

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Tuesday, 17th April, 2018

The House met at 10.47 a.m.

[The Speaker (Hon. (Mrs.) Mwangangi) in the Chair]

PRAYERS

Hon. Speaker: Good Morning, Hon. Members. It has been a while. I have missed you. Okay, let us get to business. On the Order Paper, Hon. Members, we want to start with the business for this morning and I call upon Mr. Clerk to proceed.

COMMUNICATION FROM THE CHAIR
CHANGE OF MAJORITY PARTY LEADERSHIP

Hon. Speaker: Hon. Members, there is a communication that is going to come from the Chair. Let me go ahead and make the communication. Hon. Members, my office has received communication on change of House leadership position particularly the Majority Leader position of this Assembly.

On the face of the communication, it is minutes intended to be indicated to have been signed by the Hon. Steve Mwanthi and Hon. Justus Katumo; the minutes are attached to my communication and they refer to a meeting that is attended by Hon. Members each of whom have appended their signature and identity numbers and the Members in the list are as follows; -

I am reading the list that is attached.

Hon. Cosmas Ngula Masesi.
Hon. Francis Kioko Kalumu.
Hon. Mark K. Muendo.
Hon. Justus M. Kiteng'u.
Hon. Agatha Mutunga.
Hon. Daniel Mbevi.
Hon. Betty Nzioki.
Hon. Daniel Kiilu.
Hon. Robert Muoki Kisini.
Hon. Tariq Mulatya Muema.
Hon. Thomas Mutinda.
Hon. Dominic Mulwa Ndambuki.
Hon. Stephen Mwanthi.
Hon. Justus Katumo.

Hon. Jane Nyawira.
Hon. Christine Koki.
Hon. Peter Mutiso.
Hon. Fredrick Mbuva.
Hon. Angela Munyasya.
Hon. Margaret Mwikali Mbithi.
Hon. Grace Mutwiwa.
Hon. Jeremiah Munguti.
Hon. Winnie Mutua.
Hon. Jacinta Luka.
Hon. Judas M. Ndawa.

The list is handwritten, as you can see Hon. Members, and it is dated 16th April, 2018. Going back to the work that was typed after the communication, I want to remind Hon. Members of where we have come from. You have been distinguished as a House that observes the law and that is commendable and that actually is what is expected of you. And so that in everything that you do, you must be guided by the law and that is the only way out.

From this communication, I have identified the issue at hand to be whether the legal requirements for the action the Members who have signed to complied with the law and in particular, I have noted that the Members have indicated a removal of the Majority Leader Hon. Francis Mwaniki Ngunga and replacing him with Hon. Mark K. Muendo.

The positions of the Majority and Minority Party Leaders in legislative Assemblies in the Republic is established under Article 108 of the constitution, particularly Article 1(1)

Section 10 and 11 of the County Governments Act 2012 reiterates the position in Article 108(1) that is as far as establishing the position of the Majority and Minority party leaders. However, both the Constitution and the County Governments Act do not provide for the removal of the Majority and Minority Party Leader but we are guided by Standing Order 15(3) and (5).

The two sub orders of that Standing Order provides for the election as well as the removal of the Majority Party Leaders in both cases the decision of the Members is required to be communicated to the Speaker; if it is to take effect in writing by the Majority Party Whip and it should be accompanied by the minutes of the meeting in which the decision was taken.

Hon. Members, I started by setting out that the communication I have received is a way of minutes and I notice that they are signed by the Hon. Steve Mwanthi and Hon. Justus Katumo; they are described as Chairman and Secretary of the meeting that was held.

Hon. Members, this House has a Majority Party Whip and that is in the name of Hon. Tariq Mulatya; clearly, the communication is not by the Hon. Majority Party Whip, Hon. Tariq Mulatya. For that reason, the office of the Speaker is unable to act on the communication because it does not satisfy the requirements of the Standing Order 15(3) and (5) and the office of the Speaker is requesting the Hon. Members concerned to be advised accordingly.

That is the Communication of the Chair. Mr. Clerk, proceed.

STATEMENTS

BUSINESS FOR THE HOUSE FROM 17TH TO 18TH APRIL, 2018

Hon. Speaker: Hon. Members, under this Order, there are two statements the first one is by the Hon. Francis Ngunga Leader of Majority and the second one is by the Hon. Ndawa. Hon. Ngunga.

Hon. Ngunga: Thank you, Madam Speaker, I am a little confused and thank you for protecting my office; good morning members. I am reading a statement of the business of the House this week. Hon. Speaker, I stand here on Standing Order 41(2)(a) where during the statement hour a member of the house business committee designated by the committee for the purpose shall, for not more than 10 minutes, present and lay on the table a statement informing the House of the business coming before the House.

Madam Speaker, the House Business Committee met yesterday that is the 16th April, 2018 and balloted business for this week pursuant to the provisions of the Standing Order 51 as follows:-

Tuesday, 17th April, 2018

Morning at 10 a.m.

Machakos County finance bill 2017 second reading by Hon. Cosmus Masesi chairperson finance and revenue collection committee;

Second business will be statement by Hon. Ndawa on emergency preparedness.

Afternoon at 2.30 p.m.

Report of budget and appropriation committee on the County Budget and Review Outlook Paper (CBROP) chairman of budget committee Hon.

Dominic Ndambuki.

Wednesday, 18th April, 2018

Morning at 10 a.m.

Machakos County Finance Bill 2017 committee of the whole house Hon. Cosmus Masesi chairperson Finance and revenue collection committee.

Business Machakos County Finance Bill, third reading by Hon. Cosmus Masesi, Chairperson Finance and Revenue collection committee.

Afternoon at 2.30 p.m.

Motion that the County Government of Machakos de-silts and fences all the existing dams in Machakos County, reticulates water from all the existing dams for the benefit of residents plants trees around the dams and around the catchment areas to increase forest cover and hold soil. This will be by the Hon. Cosmus Kieti, MCA for Lower Kaewa ward.

Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Francis Ngunga. Hon. Ndawa.

EMERGENCY PREPAREDNESS BY THE COUNTY GOVERNMENT

Hon. Ndawa: Thank you, Madam Speaker. Pursuant to Standing Order 41, I wish to seek statement on what the County Government is doing on the state of emergency preparedness to respond to disaster issues such as drowning of people, planting and other related emergencies in terms of personnel, equipment, budget and any other relevant case that the public wish to seek assistance from the County Government. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Ndawa. Hon. Members, the matter of emergency is emergent in other words it is a matter that needs to be dealt with urgently and for purposes of this statement that is sought and which is well placed particularly in the rainy season that we are undergoing, this matter is committed to the health and emergency services committee and that committee is required to report to this house on the 25th of April, that is about one week on the 25th of April 2018 for the reason that the matter is dealing with emergency issues. Mr. Clerk, proceed

BILL

Second reading

MACHAKOS COUNTY FINANCE BILL No.4 OF 2017

Hon. Speaker: Hon. Members we have under this order the Hon. Cosmus Masesi.

