

REPUBLIC OF KENYA
MACHAKOS COUNTY ASSEMBLY

OFFICIAL REPORT

Tuesday, 19th March, 2019

The House met at 2.40 p.m.

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

PRAYERS

Hon. Speaker: Good afternoon Hon. Members. We continue with our sitting for the day, the one for the afternoon.

COMMUNICATION FROM THE CHAIR
VISIT BY KYANGULI MEMORIAL SECONDARY SCHOOL

Hon. Speaker: The Chair is informed that we have special guests in the name of students from Kyanguli Memorial; we had one lot in the morning and this is another lot. It appears like the lot that is here are young gentlemen. In the morning we had young ladies. So I want to thank you for opting to come and be with us and see what we normally do. I can see the desire on your faces to become leaders some day and some of you will sit in this Assembly and others perhaps may sit in the National Assembly and other bigger offices.

I encourage you to continue working hard; nothing comes easy, we passed through where you are and nothing lasts forever. Sometimes when you are in school you imagine how long I will take to finish my school; it is going to be soon. So spend this time now making capital out of the time you spend in class and avoid drugs and bad behavior because that is what will lead you astray and making you not achieve your goals.

I want to thank the teachers that they guided you well and I have no doubt they will continue guiding you even in your exams, those who might be sitting for the exams this year. I hope that the cooperation that started today between the school and the Assembly will continue and some day we will even sit at closer quarters. I am hoping that the Office of the Clerk will be able to give you some little refreshment once you are through. Feel welcome. Thank you very much.

PAPERS LAID

Hon. Speaker: We have two businesses by Hon. Mark Muendo and Hon. Ndambuki. I can see Hon. Kiteng'u waking up to hold brief for the Majority Leader.

REPORT ON APPROVAL HEARING FOR NINE PERSONS NOMINATED FOR THE POSITION OF
MEMBER OF MACHAKOS MUNICIPALITY BOARD

Hon. Kiteng'u: Thank you, Madam Speaker. On behalf of the Majority Leader, I would like to lay the Paper. I beg to lay the following Paper on the Table of the House today, 19th March 2019; the report of the Appointments committee on the approval hearings for nine persons nominated for the position of Member, Machakos Municipality Board. Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Kiteng'u, Hon. Ndambuki.

MACHAKOS COUNTY SUPPLEMENTARY BUDGET 2018/2019

Hon. Ndambuki: Thank you, Hon. Speaker. I beg to lay the following paper on the table of the House today, 19th March 2019; the report of the Budget and Appropriations Committee on the Machakos County Supplementary Budget for fiscal year 2018/2019

Hon. Speaker: Thank you, Hon. Ndambuki.

NOTICES OF MOTIONS

Hon. Speaker: We have two businesses by Hon. Mark Muendo through Hon. Kiteng'u and Hon. Ndambuki. Hon. Kiteng'u.

REPORT ON APPROVAL HEARING FOR NINE PERSONS NOMINATED FOR THE POSITION OF
MEMBER OF MACHAKOS MUNICIPALITY BOARD

Hon. Kiteng'u: Thank you, Hon. Speaker.

That aware that Section 181(a) of the County Governments Act No. 17 of 2012 provides that the County Assembly shall vet and approve nominees for appointment to county public offices as maybe provided for in the Act or any other law;

Aware that Section (4) of the Public Appointments (County Assembly Approval) Act No. 5 of 2017 provides that an appointment under the constitution or any other law for which the approval of County Assembly is required shall not be made unless the appointment approved by the relevant county assembly in accordance with the same Act;

Aware that the members of municipality board are appointed in accordance with section 13 as read together with section 14 of the Urban Areas and Cities Act 13 of 2011, revised 2016 and amended in 2019;

Cognizant that the acting County Secretary pursuant to section 13 and 14 of Urban Areas and Cities Act forwarded to the Hon. Speaker of the County Assembly a notification on nomination of nine persons vide letter referenced GMC/KUSP/BM13 dated 25th October, 2018 which was received on the same date for consideration by the committee and subsequent approval by the County Assembly for appointment as Machakos municipality Board members;

Hon. Speaker, I wish to move the notice of motion that this Hon. House discusses and approves the report of Appointments committee on approval hearings for nine persons nominated for the position of members for Machakos Municipality Board.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Kiteng'u. Hon. Ndambuki.

MACHAKOS COUNTY SUPPLEMENTARY BUDGET 2018/2019

Hon. Ndambuki: Thank you, Hon. Speaker.

