent in nature so where do you record them. You record them in a register and these registers in summary are referred to as records and maybe let me read from the oxford dictionary; records means any written or recorded information regardless of physical form or characteristics which is produced or acquired by the party in the performance of this agreement and it tells you further records produced or acquired in a readable machine.

I am answering what he said because the Chair said that he was targeting maybe recording things on a digital but records confirm that records produced or acquired in a machine readable electronic format shall be maintained in that form and that form is record and I wanted to plead with the Chair, we are nor underrating the language used, we are only assisting so that when our enforcement agents are called to answer on issues in court, actually they will be able to produce the records which maybe in the form of a register or maybe in form of a digital recording in a disk so all of them are classified as records and I want to plead with this Honourable House to assist the department have laws that they are able to enforce and we shall have people to comply with it.

Mr. Chairperson: Thank you, Hon. Ipara. Honourable members, a motion having been moved and duly seconded and debate having ensued, I now put the question that clause 12 paragraph (g) be amended by replacing the word recordings with record.

(Question put and agreed to)

The ayes have it

(Applause)

Now, Honourable members, I now propose the question which is that Clause 12 as amended be part of the bill

(Question proposed)

Well, I now put the question which is that clause 12 as amended be part of the bill

(Question of the amendment proposed)

The ayes have it and it is actually amended as proposed.

I now put the question that clause 12 as amended be part of the bill

(Clause 12(g) as amended agreed to)

The ayes have it.

Hon. Mukhongo, come back, you are not with us.

Clause 13- General Duties of officers

Honourable members, I now propose the question which is that clause 13 be part of the Bill.

(Question proposed)

I now put the question that Clause 13 be part of the bill

(Clause 13 agreed to)

The ayes have it. We proceed!

Clause 14 - Duties of officers towards the public and arrested persons.

Mr. Chairperson: Honourable members, I now propose the question which is that clause 14 be part of the Bill and proceed to call upon the mover to proceed with amendments. Hon. Masai!

Hon. Francis Chemion: Thank you Chair, I now move that Clause 14 of the Bill be amended by inserting the words 'By surrender them to the police ' immediately after the words in custody in sub clause (d) so as to read 'to arrange for the proper sustenance and shelter of every person who is under arrest or in custody by surrendering them to the police'

I call upon Hon. Makhanu to second the amendment.

Mr. Chairperson: Hon. Cornelius Makhanu, proceed!

Hon. Cornelius Makhanu: Thank you Honourable Chair, I stand to second the proposed amendment.

Mr. Chairperson: Thank you, Hon. Makhanu.

Honourable members, I now propose the question that Clause 14 be amended as proposed! Well, there being no debate, I now put the question which is that clause 14 be amended as proposed.

(Question put and agreed to)

The ayes have it and Honourable members that Clause is now amended as proposed. I now propose the question that clause 14 as amended be part of the Bill.

There being no debate, I now put the question which is that Clause 14 as amended be part of the Bill

(Clause 14 as amended agreed to)

The ayes have it.

Clause 15- Duties of officers to keep order in streets, roads and public spaces

Mr. Chairperson: Honourable members, I now propose the question which is that Clause 15 be part of the Bill.

Very well, I proceed now to put the question which is that Clause 15 be part of the Bill.

(Clause 15 agreed to)

The ayes have it and orderlies please ensure that Hon. Mukhongo is around and within this plenary without going anywhere. You ensure you follow him and ensure he comes back.

Very well, we proceed!

Clause 16 - Duty to conform to reasonable directions given by officers

Mr. Chairperson: Honourable members, I now propose the question that Clause 16 be part of the Bill and call upon the mover to proceed with the proposed amendments. Hon. Masai and I ask Hon. Ipara not to disorient the mover read together with Hon. Linda. Proceed the mover!

Hon. Francis Chemion: Thank you chair, I now move that Clause 16 (2) be amended by inserting the word or her immediately after the word him. I now call upon Hon. Mukoyandali to second the amendment.