Hon. Masesi: Thank you, Madam Speaker. Hon. Members, good morning. Hon. Speaker, pursuant to Standing Order 121(1), I wish to move the motion that the Machakos County Finance Bill No. 4 of 2017 now be read a second time. I wish to call on Hon. Kisila to second. Thank you, Madam Speaker.

Hon. Speaker: Hon. Kisila.

Hon. Kisila: Thank you, Madam Speaker. I stand here to second the motion.

Hon. Speaker: Thank you, Hon. Kisila. Hon. Cosmus Masesi the mover please go ahead and read the report of the Finance Bill.

Hon. Masesi: On the second page Madam Speaker we have the table of contents.

Hon. Speaker: Point of order from Hon. Jeremiah.

Hon. Munguti: Thank you, Madam Speaker. I would like to know whether it is in order when the chairperson of finance is reading the report we do not have the report with us. Thank you, Madam Speaker.

Hon. Speaker: You do not have the report? Mr. Clerk, why are you keeping the reports; are they the ones on the table? So how do you expect the members to participate when you have not given them? I think we have talked about this severally in the past. Thank you, Hon. Jeremiah.

Hon. Masesi: Madam Speaker, if you allow me I want to report now because I want to believe each and every member---

Hon. Speaker: Hon. Members, does each member now have a copy. Okay, let us read it together.

Hon. Masesi. Thank you, Hon. Members. On page two, as I had earlier said we have the table of contents; that is introduction. Number two, legislative framework, number three, the

Machakos County Finance Bill 2017. Number four, we have the committee observations and recommendations of the Bill which is on page three. IV we have the general recommendations, number six conclusions, number seven appendixes.

To start off Madam Speaker, I will do the introduction or the objective of the Bill. Madam Speaker, the enactment of the Machakos County Finance Bill 2017 will provide the legal basis for which the County Government will collect local revenue to fund part of the Ksh. 9.9 billion budget of the County. The county is to receive equitable share from the National Government of Ksh. 8.2 billion and collect local revenue of Ksh. 1.7 billion.

Submission and publication of the Bill to the Assembly

Madam Speaker, the executive submitted proposal of the Machakos County Finance Bill 2017 to the Assembly on 5th October, 2017 pursuant to section 132 of the Public Finance Management Act.

At that time Madam Speaker, the Assembly was going through a period of financial difficulties thus the proposal could not be published into a bill as required by section 23 of the County Government Act immediately. Madam Speaker, the Bill proposal was published on 19th January, 2018 when the House was on long recess.

Committal of the Bill to the committee

Madam Speaker, the Machakos County Finance Bill 2017 was read for the first time in the House on 14th February 2018 and committed to the committee of finance and Revenue collection pursuant to Standing Order 119.

Mandate of the committee

Madam Speaker, the finance and revenue collection committee is one of the nine sectoral committees of the Assembly established pursuant to the County Assembly of Machakos Standing Orders. Standing Order 190(5) defines the functions of a sectoral committee as follows;-

- a. To investigate, inquire into and report on all matters relating to the mandate, management activities, administration, operations and estimates of the assigned departments.
- b. Study the programme and policy objectives of departments and the effectiveness of the implementation.
- c. Study and reveal all County legislation referred to it.
- d. Study access and analyze the relative success of the department as measured by the results obtained as compared with their stated objective.
- e. Investigate and inquire into all matters relating to the assigned department as they may deem necessary and as may be referred to them by the Assembly.
- f. To vet and report on all appointments where the constitution or any law requires the Assembly to approve, except those under Standing Order 184 (*Committee on Appointments*);
- g. Make reports and recommendations to the Assembly as often as possible, including recommendation of proposed legislation.

Madam Speaker, in addition, the Second Schedule of the County Assembly Standing Orders defines the mandate of the Finance and Revenue Collection Committee to include all matters relating to the management of County public finance and revenue collection.

Committee Membership

Madam Speaker, the Finance and Revenue Collection Committee as currently constituted comprises of the following Hon. Members:-

- | | |
|--------------------------|--------------------|
| 1. Hon. Cosmas Masesi | - Chairperson |
| 2. Hon. Josphat Kasyoki | - Vice Chairperson |
| 3. Hon. Betty Nzioki | - Member |
| 4. Hon. Brian Kisila | “ |
| 5. Hon. Caleb Mule | “ |
| 6. Hon. Fredrick Muthoka | “ |
| 7. Hon. Justus Kitengu | “ |
| 8. Hon. Margaret Mwikali | “ |
| 9. Hon. Moffat Maitha | “ |
| 10. Hon. Phoebe Koki | “ |
| 11. Hon. Stephen Mwanthi | “ |
| 12. Hon. Judas Ndawa | “ |
| 13. Hon. Thomas Mutinda | “ |

Acknowledgement

Madam Speaker, the Committee is grateful to the Office of the Speaker and that of the Clerk to the County Assembly for the support accorded during the Committee sittings and facilitating the Committee to retreat. I wish to express my appreciation to the Hon. Members of the Committee who sacrificed their time to participate in the activities of the Committee and in preparation of this report. The Committee further thanks the Kenya National Chamber of Commerce (KNCCI) and all members of the public for submitting memoranda and giving valuable views on the bill during public participation.

Madam Speaker, it is therefore my pleasant duty and privilege, on behalf of Finance and Revenue Collection Committee to table this report on Machakos County Finance Bill, 2017 in this Hon. House. Thank you, Madam Speaker,

Hon. Speaker: Thank you, Hon Cosmus. Go ahead and continue.

Hon. Masesi: Article 196(1) of the Constitution of Kenya requires the County Assembly to conduct its business in an open manner and facilitate public participation in the legislative process. Article 209 of the Constitution gives powers to both the National and County Governments to impose taxes and charges and Article 210(1) provides that a County Government shall impose taxes and charges only in accordance to legislation.

These provisions are as stated below:

Madam Speaker, Article 196(1) requires the County Assembly to:-

- a. Conduct its business in an open manner, and hold its sitting and those of its committees in public; and

- b. Facilitate public participation and involvement in the legislative and other business of the Assembly and its committees.