Mr. Chairperson: Hon. Job!

Hon. Job Mukoyandali: Hon. Chair, I second the proposed amendment!

Mr. Chairperson: Thank you Hon. Mukoyandali. Honourable members, I now propose the question that, Clause 16 be amended as proposed.

Very well, I now put the question Honourable members that Clause 16 be amended as proposed.

(Question of the amendment proposed)

The ayes have it

Let's continue with Clause 17. I ordered that Hon. Mukhongo must be brought back and he is back so we can proceed. The orderlies must be aware and keen, hawk eyed. Our table clerk, next is clause 17, proceed!

Clause 17 - Power of officer to give information

Mr. Chairperson: Honourable members, I now propose the question that Clause 17 be part of the Bill.

(Question proposed)

I now proceed to put the question that clause 17 be part of the Bill

(Clause 17 agreed to)

The ayes have it.

Clause 18 - Powers to inspect

Mr. Chairperson: Honourable members, I now propose the question which is that Clause 18 be part of the Bill and proceed to call upon the mover !

Hon. Francis Chemion: Thank you Chair. I move that Clause 18 of the Bill be amended by inserting the words, in conjunction with other law enforcement agencies immediately after the words County laws so as to read; ‘An officer generally or specially authorized by the executive member may enter any shop or premises for the purpose of ensuring compliance with County laws in conjunction with other law enforcement agencies. Hon. Jeremiah, you can second!

Chairperson: Hon. Kuloba, proceed!

Hon. Jeremiah Kuloba: Thank you Chair. I stand to second the proposed amendments on Clause 18.

Chairperson: Thank you. Honourable members, I now propose the question which is that Clause 18 be amended as proposed.

(Question of the amendment proposed)

There being no debate, I therefore put the question that Clause 18 be amended as proposed

The ayes have it and the Clause is actually amended as proposed.

Honourable members, I propose the question that Clause 18 as amended be part of the Bill. There being no debate, I now put the question which is that Clause 18 as amended be part of the Bill.

(Clause 18 as amended agreed to)

The ayes have it.

Yes, the two sisters are happy and even Hon. Nganga is now joining them, he also wants to be happy .We proceed!

Clause 19 - Power of officer to search suspected persons in streets

Clause 20 - Power to direct against contravention of law

Mr. Chairperson: Honourable members, I now propose the question that Clause 19 and 20 be Part of the Bill. I now proceed to put the question Honourable members that Clause 19 and 20 be part of the Bill.

(Clause 19 and 20 agreed to)

The ayes have it.

Clause 21- Impounding of animals

Chairperson: Honourable members, I now propose the question that Clause 21 be part of the Bill and proceed to call upon the mover to proceed with the proposed amendment. Hon. Masai!

Hon. Francis Chemion: Thank you Chair. I move that Clause 21 of the Bill be amended by inserting the words ‘for 14 days immediately after the words confinement there in and by inserting the words which shall attract penalties on a daily basis as shall be provided in supporting legislation and guidelines after the words public property so as to read ‘an officer has a duty to seize and take to any public pound for confinement there in for 14 days any animals found straying in any street or trespassing upon any public property which shall attract penalties on a daily basis as shall be provided in supporting legislation and guidelines. I call upon Hon. Katasi to second the amendment.

Mr. Chairperson: Hon. Katasi, proceed!

Hon. Brigid Katasi: Thank you chair. I second the Clause with the proposed amendments!

Mr. Chairperson: Thank you so much. Honourable members, I now propose the question which is that Clause 21 be amended as proposed. There being no debate, I now put the question Honourable members that Clause 21 be amended as proposed.

(Question of the amendment proposed)

The ayes have it and the Clause is amended as proposed.

Honourable members, I now proceed to propose the question that Clause 21 as amended be part of the Bill. I proceed to put the question Honourable members that Clause 21 as amended be part of the Bill

(Clause 21 as amended agreed to)

The ayes have it. Hon. Mulongo Waliaula is...Do you concur? Very well, proceed!

Clause 22 - Charge of unclaimed property.

Mr. Chairperson: Honourable members, I proceed to propose the question that Clause 22 be part of the Bill and call upon the mover to proceed with the amendment. Hon. Masai!

Hon. Masai, Clause 22! Hon. Ben and Mukhongo, relax, you are putting on shirts that are almost similar so you have to be there to guard that door. Hon. Masai!

Hon. Francis Chemion: I move that Clause 22 of the Bill be amended. You know the writing of this document is not very clear that is why I am using both. That the executive member...

Mr. Chairperson: Clause 22 Honourable member!

Hon. Francis Chemion: I am there.

Mr. Chairperson: Please proceed with speed because of time.

Hon. Francis Chemion: That Clause 22 of the Bill be amended, is it by inserting member in sub clause 2?

Mr. Chairperson: You should not ask us, you are the one proposing.

Hon. Francis Chemion: You know, it's not written here clearly Chair, that is why I wanted a proper one. I do not want to make a mistake.

Mr. Chairperson: Very well. Your background is known.

Hon. Francis Chemion: Yes, You know I am an English teacher, it is giving me problems. Now this one is a bit proper I think. That Clause 22 of the Bill be amended by inserting the words 'in the regulation immediately after the words executive member in sub clause 2 so as to read; An officer taking charge of any property under subsection 1 shall handover the property in a manner as may be prescribed by the executive member in the regulations.

b) By substituting the word three months with the words 14 days immediately after the words claim within in sub clause 3 so as to read, the executive member shall issue proclamation notice specifying unclaimed property and requiring any person who may have a claim to appear before him or her or some other officer delegated to act in his or her behalf to establish his/her claim within 14 days from the date of such proclamation. By inserting the words upon the claimants payment of appropriate fees and charges immediately after the words release the property in sub clause 5 so as to read;

' The executive member shall on being satisfied on the title of the claimant of the property refer to in this section 4 release the property upon the claimants payment of appropriate fees and charges'

d) By inserting the word 'County' immediately before the word Government in Sub Clause 22(6) so as to read ;if no person establishes a claim to such property within the period prescribed in subsection 4 it shall be at the disposal of the County Government.

I now call upon Hon. Mukoyandali to second the amendment.

Mr. Chairperson: Hon. Mukoyandali, please proceed with speed!

Hon. Job Mukoyandali: Honourable Chair, I second the proposal in Clause number 22.

Mr. Chairperson: Hon. Mukoyandali is seconding the proposed amendments in Clause 22.Honourable members; I now propose the question that Clause 22 be amended as proposed.

There being no debate Hon. Members, I now put the question that Clause 22 be amended as proposed.

(Question on amendment proposed)

(Question on amendment agreed to)

The ayes have it; the Clause is amended as proposed.

I now propose the question that Clause 22 as amended be part of the Bill.

I now proceed to put the question that Clause 22 as amended be part of the Bill

(Clause 22 as amended agreed to)

Clause 23 - Power of the Executive Committee Member to make regulations.

Mr. Chairperson: Honourable members, I now propose the question that Clause 23 be part of the Bill and call upon the mover Hon. Masai proceed!

Hon. Francis Chemion: Thank you Chair. I move that Clause 23 of the Bill be amended

a) By substituting the word may with the word shall immediately after the word member and deleting the words in the absence of any County laws in Sub Clause 1 so as to read' The executive Member shall make regulations for

b) By deleting sub clause 1(a) (b) (e) (l) (m) (n) and (P) in entirety.

c) By substituting the word newspaper immediately after the word local with the word media in Sub Clause 2 so as to read; the regulations made under this section shall be published in the County gazette and in the locality affected thereby by affixing copies thereof in conspicuous places or by advertising the same in such local media.

I now call upon Hon. Katasi to second the amendment.

Mr. Chairperson: Honourable Katasi, proceed!