Madam Speaker, Article 209 (3) provides that a County may impose—

- (a) Property rates;
- (b) Entertainment taxes; and
- (c) Any other tax that is authorized to impose by an Act of Parliament.

Article 209(4) provides that the National and County Governments may impose charges for the services they provide.

Article 209(5) provides that taxation and other revenue-raising powers of a County shall not be exercised in a way that prejudices national economic policies, economic activities across County boundaries or the National mobility of goods, services, capital or labour.

Madam Speaker, Article 210(1) of the Constitution provides that no tax or licensing fee may be imposed, waived or varied except as provided by legislation.

Public Finance Management Act

Madam Speaker, Section 132(1) and (2) of the Public Finance Management (PFM) Act 2012 provide for the County Executive Committee Member to make pronouncements of revenue raising measures for the County Government with approval of the Executive Committee and submit Finance Bill to the County Assembly.

Section 132(4) requires that the recommendations of the Executive Committee Member for Finance be considered when a report on the Finance Bill is tabled in the Assembly for approval, Madam Speaker.

Further, Section 133 of the Public Finance Management (PFM) Act 2012 provides that not later than 90 days after passing the Appropriation Bill, the County Assembly shall consider and approve the Finance Bill with or without amendments.

The Machakos County Assembly Standing Orders

Madam Speaker, Standing Order 120(1) and (3) provide that a Bill having been read for the first time to be committed to the relevant Committee. The Committee to which a Bill is committed shall facilitate public participation and shall take into account the views and recommendations of the public when the committee makes its report to the House.

Madam Speaker, further, Standing Order 120(4) provides that the Chairperson of the Sectoral Committee to which a Bill is committed or a Member designated for that purpose by the Committee shall present the Committee's report to the House within twenty calendar days of such committal and upon such presentation, or if the Committee's report is not presented when it becomes due, the Bill shall be ordered to be read a Second Time on such day as the House Business Committee shall, in consultation with the Member or the Committee in charge of the Bill, appoint.

Madam Speaker on page 9, we have the Machakos County Finance Bill 2017

Consideration of the Bill

Madam Speaker, the Committee discussed the Bill and also facilitated public participation pursuant to Standing Order 120(3) in all the forty wards of the County. The Committee also held forum with the Executive Committee Member, Finance who gave his recommendations on the Bill.

Public Hearings and Receipt of Memoranda

Madam Speaker, pursuant to Article 196(1)(b) of the Constitution of Kenya and Standing Order 120(3) of the County Assembly of Machakos Standing Orders the Assembly published an advertisement in the Standard Newspaper of Wednesday, 28th February, 2018 informing the public of the venues where the public hearings in connection with the Machakos County Finance Bill, 2017 will be conducted in all the 40 wards.

The Assembly also made daily radio announcements on *Athiani FM* from 2nd to 9th March, 2018 calling the public to attend the hearings for oral submissions or presentations of memoranda.

Madam Speaker, the public were also called upon to send their memoranda through the Assembly email on or before 12th March, 2018. Further, announcements were made in churches and other public places.

Public Participation

The Committee conducted public participation in all the 40 wards from 6th to 9th March, 2018 pursuant to Article 196(1)(b) of the Constitution of Kenya and Standing Order 120(3) of the County Assembly of Machakos Standing Orders. The public views were as follows, Madam Speaker:-

Charges for fire service

Fees should be reduced by 50 percent since fire is an emergency and the service should attract minimal charge. Madam Speaker, the County should also factor in the Bill other emergency services such as rescue in water bodies; drowning. Fire vehicles should pay Ksh. 800 for attendance instead of Ksh. 1,000, Madam Speaker.

Hawking

Madam Speaker, small scale hawker permit per month of Ksh. 750 for urban, peri-urban and rural areas which translate to Ksh. 9,000 per year was high compared to what shops pay. The public proposed Ksh. 200 for rural, Ksh. 300 for peri-urban and Ksh. 500 for urban areas. Madam Speaker, the traders should be divided in two: residents and non-residents and the non-residents be charged double.

Public Lavatories

The public proposed leasing fees per year for modern toilets to be reduced from Ksh. 60,000 to between Ksh. 15,000 to 20,000 for peri-urban areas and Ksh. 2,000 for rural areas. This will ensure cost was not transferred to the user thus encouraging people to use bushes and also that lower fee will encourage development of the toilets.

Non-Motorized Transport

Charges for non-motorized transport should be lowered and if possible to be free especially for ox/ donkey carts since traders make very little profit if any.

The public made the following proposals:

- (a) Bodaboda per month should be reduced from Ksh. 200 to Ksh. 100 per month and from Ksh. 1,250 to Ksh. 700 per year.
- (b) Ox cart and hand carts be exempted from paying levies

Sand Harvesting/ Transportation Cess

The public gave different views regarding sand harvesting/transportation cess which include.

- (a) Ban of sand harvesting and transportation or the charges be increased by 300 per cent to discourage the activity Madam Speaker,
- (b) Regulation of sand harvesting and the product be sold in packages.
- (c) Sand permit for 7 ton lorry be increased from Ksh. 1,300 to between Ksh. 1,500 and 20,000 to discourage sand trade/ harvesting.
- (d) Private lorries should not be allowed in rivers and the County should transport sand from rivers to sand yards where traders would collect the sand for sale.
- (e) Increase of penalty for sand harvesting in un-designated areas from Ksh. 30,000 to Ksh. 100,000.
- (f) Timber per Canter to be reduced from Ksh. 1,000 to Ksh. 500.
- (g) Transportation of manure: Charges be reduced by 50 percent to encourage farming.

Public Stalls and Markets

The proposals of the public include:

- (a) Charges for vegetable seller outside market per day to be charged on market days only.
- (b) Small scale vegetable sellers in rural areas complained of reduced business and requested to be exempted.
- (c) All vegetable products be charged at Ksh. 20 per 90 kg bag.
- (d) Crate of tomato be reduced from Ksh. 30 to Ksh. 20
- (e) The public requested for animal markets to be set for every town.
- (f) Tray for eggs to be charged at Ksh. 5 instead of Ksh. 30.
- (g) Tree seedlings to be free to encourage establishment of tree nurseries hence planting of more trees.
- (h) New and Second hand clothes to be charged at Ksh. 40 instead of Ksh. 60 per day.
- (i) Charges on polythene papers to be deleted since they were banned.
- (j) Charges on sale of miatine be increased from Ksh. 25 to Ksh. 200 to discourage illegal brewing of alcohol.
- (k) Stock fees per head for cattle, donkey and camel and movement per head be reduced from Ksh. 80 to Ksh. 50; goats from Ksh. 30 to Ksh. 20.
- (l) Hides per piece be reduced from Ksh. 30 to Ksh. 5.
- (m) Mitumba security fee per month be zero rated.

Rental Houses

The public made the following proposals:

- (a) Application fee for rental houses should be waived.
- (b) Rent for senior staff houses in Makadara which was at Ksh. 4,000 should be reduced to Ksh. 2,100 for a house with kitchen and Ksh. 1,100 for a house without kitchen.
- (c) Rent for Ngei be increased from Ksh. 4,000 to Ksh. 6,000, Madam Speaker.
- (d) Stall rent for new market per month should be reduced to Ksh. 900 from Ksh. 1,100.

Parks and Open spaces

The public gave the following proposals

- (a) Local matches at Mavoko and Kenyatta stadium be reduced to 10 per cent charge of gross gate collections from 20 per cent to help build local talent and super league be increased from 20 per cent to 25 per cent, Madam Speaker,
- (b) Sports practice for residents of Machakos should free and for non-residents be increased from Ksh. 800 to Ksh. 1,000 per team.
- (c) Outside catering charges be categorized into two: residents of Machakos and non-residents. Charges for residents to be Ksh. 2,000 and non-residents to be Ksh. 5,000 per day.
- (d) Ceremonies/ parties be reduced by 50 per cent.
- (e) Corporate events companies/ cocktail dinner be increased by 50 per cent.
- (f) Boat ride at Maruba dam be reduced from Ksh. 1,000 to Ksh. 400.

Designated Parking

The public requested for deletion of parking fee on saloon cars in peri-urban areas since the County was yet to develop packing spaces. In addition, the fee has been in the bills since 2014 and has not been charged hence should be removed. Parking fees for lorries, trailers and canter be reduced from Ksh. 500 to Ksh. 300.

Building Plans

The public observed construction of buildings in the County was very expensive and proposed for building plans approval fee to be reduced by 50 percent since National Construction Authority (NCA) and National Environmental Management Authority (NEMA) were still charging certain fees.

The application fee should be reduced to 1000 from Ksh. 3000 in rural markets and all other entities under building plans to be waived by 50 per cent. In addition Madam Speaker, the public proposed that renovations should be free.

Madam Speaker, the public also made the following proposals:

- (a) Amalgamation of plots be reduced to between Ksh. 4,000 and 5,000 from Ksh. 10,000.
- (b) Transfer of leasehold should be reduced to Ksh. 2,000 from Ksh. 10,000.
- (c) Change of user reduced to Ksh. 5,000 from Ksh. 21,000.
- (d) Transfer of plots to be reduced to Ksh. 500 in rural areas from Ksh. 10,000 or be charged according to the size and value of land.
- (e) Extension of lease which was Ksh. 20,000 urban and peri-urban and Ksh. 8,000 rural should be charged as a percentage of the value of the property.
- (f) Drilling borehole per site should be reduced to Ksh. 5,000 from Ksh. 21,000 to encourage more people to develop such and reduce to increase provision of water.
- (g) Application for alterations/renovations of plans and buildings be reduced to Ksh. 1,000 or be zero rated as pledged by the Governor so as to encourage painting and renovating old buildings thus attractive markets.
- (h) Alterations/ renovations of plans and buildings for residential to be reduced to Ksh. 3,000 from Ksh. 7,000.
- (i) Plot registration fee be reduced to Ksh. 1,000 from Ksh. 5,000.
- (j) Certificate of occupation per unit be changed to be certificate of occupation per unit. There is a typo error there; should be occupation per to be changed to occupation per

unit? Hon. Members, I will come back to that point in the due cause as the clerks look at it.

- (k) Structural plan be reduced to Ksh. 2 per square feet from Ksh. 10.
- (l) Communication mast per mast be increased from Ksh. 200,000 to between Ksh. 300,000 and 500,000 and the application fee per mast be increased from Ksh. 40,000 to Ksh. 50,000.

Licensing of Premises and Trade

The public made the following proposals:

- (a) Application fee for small business should be reverted to Ksh. 200 paid in 2015 in peri-urban areas and Ksh. 300 for urban areas.
- (b) Mpesa agents operating as stand-alone businesses should have their fee lowered to between Ksh. 1000 to 2500 from Ksh. 5000 in urban/peri-urban and from Ksh 4,250 to Ksh. 2,000 in rural areas.
- (c) Other agents combined (KCB, Equity, Family, Airtel and others) to pay Ksh. 2,000 instead of Ksh. 5,000.
- (d) License fee to be paid in installments
- (e) For those starting business, fines should not apply.
- (f) Deadline of paying licenses be extended from March, 2018 to June, 2018 since approval of the Finance Bill has delayed.

Advertisements

Madam Speaker, the public made the following proposals:

- (a) Fliers to be zero rated.
- (b) Billboards per m2/wall wraps per month be reduced to Ksh. 50.
- (c) Umbrella-like shed be reduced to Ksh. 100 from Ksh. 500.
- (d) Branded tents be reduced to Ksh. 200 from Ksh. 1,500.
- (e) Maize millers be reduced to Ksh. 2,000 from Ksh. 3,200.

Liquor

Madam Speaker, on the issue of liquor, the public made the following proposals:

- (a) Wines and spirits for peri-urban and rural were proposed at Ksh. 18,000 and Ksh. 10,000 respectively.
- (b) General retail alcoholic drink retail bar be reduced to Ksh. 20,000 from Ksh. 50,000 in urban areas, to Ksh. 10,000 from Ksh. 30,000 in peri – urban and to Ksh. 5,000 from Ksh. 15,000 in rural areas.
- (c) Depot alcoholic drink license be reduced to Ksh. 30,000 from Ksh. 50,000.
- (d) Restaurant alcoholic drink license be reduced to Ksh. 15,000 from Ksh. 20,000 in peri-urban areas.
- (e) Distribution permit for alcoholic drinks per year using a Canter be reduced to Ksh. 30,000 from Ksh. 50,000.
- (f) Penalty for those selling outside the stipulated time to be Ksh. 40,000.

Conservancy

The public made the following proposals:

- (a) Conservancy should be free in peri-urban and rural areas and charged Ksh. 500 in urban areas.

Restaurant, Eating House and Snack bar

The views of the public include:

- (a) Hire of seats per day be reduced to Ksh. 10 from Ksh. 20 and tables to Ksh. 50 from Ksh. 100.
- (b) Hire of PA be reduced to Ksh. 2,000 from Ksh. 2500.