Hon. Brigid Katasi: Thank you Chair, I second the Clause with the proposed amendments.

Chairperson: Thank you so much Hon. Katasi. Honourable members, I now propose the question which is that Clause 23 be amended as proposed.

I now proceed to put the question which is that Clause 23 be amended as proposed.

(Question for amendment proposed)

Honourable members, I now propose the question that Clause 23 as amended be part of the Bill and now proceed to put the question that Clause 23as amended be part of the Bill.

(Question put and agreed to)

The ayes have it. Proceed!

Clause 24 - Erection of barriers on streets;

Mr. Chairperson: Honourable members, I propose the question that Clause 24 be part of the Bill. I call upon Hon. mover to proceed!

Hon. Francis Chemion: Thank you chair. I move that Clause 24 of the Bill be amended by inserting the words on between the words driven and County and deleting the word bin between the words not and contravened and also deleting the phrase in respect of any such vehicle and in

order to collect Cess or royalties immediately after the words licensing laws so as to read 'the executive member may authorize the inspectorate to erect barriers on any street for the purpose of stopping temporarily vehicles driven on the County roads in order to satisfy they have not contravened licensing laws.

I now call upon Hon. Makhanu to second the amendment.

Mr. Chairperson: Hon. Makhanu, proceed!

Hon. Cornelius Makhanu: Thank you Chair. I stand to second the proposed amendments on Clause 24.

Mr. Chairperson: Thank you so much Honourable members. I now propose the question that Clause 24 be amended as proposed.

(Question for amendment proposed)

I proceed to put the question that Clause 24 be amended as proposed.

(Question put and agreed to)

The ayes have it. We proceed!

The Clause having been amended, I proceed to put the question that Clause 24 as amended be part of the Bill. I now proceed to put the question that Clause 24 as amended be part of the Bill.

(Question put and agreed to)

The ayes have it.

Clause 25 - Suffering or unfit animals to be destroyed

Clause 26 - Appeal

Mr. Chairperson: Honourable members, I now propose the question that Clause 25 and 26 be part of the Bill.

I now proceed to put the question that Clause 25 and 26 be part of the Bill

(Clauses 25 and 26 agreed to)

The ayes have it. We proceed.

Clause 27 - Obstruction of an officer.

Mr. Chairperson: Honourable members, I propose the question that Clause 27 be part of the Bill and call upon Hon. Masai to proceed with the amendments!

Hon. Francis Chemion: Thank you Chair. I move that Clause 27 of the Bill be amended by substituting the word hundred, ten and one year with three months so as to read; 'A person who intentionally resists arrest, interferes with the suits of an officer, commits an offence and shall be

liable upon conviction to a fine not exceeding 10,000 shillings or to imprisonment for a term not exceeding three months or both.

I now call upon Hon. Jeremiah to second the amendment.

Mr. Chairperson: Honourable Kuloba, proceed!

Hon. Jeremiah Kuloba: Thank you Honourable Chair. I stand to second the proposed amendment on Clause 27.

Mr. Chairperson: Thank you so much Honourable members. I now propose the question that Clause 27 be amended as proposed. I proceed to put the question that Clause 27 be amended as proposed.

(Question proposed)

The ayes have it and the Clause is amended as proposed.

Honourable members, I now propose the question that Clause 27 as amended be part of the Bill. I now proceed to put the question that Clause 27 as amended be part of the Bill.

(Question put and agreed to)

The ayes have it.

Hon. James Mukhongo, did you follow the Clause you have been on? You should not be here with only your body. Even your mind and eyes. Let's proceed!

Clause 28 - Impersonating an officer

Clause 29 -General penalty

Clause 30 - Indemnity

Mr. Chairperson: Very well. Honourable members, you know Honourable Mukhongo is aging so do not worry when I mention him. I want to make him awake.

Honourable members, lets proceed! Honourable Museveni is wondering, he is a young boy.

Honourable members, I now propose the question that Clause 28, 29 and 30 be part of the Bill.