Public Cemetery

The public made the following proposals;

- (a) Charges for ordinary grave in urban areas for a citizen be reduced from Ksh. 8,000 to Ksh. 2,000 for adults and from Ksh. 4,000 to Ksh. 1,000 for children.

Environment

The public made the following proposals:

- (a) The County Government should put up smoking zones before putting penalty on smoking in un-designated areas.
- (b) Urinating in un-designated places fees should be reduced from Ksh. 500 to between Ksh. 100 to 200.
- (c) Penalty on littering from a moving vehicle be reduced from Ksh. 500 to Ksh. 200.
- (d) Penalty for a smoking vehicle be increased from Ksh. 20,000 to Ksh. 30,000.
- (e) Penalty on spitting in un-designated areas be included in the bill. The penalty to be Ksh. 500.

Weights and Measures

Madam Speaker, the public made the following proposals:

- (a) Fees should be waived by 50 per cent or introduce a flat rate that is inclusive of all charges to curb exploitation by the inspectors.

Single business Permits

Madam Speaker, the public made the following proposals:

- (a) That classification of towns into urban, peri-urban and rural be considered again as there are towns whose economic activities do not fit where they are classified. These include Katangi, Kivaa, Mbiuni, Makutano ma Mwala and Ekalakala which are classified as peri-urban together with other bigger towns like Matuu and Tala.
- (b) Trade licenses should revert to 2015 rates or be reduced by 50 per cent for shops, 75 per cent for Hotels and 50 per cent for bars
- (c) Big and small butcheries to pay between Ksh. 2,000 to 2,500 down from Ksh. 4,000.
- (d) Fees for establishment of higher education institutions should be reduced by 50 per cent to encourage investors.
- (e) Kiosk light or temporary construction be reduced from Ksh. 1,600 to Ksh. 800 for rural, from Ksh. 2,000 to Ksh. 1750 in peri-urban and from Ksh. 3,400 to Ksh. 2,000 in urban as they were paying in 2015 and 2016.
- (f) Large traders be reduced from Ksh. 8,000 to Ksh. 7,000.

- (g) Medium traders be reduced from Ksh. 4,000 to Ksh. 3,500
- (h) Small traders be reduced from Ksh. 2,500 to Ksh. 1,500 in peri-urban, Ksh. 2,000 to Ksh. 1,500 in rural as they were paying in 2015 and 2016.
- (i) Other wholesale – retail traders, stores shops and services be reduced from Ksh. 2,800 to Ksh. 2,000 in Mavoko schedule 7, Ksh. 2,000 to Ksh. 1,700 in peri-urban.
- (j) Traditional health services charges should be reduced from Ksh. 3,200 to Ksh. 1,500.
- (k) Hawker without motor vehicle in urban areas to pay Ksh. 2,000 instead of Ksh. 3,400.
- (l) Hawker with motor vehicle be reduced from Ksh. 2,500 to Ksh. 1,000 in peri-urban
- (m) Small informal sector trader/ service provider (newspapers, sweets, cigarettes, soda) to be reduced from Ksh. 1,700 to Ksh. 1,000 in urban, from Ksh. 800 to Ksh. 200 in rural.
- (n) Other informal sector operations be reduced from Ksh. 1,700 to Ksh. 1,000 in urban.
- (o) Small agricultural producer/ processor/dealer be reduced from Ksh. 3,200 to Ksh. 2,000.
- (p) Small petro filling station up to 3 pumps without garage in urban areas to be reduced from Ksh. 5,950 to Ksh. 3,000, from Ksh. 2,800 to Ksh. 2,000 in rural
- (q) Health clinic/ doctor's surgery to be reduced from Ksh. 5,000 to Ksh. 3,000 in peri-urban.
- (r) Charges for large bar, medium bar, large night club, medium night club and small night club be deleted in the Single Business Permit as the same is applicable under liquor.
- (s) In some areas charges for businesses dealing with alcohol and petrol were proposed to be increased.

Quarrying

Madam Speaker, the public made the following proposals:

- (a) Application for quarrying permit be reduced from Ksh. 5,000 to Ksh. 2,500.

Miraa/ Muguka/ Khat

Madam Speaker, the public made the following proposals:

- (a) Traders should pay for trade license that is similar to that of wines and spirits that is Ksh. 24,000 per annum in urban, peri-urban and rural areas.
- (b) Vehicles transporting the commodities should pay like the alcoholic distributors; that is Ksh. 50,000 per annum.
- (c) Sellers per day per basin should be Ksh. 500.

Slot machines

Madam Speaker, the public made the following proposals:

- (a) Slot machines for gambling should be banned or alternatively the license should be high.

Executive Committee Member

Madam Speaker, the Executive Committee Member for Finance submitted to the Committee a policy statement on the Finance Bill (*see annex*) which stated broad policy guidelines which the Executive was to institute in order to collect the targeted local revenue of Ksh. 1.7 billion. The CEC appeared before the Committee on 23rd March, 2018 where he

elaborated the policy statement and made recommendations on the Finance Bill 2017 pursuant to section 132(4) of the Public Finance Management Act.

Madam Speaker, the CEC informed the Committee that the County Executive was going to put in place measures to expand revenue base through assessment of potential revenue and elimination of revenue leakages. The Department was planning to establish a resource mobilization unit and partner with the National Government and private sector in the area of revenue collection. The sources of County revenue include:-

- (a) Land rates and rates clearance certificate.
- (b) Single Business Permit.
- (c) Quarry Extraction fees
- (d) Sand Gravel.
- (e) Liquor License.
- (f) Market fees.
- (g) Bus park.
- (h) Fire-fighting.
- (i) Slaughter House Fees/ Livestock fees.
- (j) Court fines.
- (k) Building Plan Approvals.
- (l) House rent.
- (m) Refuse conservancy.
- (n) Plots and stalls rent.
- (o) Sign boards and advertising fee.
- (p) Cess.

Madam Speaker, the CEC called on the Committee to be considerate on the local mwananchi by ensuring that the rates and charges were fair. The CEC requested the Committee to exempt small scale vegetable traders in the rural markets and consider recouping revenue forgone from this area by getting a little more from businesses that deal with luxury goods.

Madam Speaker, the CEC informed the Committee that sand harvesting had impacted negatively on the environment of the County and had also led to destruction of County roads. The CEC called on the Committee to consider increasing sand harvesting and transportation charges to discourage the activity within the County. Further, the CEC called on the Assembly and the Executive to work together to protect the environment even if it meant banning sand harvesting in totality.

Madam Speaker, further, the CEC informed the Committee that *miraa/ khat/ muguka* had impacted negatively on our society and called on the Committee to put high charges for the commodity for both the transporter and the trader. In addition, the CEC urged the Committee to come up with a regulation/policy to control trade on the commodity including prescribing business hours.

Madam Speaker, on Single Business Permits (SBP), the CEC informed the Committee that the Department intended to retain the old rates charged by the defunct local authorities in order to minimize resistance in implementing the Finance Act. Towns and markets in the County will be divided into three categories namely Urban, Peri-Urban and Rural.

The Urban towns include Machakos town whose charges will be based on Schedule 8; and Mavoko, Tala and Matuu which will be charged using schedule 5. Large business premises in Mavoko Sub-County will however be charged under schedule 7.

Madam Speaker, peri-urban towns which will be charged under schedule 5 include: Ekalakala, Kaewa, Kangundo, Kakuyuni, Kaseve, Katangi, Kaviani, Kawethei, Kithimani, Kithyoko, Kola, Masii, Masinga, Mbiuni, Mitaboni, Mutituni, Muumandu, Mwala, Ol-Donyo Sabuk, Makutano ma Mwala, Kabaa and Wamunyu.

All other markets that were not named in the above categories have been classified under rural and will be charged using Schedule 4.

Submission of Memoranda on the Bill

Madam Speaker, Members of the public and organizations submitted memoranda on the Bill pursuant to Article 196(1)(b) of the Constitution of Kenya and Standing Order 120(3) of the County Assembly of Machakos Standing Orders. The memoranda were as follows:-

Kenya National Chamber of Commerce and Industry (KNCCI) Machakos County

Madam Speaker, the Kenya National Chamber of Commerce and Industry (KNCCI) is the umbrella body for all business people. The organization requested for reduction of fees for: liquor licences, sand harvesting transportation and penalty, designated parking fees for lorries, Canters and trailers and clamping, parking places and omnibus for 42 seat capacity matatus, advertisement of clothes using dummies, control of water supplies, environment on penalty for smoking vehicles, and a selected goods under public markets and stalls (*see annex*).

Salons and Kinyozi of Machakos Town (Market area)

Madam Speaker, the business persons requested that license fees to be reduced since they were located at the periphery of the Central Business District of Machakos town (CBD) where business turnover was low. They also claimed that they were paying ground rent per month and this was a multiple taxation hence need for the reduction of the fees. Further, they claimed that they were not receiving services such garbage collection and they were no toilets in the market.

Mitumba Open Air Market

Madam Speaker, Mitumba stakeholders noted that they were to pay rent on stalls and single business permit. They requested to be exempted from paying rent from July, 2017 to December, 2017 in respect to Governor's Speech in June 2017 on waiver on *Mitumba* traders.

Mavoko Open Air Market

Madam Speaker, the traders noted that the proposed charges in the Bill for stalls in the market were higher than what shops and supermarkets were to pay. They also observed that there business was low due to competition from hawkers. The traders requested to pay as they were paying before.

Motion on Miraa/Khat/ Muguka

Madam Speaker, a motion requiring the House to approve that *miraa/khat/muguka* business be controlled by ensuring that license fees were attached to the business and that the Department of Health and Sanitation came up with a policy that will foster cleanliness and hygiene in the *miraa/ khat/ muguka* trading premises was tabled in the House.

The motion was discussed by the Hon. Members, approved by the House and committed to the Committee of Finance and Revenue Collection and that of Health and Emergency Services to consider areas of the motion that were relevant to their mandate.

Hon. Speaker, the Committee on Finance and Revenue Collection considered the aspect of ensuring businesses dealing with *miraa/khat/muguka* pay license fees as a form of regulation besides earning the County revenue. The Committee further indulged the CEC, Finance and the members of the public for their views and has made recommendations on licensing of the product in this report.

(Applause)

COMMITTEE OBSERVATIONS AND RECOMMENDATIONS ON THE BILL

Hon. Speaker, the Committee retreated to Sunstar Hotel in Nairobi from 21st to 24th March, 2018 where members discussed the Bill, considered views of the public, recommendations of the Executive Committee Member for Finance pursuant to section 132 (2) of the PFM Act and made recommendations. The Committee made the following recommendations:-

Hawking

Madam Speaker, Members observed that a hawker would pay a total of Ksh. 9,000 per year at the rate of Ksh. 750 per month for all markets on hawking permit which was more than what most of other businesses paid. Members observed that the level of business was not the same for all markets and thus the need to charge them differently.

The committee also observed that hawking by *tuk tuk* was charged the same across all markets which was unfair to rural markets. Further, while comparing the proposed charges in the bill and charges done in 2015, the committee noted that charges for non-motorized transport (Fees and charges on products using bodaboda motorcycle) per day had been omitted. The Committee recommended that:-

- (a) Small scale hawker permit per month be reduced to Ksh. 500 for urban, Ksh. 300 for peri-urban and Ksh. 200 for rural.
- (b) Motorized hawker per day using tuktuk/ maruti be reduced to Ksh. 100 for urban and peri-urban and Ksh. 50 for rural.
- (c) The other fees and charges under this category to be retained as proposed in the Bill.

Public Lavatories

Madam Speaker, the Committee observed that traders who leased public lavatories had lucrative business and that reduction of lease per year will not lead to price reduction for the consumer. The committee recommended that the charges be retained as proposed in the bill.

Non-Motorized Transport (Fees and charges on products)

While comparing the proposed charges in the bill and charges done in 2015, the committee noted that charges for non-motorized transport (Fees and charges on products using bodaboda motorcycle) per day had been omitted. The Committee recommended that:-

- (a) Fees and charges on products using bodaboda motorcycle per day be included in the bill: urban to pay Ksh. 30 per day, peri-urban Ksh. 30 and rural Ksh. 20.
- (b) Fees and charges on products using bodaboda motorcycle per month be reduced in rural areas to Ksh. 100.
- (c) The other fees and charges under this category to be retained as proposed in the Bill.