(Question proposed)

I now put the question that Clause 28, 29 and 30 be part of the Bill

(Clauses 28, 29 and 30 agreed to)

Proceed!

Clause 31 - Complaints

Mr. Chairperson: Very well Honourable members, I now propose...Honourable Masai you are fast! I now propose that Clause 31 be part of the Bill and call upon the Honourable Chemion to proceed with amendments;

Hon. Francis Chemion: Thank you Chair. I move that Clause 31 of the Bill be amended by introducing sub Clause b so as to read

b) A complain committee shall be formed in the regulations and will act upon the complains.

Honourable Mukoyandali, you can second the amendments!

Mr. Chairperson: Sorry Honourable members, you know we are making laws and we have to be very keen .Honourable Mukoyandali, proceed!

Hon. Job Mukoyandali: Honourable Chair, I second Clause 31 with amendments as proposed.

Mr. Chairperson: Thank you Honourable members. I now propose the question that Clause 31 be amended as proposed and proceed to put the question that Clause 31 be amended as proposed

(Question put and agreed to)

The ayes have it and the Clause is amended as proposed and now I propose the question that Clause 31 as amended be part of the Bill

(Question proposed)

I now put the question that clause 31 as amended be part of the bill

(Question put and agreed to)

The ayes have it.

Clause 32 - Fines

Clause 33 - Arrangements with other public bodies

Clause 34 - Powers to make regulations.

Mr. Chairperson: Honourable members, I now propose the question that Clause 32, 33 and 34 be part of the Bill.

I now put the question Honourable members that Clause 32, 33 and 34 be part of the Bill

(Clause 32, 33 and 34 agreed to)

The ayes have it.

We now go back to Clause 6. Honourable Okasida please share with Honourable Masai. You can relax, clerk proceed!

Clause 6 - Functions of the inspectorate;

Mr. Chairperson: Honourable members, I now propose that Clause 6 be part of the Bill and call upon Hon. Masai to liaise with Honourable Okasida so that you can proceed with the amendments. Very fast Honourable members because of time!

I want to appreciate Honourable members for your patience. Thank you so much.

Hon. Masai, with a clean shaved head, Proceed!

Hon. Francis Chemion: Thank you Chair. I have shared with my members here. We are recommending an amendment to Clause 6 by inserting the word policies at the end of the Clause so as to read 'enforcing the Bungoma County laws, regulations and policies to ensure compliance.

I now call upon Honourable Katasi to second the amendment!

Mr. Chairperson: Hon. Katasi!

Hon. Brigid Katasi: Thank you Chair. I second Clause 6 with the proposed amendment.

Mr. Chairperson: Thank you Honourable members. I now propose the question that Clause 6 be amended as proposed. I proceed to put the question that Clause 6 be amended as proposed

(Question put and agreed to)

The ayes have it.

Clause 6 is amended as proposed.

I now proceed to propose the question that Clause 6 as amended be part of the Bill and proceed to put a question that Clause 6 as amended be part of the Bill.

(Question put and agreed to)

The ayes have it

New Clauses

Mr. Chairperson: Honourable mover Masai proceed! On Clause 6, Honourable Chair, we have made a further amendment of what we had already ammended.so it should be on record.

On clause 6 Honourable members, we have made a further amendment as observed by the Honourable member of the high court Hon. Linda together with the Hon. Ipara Okasida Johnstone.

Hon. Francis Chemion: Thank you.

Mr. Chairperson: Very well. We proceed! The mover, read the new Clause! The new Clause to be read for the second time!

Hon. Francis Chemion: I now move that the new Clause that is transitional .Any officer currently serving in any rank that may be varied by this act in terms of educational qualifications shall continue doing so until his retirement. I move that it be read for the second time.

Mr. Chairperson: Honourable members, I propose the question that the new clause be read a second time as proposed by the mover.

I now put a question that the new Clause be read a second time as proposed as the mover.

(Question put and agreed to)

The ayes have it

Hon. Francis Chemion: Chair, there is a procedural...

Mr. Chairperson: Honourable Chemion, It's the table clerk who should be reading that .Just relax a little so that she can read.

Hon. Francis Chemion: And maybe Chair, there was supposed to be a seconder so we need to repeat that section.

Mr. Chairperson: Yes, repeat!

Hon. Francis Chemion: Thank you Honourable Chair. I move that a new Clause that is transitional Clause 35; any officer currently serving in any rank that may be varied by this Act in terms of Educational qualifications shall continue doing so until his retirement.

I call upon Hon. Mukoyandali to second the reading.

Mr. Chairperson: Honourable Mukoyandali, proceed to second the new Clause!

Hon. Job Mukoyandali: Honourable Chair, I second Clause 35 as introduced.

Mr. Chairperson: No, no, not Clause 35. New Clause.

Hon. Job Mukoyandali: I second the new clause.

Mr. Chairperson: Honourable member, to be read for the second time as moved.

Hon. Job Mukoyandali: Honourable Chair, I second the new Clause as read by the mover.

Mr. Chairperson: Okay fine. He has seconded the new Clause to be read a second time as proposed by the mover. I now call upon the clerk. I now put the question Honourable members, that the new Clause be read a second time.

(Question put and agreed to)

The ayes have it! So, it be read a second time by the clerk.

Transitional - Any officer currently serving in any rank that may be varied by this Act in terms of Education, qualification shall continue doing so until his or her retirement.-Second reading

Mr. Chairperson: Honourable members, I now propose the question which is that new Clause be part of the Bill and proceed to put a question that new Clause be part of the Bill.

(Question put and agreed to)

The ayes have it

Clause 2 - Interpretation

Mr. Chairperson: Honourable members, I now propose the question that Clause 2 be part of the Bill and call upon Hon. Masai to proceed.

Hon. Francis Chemion: Thank you Chair. I move that Clause 2 of the Bill be amended by inserting the definition of director immediately after the definition of relevant County Organ so as to read; 'Director' to mean director of inspectorate.

I call upon Hon. Katasi to second.

Mr. Chairperson: Hon. Katasi!

Hon. Brigid Katasi: Thank you Chair. I second Clause 2 with the proposed amendments.

Mr. Chairperson: Thank you Honourable members. I now propose the question that Clause 2 be amended as proposed and proceed to put a question that Clause 2 be amended as proposed

(Question put and agreed to)

The ayes have it. Clause 2 is amended as proposed and now I propose the question that Clause 2 as amended be part of the Bill.

Well, I now put the question that Clause 2 as amended be part of the Bill.

(Question put and agreed to)

The ayes have it. Proceed!

Long Title- A Bill for an Act of the County Assembly of Bungoma to provide for the establishment of Bungoma County enforcement inspectorate unit and for matters connected thereto

Clause 1- Short title

Mr. Chairperson: Hon. Members, I now propose the question that long title and Clause 1 be part of the bill

I now propose the question that long title and Clause 1 be part of the bill

(Question put and agreed to)

The ayes have it.

Thank you Hon. Members for having sat through as we proceed with the Committee of the Whole House.

I now call upon the Chair to move the reporting

Hon. Francis Chemion: Thank you Chair. Honourable Chair, Pursuant to Standing Order 145(16), I beg to move that the committee do report to the House its consideration of the Bungoma County inspectorate compliance and enforcement Bill 2023.

I call upon Hon. Jeremiah to second the reporting.

Mr. Chairperson: Hon. Kuloba Jeremiah!

Hon. Jeremiah Kuloba: Thank you Chair. I second the reporting!

Mr. Chairperson: Thank you, Hon. Members. I now put the question that the committee does report to the House its consideration of the Bungoma County Inspectorate Compliance and Enforcement Bill 2023.

(Question put and agreed to)

The ayes have it.

Thank you so much members. Thank you so much, you are good people led by the whip, the young man from Mukuyuni. The Speaker can be ushered in.