Sand Harvesting/ Transportation Cess

Madam Speaker, Members observed that sand harvesting had led to environmental degradation, drying of rivers and damage of roads. They concurred with the public that charges for sand harvesting should be increased to discourage the activity. The Committee recommended that:-

- (a) Sand permit per 7 ton lorry per trip be increased to Ksh. 5,000.
- (b) Sand permit per lorry below 7 ton (Direct) per month be increased to Ksh. 28,000.
- (c) Sand permit per 7 ton lorry (FSR/FVR) per month be increased to Ksh. 45,000.
- (d) Sand permit per 8 ton lorry (FVZ/CXZ) per month be increased to Ksh. 70,000.
- (e) Sand permit per semi-trailer per month be increased to Ksh. 156,000.
- (f) The other fees and charges under this category to be retained as proposed in the Bill.

(Applause)

Public Markets and Stalls

Madam Speaker, the Committee considered the views of the public and recommended as follows:-

- (a) *Ndengu* charges be reduced to Ksh. 40 in urban and Ksh. 30 in peri-urban.
- (b) Black beans (*Njahi*) charges be reduced to Ksh. 40 in urban and Ksh. 30 in peri-urban.
- (c) Carrots charges be reduced to Ksh. 30 in urban and Ksh. 20 in peri-urban.
- (d) Green vegetables charges be reduced to Ksh. 20 in urban and Ksh. 10 in peri-urban.
- (e) Cassava charges be reduced to Ksh. 20 in urban and Ksh. 10 in peri-urban.
- (f) *Sukuma wiki* per 90 kg bag charges be reduced to Ksh. 20 in urban and Ksh. 10 in peri-urban.
- (g) Spinach charges be reduced to Ksh. 20 in urban and Ksh. 10 in peri-urban.
- (h) Delete charges on polythene bags because they are banned.
- (i) The other fees and charges under this category to be retained as proposed in the Bill.

Rental Houses

Madam Speaker, the Committee observed that the rent paid for occupying County houses was very little compared to the market rent of such houses and recommended as follows:-

- (a) Application fees for rental house be increased to Ksh. 1,000 in urban and delete the charge under rural.
- (b) Rental houses be increased as follows:-
 - (i) Ngei estate 1 bedroom: Ksh. 6,000;
 - (ii) Non-staff (Ngei estate) Senior staff house: Ksh. 8,000;
 - (iii) Member of staff (St. Mary's) 1 bedroom: Ksh. 6,000;
 - (iv) St. Mary's 2 bedroom: Ksh. 5,000;
 - (v) Makadara with Kitchen: Ksh. 5,000;
 - (vi) Makadara with without Kitchen: Ksh. 3,000;
 - (vii) Mavoko NHC 1 bedroom: Ksh. 7,000;
 - (viii) Mavoko NHC 2 bedroom: Ksh. 9,000;
 - (ix) Semi-permanent St. Mary's 1 bedroom: Ksh. 5,000;
 - (x) Semi-permanent St. Mary's 2 bedroom: Ksh. 7,000;
- (c) The other fees and charges under this category to be retained as proposed in the Bill.

Parks and open spaces

Madam Speaker, the Committee observed that the County had been hosting several games of national and international standards at Kenyatta stadium and there was need to maintain the stadium at international standards. The CEC, Finance concurred with the Committee and requested if the charges can be increased as proposed by the public.

The CEC also requested the committee to charge individuals less for hosting parties at the Machakos People's Park since most of the participants were residents. The CEC informed the Committee that amount foregone can be recouped by increasing charges for holding corporate events at the park. The Committee recommended as follows:-

- (a) Super league charges at Kenyatta Stadium be increased to be at 25 per cent of the gross gate collections per match.
- (b) Charges for ceremonies (small parties) to be reduced as follows:-
 - (i) Between: 11 – 20 persons = 2,000
 - (ii) Between: 21- 50 persons = 5,000
 - (iii) Between: 51 -100 persons = 10,000
- (c) Charges for corporate events companies/ companies to be increased as follows:-
 - (i) Between: 0 – 50 persons = 20,000;
 - (ii) Between: 51 – 100 persons = 30,000
 - (iii) Between: 101 – 200 persons = 40,000
 - (iv) Between: 201 – 500 persons = 60,000
 - (v) Delete above 200 persons = 45,000. There was a clause saying above 200 persons and the committee said that should be deleted since we have recommended that between 200 to 500 be Ksh. 60,000 instead of Ksh. 45,000.
- (d) Madam Speaker, the other fees and charges under this category to be retained as proposed in the Bill.

Designated Parking

Madam Speaker, the Committee observed that the County had not constructed parking spaces in peri-urban towns and therefore it was not prudent to charge private vehicles. The CEC, Finance agreed with the committee that payment of parking for private cars should start once the County constructs parking areas in peri-urban towns. The committee recommended as follows:-

- (a) Charges for saloon/ pick up per day and per year be deleted in peri-urban category.

Building Plans

Madam Speaker, the Committee observed that the application fee was high and needed to be brought down. The committee observed that mobile telecommunications were making super normal profits yet they were paying very little for communication masts. The Committee recommended as follows:-

- (a) Application fee for building plans be reduced to Ksh. 1,000 for rural and Ksh. 2,000 for peri-urban.
- (b) Transfer of lease hold be reduced to Ksh. 5,000 in rural.
- (c) Other charges in rural should be reduced by half.

- (d) The other fees and charges under this category to be retained as proposed in the bill.

Licensing of Premises and Trade

Madam Speaker, the committee considered the requests of the public on application fee for small business and noted that urban and peri-urban were paying the same amount yet business volume was different. In addition, the Committee noted that Mpesa agents and other agents were paying the same amount for urban and peri-urban which was unfair. The Committee recommended as follows:-

- (a) Application fee for small business to be reduced to Ksh. 200 for rural and Ksh. 300 peri-urban.
- (b) Mpesa agent charges to be reduced to Ksh. 3,000 for rural and Ksh. 4,000 for peri-urban.
- (c) Other Agents combined (Equity, KCB, Family, Airtel etc.) to be reduced to Ksh. 3,000 for rural and Ksh. 4,000 for peri-urban.
- (d) The other fees and charges under this category to be retained as proposed in the Bill.

Advertising

Madam Speaker, the CEC informed the Committee that advertising was one area where the County was expecting to collect a lot after exempting *Mama Mboga* from paying fees and charges. The CEC requested Members not to reduce the figures that had been proposed and where possible they may increase the fees. Fees and charges under this category to be retained as proposed in the bill.

Business Permits

Madam Speaker, the Committee observed that several markets had requested for the charges under Single Business Permits (SBP) to be reduced. The public noted that they were paying less before devolution and they were receiving better services then. The public further noted that there were few cases of evading paying the prescribed charges since they were considerate.

Madam Speaker, the CEC, Finance informed the Committee that Single Business Permits was one of the largest sources of revenue for the County and urged the Committee to retain the fees and charges as proposed.