(The normal house sitting resumes)

Mr. Speaker: Honourable Members, Allow me invite The Chair of The Committee of the Whole House in compliance with Standing order 147 to report back to the whole House before we proceed. Deputy Speaker under 147 report back to the House!

Mr. Chairperson: Thank you, Hon. Speaker. Under Standing Order 147, report of the Committee of The Whole House; The Committee of The Whole House considered the Bungoma County Inspectorate, Compliance and Enforcement 2023 as follows;

Clause 3 Objects and Purpose of the Act was approved without amendments

Clause 4 Jurisdiction was approved without amendments

Clause 5 Composition of the County inspectorate was approved with amendments.

Clause 6 Functions of the inspectorate was approved with amendments

Clause 7 Director of the Inspectorate was approved without amendments.

Clause 8 Powers and duties of the director was approved with amendments

Clause 9 Appointment of enforcement officers was approved with amendments

Clause 10 Deployment, promotion and discipline of officers was approved with amendments

Clause 11 Grounds for breach of discipline was approved with amendments

Clause 12 Rules for the administration of the inspectorate was approved with amendments

- Clause 13 General Duties of officers was approved without amendments
- Clause 14 Duties of officers towards the public and arrested persons was approved with amendments
- Clause 15 Duties of officers to keep order in streets, roads and public spaces was approved without amendments
- Clause 16 Duty to confirm to reasonable directions given by officers was approved with amendments.
- Clause 17 Power of officer to give information was approved without amendments.
- Clause 18 power as to inspection was approved with amendments
- Clause 19 Power of officers to search suspected persons in streets was approved with amendments.
- Clause 20 Power to direct against contravention of laws was approved without amendments.
- Clause 21 Impounding of animals was approved with amendments.
- Clause 22 Charge of unclaimed property was approved with amendment.
- Clause 23 Power of executive member to make regulation was approved with amendments
- Clause 24 Erection of barriers on streets was approved with amendments.
- Clause 25 suffering or unfit animals to be destroyed was approved without amendments
- Clause 26 Appeal was approved without amendments.
- Clause 27 Obstruction of an officer was approved with amendments
- Clause 28 Impersonating an officer was approved without amendments
- Clause 29 General penalty was approved without amendments
- Clause 30 Indemnity was approved without amendments
- Clause 31 Complaints was approved with amendments
- Clause 32 Fines was approved without amendments
- Clause 33 Arrangements with other public bodies was approved without amendments
- Clause 34 Power to make regulations was approved without amendments
- New Clause was introduced
- Clause 2 Interpretation was approved with amendments

Long title – A Bill for an Act of the County Assembly of Bungoma to provide for the establishment of Bungoma County Enforcement Inspectorate Unit and for matters connected thereto was approved without amendments.

Clause one - Short title was approved without amendments.

Thank you Hon. Deputy Speaker, the Chair of the Committee Of the Whole House. Hon. Members, allow me at this juncture to be able to invite the Chair of the Committee to be able to move accordingly, Hon. Chemion proceed and move it accordingly.

Hon. Francis Chemion: Thank you, Mr. Speaker. Pursuant to Standing Order 148 (1) I beg to move that the House does agree with the Committee in the said report. I request Hon Mukoyandali to second.

Mr. Speaker: Hon. Job, you proceed.

Hon. Job Mukoyandali: Hon. Speaker, I rise to second the motion as moved.

Mr. Speaker: Thank you, Honorable members. A motion has been moved and seconded in compliance to Standing Order 148 (1). That the House does agree with the report coming from the Committee Of the Whole House.

(Question put and agreed)

I think the report will go to the next stage. I think it will be the third reading of the report in the next sitting of the House.

PROCEDURAL MOTION PURSUANT TO STANDING ORDER NUMBER 63 (B)

Mr. Speaker: Hon. Mukhongo, come and prosecute the motion

Hon. James Mukhongo: Thank you, Hon. Speaker. This is a procedural motion pursuant to Standing Order number 64 (b), Aware that various businesses that were directed to various committees for processing are still pending and that most business of the House emanates from committee activities.

Recognizing that committees need more time to process and conclude its work before reporting to the House. Further, aware that several statements were committed to relevant committees on 12th September 2023 for processing and reporting back within 21 days at the lapse of the said period.

No response has been availed therefore pursuant to Standing Order 34 of the County Assembly of Bungoma, this house resolves to adjourn its sittings from today Thursday 12th October, 2023 to Tuesday 24th October, 2023 at 2 30 p.m. to allow committees process all the pending business before them.

I now call upon Hon. Chemion Masai to second the procedural motion.

Mr. Speaker: Thank you, Hon. Barasa. Hon. Chemion,

Hon. Francis Chemion: Thank you, Hon Speaker. Members you are aware that yesterday in our discussion in this honorable House, the chairs of the committees gave progress reports and from the progress reports that we had yesterday it was very clear that most of the committees had not processed the statements raised from honorable members. And most of the chairs sought for 21 days but they were allowed 14 days by the Speaker and going by the number of the statements that are before the committees, it's prudent that we allow the committees have enough time we adjourn the plenary so that honorable members have good time to interrogate the executive so that they avail this reports within the stipulated period. businesses of this house are generated by the committees and therefore by adjourning this house to allow this committee process those statements and any other report. Hon Speaker we will be able to have enough fodder for us in this honorable House. So I want to second that we adjourn from 12th to 24th Tuesday October, 2023 at 2 30 p.m., and the reasons are well given, I second.

Mr. Speaker: Thank you, Hon Chemion. Honorable members, allow me now to propose the motion because it is a procedural motion. I must propose the motion for the honorable members to debate if they have the energy so that we are able to have at the end of it the House making a decision over the same. Honorable members, a motion having been moved and seconded that this house resolves to adjourn its sittings from today the Thursday 12th October, 2023 to Tuesday 24th October, 2023 at 2 30 p.m. to allow the committees to process the pending business before them. I propose. Yes Hon Job proceed.

(Question proposed)

Hon. Job Mukoyandali: Hon. Speaker, looking at the work ahead most of the pending matters are of the County importance. I support the motion.

Mr. Speaker: Thank you. Hon Meshack.

Hon. Meshack Simiyu: Mheshimiwa Spika nataka niombe kwamba umetupea muda wa siku kumi na nne na ningeomba wenzangu wawe wakienda mikutano. Nasema hivi kwa sababu uliona siku ya leo vile ulikuwa umetuambia wenye kiti wakifunga kitabu kama tuko kwa mkutako itakuwa vizuri.

Mr. Speaker: Thank you, Hon. Meshack. Hon. Barasa, you reply to the motion..

Hon. James Mukhongo: Thank you, Mr. Speaker. I don't need to explain anything further but the reasons are well known to members. Because we are lacking business to transact and when we adjourn for 10 days, when we come back, we will have a lot of business for us to transact as a House. Otherwise, I besiege the House to support the procedural motion.

Mr. Speaker: Thank you, Hon. James Mukhongo. Hon. Members, a motion having been moved and seconded and debate having ensued that this House does resolve to adjourn its sittings from

today Thursday 12th October, 2023 to Tuesday 24th October, 2023 at 230 p.m. This is to allow the committees process and clear all the pending businesses before them.

(Question put and agreed to)

Table clerks just a reminder, on Sunday 22nd October, 2023, send messages reminding Hon. Members of the resumption of the sittings on Tuesday. Send messages to remind members, so that where they are they are aware of the resumption. Some of the members are harvesting maize at home and claiming that they are not aware that the House resumes its sittings.

ADJOURNMENT

Mr. Speaker: Hon. Members, I take this chance to appreciate everybody who have sat up to this time to take part in this debate. I think we are moving in the right direction. With those few remarks, members we stand up to adjourn the sittings.

(House Adjourns)