Members considered the views of the public and CEC, Finance and recommended to retain the fees and charges under this category as proposed in the Bill.

Quarrying

Madam Speaker, the CEC, Finance informed the Committee that quarrying was the largest source of revenue in the County and requested the Committee to retain the Charges. The Committee observed that there were few views on this category and recommended that the fees and charges be retained as proposed in the Bill.

Liquor

Madam Speaker, the Committee observed that consumption of alcohol was a luxury and some members of the public had recommended for its banning or increase of fees and charges.

The CEC – Finance informed the committee that alcohol was one of those goods whose taxation could be classified under ‘sin tax’ and requested the committee to retain the charges or increase them. This would help cushion the exemption of fees and charges done to *Mama Mboga*.

The Committee considered the views of the public and CEC, Finance and recommended that the fees and charges under this category be retained as proposed in the Bill.

Control of Water Supplies

Madam Speaker, the Committee observed that there was need to encourage more water suppliers in the rural areas. The committee recommended as follows:-

- (a) Clean water tanker p.a. for rural be reduced to Ksh. 20,000.
- (b) The other fees and charges under this category to be retained as proposed in the Bill.

Refuse Receptacle and Collection

The committee recommended as follows:-

- (a) Conservancy fee be reduced to Ksh. 500.
- (b) The other fees and charges under this category to be retained as proposed in the bill.

Miraa/ Muguka/ Khat

Members observed that consumption of *miraa/ muguka/khat* had impacted negatively on the livelihoods of the society and should be banned. The CEC, Finance agreed with the Committee and noted that banning may strain our relationship with neighbouring Counties thus we needed to increase the charges on the goods. The committee recommended as follows:-

- (a) Vehicles transporting *miraa/ muguka/khat* to pay permit of Ksh. 3,000 per day or permit of Ksh. 70,000 per month.
- (b) Bodaboda transporting *miraa/ muguka/khat* to pay permit of Ksh. 1,500 per day or permit of Ksh. 35,000 per month.
- (c) *Miraa* sellers per day should be Ksh. 1,000.
- (d) *Miraa* sellers permit per month to be Ksh. 2,000 or Ksh. 50,000 per year.

Gambling Slot Machines

The Committee observed that the National Government had tried to confiscate/ ban gambling slot machines but they were still thriving in the County. Members also observed that the Assembly passed a motion banning the machines in the County but implementation was slow. The Committee observed that high fees can be charged on license to operate the machines to make the business unprofitable thus force the entrepreneurs to relocate. The Committee recommended as follows:-

- (a) Gambling slot machine permit per month to be Ksh. 50,000.

GENERAL RECOMMENDATIONS

Madam Speaker, the Committee makes general recommendations as follows:-

1. That the deadline of payment of fees and charges should be extended up to July, 2018 and penalties for not paying fees and charges to be effected as from 1st day of July, 2018.

2. Madam Speaker, the Department of Finance and Revenue Collection should ensure all revenues are collected as per the Act and especially in the bus parks where revenue collection stopped in July, 2017, Madam Speaker.
3. The Department should automate revenue collection and enhance revenue collection monitoring to reduce revenue losses and issue receipts to traders to avoid harassment by inspectorate officers.
4. Madam Speaker, the Department should centralize payments under one roof especially for liquor and building plans.
5. The County Government should ensure services such as road construction, garbage collection; construction of toilets; and provision of clean water is provided to wananchi in return for the revenue collected.
6. The County Government, Madam Speaker, should designate smoking zones before imposing penalty on smoking in un-designated areas.
7. Madam Speaker, Revenue officers should make available the Finance Act, 2017 to the traders when asking them to make payments.
8. The revenue officer should be in uniform for ease of identification by members of the public whenever they are collecting revenue based on the provision of section 13 of the Machakos County Revenue Administration Act No. 7 of 2015.
9. Finally, Madam Speaker, the department should undertake automation all revenue collection within the county government of Machakos in a bit to address the problems of tax evasion.

CONCLUSION

Madam Speaker, it is therefore my pleasant duty and privilege, on behalf of the Committee on Finance and Revenue Collection to table this report on the Machakos County Finance Bill 2017 in this Hon. House for consideration and adoption.

Madam Speaker, on my final remarks, I wish that we could allow this House some ample time to digest and scrutinize this document well and discuss the report tomorrow, Madam Speaker, if you allow me. Thank you, Madam Speaker

(Applause)

Hon. Speaker: Thank you, Hon. Masesi. Of course, you deserved the commendation by the Members; it is a long reading but you have been able and up to the task. However, you went ahead to ask for a debate tomorrow before I gave the necessary directions.

(Laughter)

(Question proposed)

So it is at this point that I would want to make the request that you were trying to make earlier.

Hon. Masesi: Thank you, Madam Speaker. Bearing in mind that this document comprises of all the avenues and the proposals of the County Government of Machakos which will be used to have taxes from the electorates, Madam Speaker, my prayer was that this House

be given ample time to go and scrutinize the document well and respond on it most likely tomorrow morning, Madam Speaker. Thank you.

Hon. Speaker: Hon. Members, I have heard the request of the mover of the Bill, it is an important business of this House and of course business of the public that is within the County of Machakos. I appreciate that Members need to internalize every clause of the Bill and even the report that is supporting the Bill, the report of the Finance Committee.

So, give the directions that the debate on this Bill---

Hon. Ngunga: Point of inquiry, Madam Speaker.

Hon. Speaker: Hon. Ngunga.

Hon. Ngunga: Thank you, Madam Speaker. I rise to enquire from your esteemed office; because this Bill comes to the House for the second reading and so if it is not opened for debate by Members, then my question would be whether it has actually made the threshold of the second reading.

Hon. Speaker: The position is that I have proposed the question and we are going to debate it so that we are going to debate it so that we can go on to meet the threshold of the second reading. That is the clarification perhaps he was seeking.

What I am suggesting Members is that the debate on the Bill also because of the urgency of the Bill, is going to proceed tomorrow 18th April, 2018 at 10 a.m. and it is going to take precedence over the other business of the House scheduled for tomorrow.

ADJOURNMENT

Hon. Speaker: Hon. Members, at that point the sitting of this House stands adjourned to proceed on 18th April, 2018 at 10 a.m. The request by Hon. Masesi is that we debate the Bill tomorrow that stands. So, the adjournment of the House is not to tomorrow; it is to today the 17th April 2018, at 2.30 p.m. Have a good mid-day.

The House rose at 12.09 p.m.