Hon. Speaker, that aware that the County Executive is mandated to submit the supplementary budget to the County Assembly at any given time whenever a need arises;

Aware that the supplementary budget relocates funds from where they are less needed to where they would be utilized within the remaining period of the fiscal year;

Hon. Speaker, the Public Finance Management Act section 135(2) states that 'the County Government shall submit a supplementary budget in support of the additional expenditure for authority for spending;'

Hon. Speaker, I wish to move the motion that this Hon. House discusses and approves the Machakos County Supplementary Budget 2018/2019.

Thank you, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Dominic.

MOTION

Hon. Speaker: We have one business by Hon. Fredrick Muthoka.

REPORT OF IMPLEMENTATION COMMITTEE ON BURSARIES

Hon. Muthoka: Thank you, Madam Speaker.

That aware that the constitution of Kenya 2010 Article 43(1)(f) provides that every person has the right to education;

Further, Section 116(1) of the PFM Act 2012 provides that County Executive Committee Member for finance may establish other public funds with the approval of County Executive Committee and the County Assembly;

Acknowledging that County Assembly of Machakos enacted Machakos County Bursary fund Regulation 14, whose main objective is to provide financial assistance to the needy; noting that bursaries have not been issued as stipulated in the regulation;

Madam Speaker, I wish to move a motion that this House discusses approves the report by the Implementation committee on bursaries.

At this point I would wish to call upon---

Hon. Speaker: Hon. Fredrick, because we agreed that we are going to be treating these reports as read, at this point the mover of the motion can give brief highlights on the report then you call for another Member to second and then I will propose the question and then we debate. So, just give a brief highlight on the report.

Hon. Muthoka: Well-guided, Madam Speaker. I will go briefly to our engagement with the Chief Officer, department of Education. The department got a circular from the Controller of Budget stating that our regulation is not enacted within the law, so as a County Assembly, we are supposed to change our Act to compel to that law. On the criterion which was used to disburse bursaries in 2018/2019, so far the education department set aside Ksh. 30 million.

Each ward will get 700,000 and I understand as at now, the cheques are being issued and being sent to schools. Then we have the guideline which was used. The day scholars were getting Ksh. 2000 minimum and a maximum of Ksh. 6000. Boarders were getting Ksh. 4000 and maximum of Ksh. 10,000. There was equity, gender balance used when disbursing the bursaries. The committee, some MCAs were involved but in some wards, the Member was not involved; but now, the proposals that we have as a committee, we are saying:

1. The Machakos County Bursary Fund Regulations, 2014 should be amended within 30 days after the adoption of this report to comply with the proposals of the office of the controller of Budget.
2. Machakos County Bursary Fund Regulations, 2014 should be further amended to state that the beneficiary of bursary should be chosen in the public forums in consultation with local leaders in each ward. In awarding the bursaries, the provision of regulations of 2019 must be considered.
3. Regulation 9(3) should be amended to include the approval of the County Assembly in nominating the members of county bursary committee. This County bursary committee, the COB does not have a problem with it; it consists of the CEC, Education, Chief Officer, and for Faith Based Organizations and the other people should be approved by this Assembly.

Then the County Government should use the ward administrators. That was the recommendation of the COB. We use them but the public should be involved in giving the bursaries. They call a public Baraza and you Members as the representatives of those wards you will also be involved indirectly. You will be there when the meeting is being conducted and the public will choose the people who should benefit, the people who are needy.

So, Madam Speaker, I think these regulations are good and we hand it over to Delegated Legislation committee to take over the matter immediately so that we can access these funds through this bursary fund. Thank you, Madam Speaker. At this point, I call Hon. Rosina, my able Vice Chair, to second the motion.

Hon. Speaker: Hon. Rosina.

Hon. (Ms.) Kanini: Thank you, Madam Speaker, I second.

Hon. Speaker: Thank you, Hon. Rosina. Hon. Members, with the highlight, I can propose the question so that you can debate.

(Question proposed)

Hon. Members, the motion is open for debate. Hon. Museku, thank you.

Hon. Museku: Thank you, Madam Speaker---

Hon. Speaker: As you came in yes, I was just going to inform you that you have students from your ward perhaps you can greet them.

Hon. Museku: Thank you very much, Madam Speaker. Students of Kyanguli welcome to the County Assembly of Machakos. I am overjoyed to see you managed to come here. We had one group in the morning and I was told the second group was coming in the afternoon. So welcome very much and feel at home. I hope that you are going to be able to look at what we do here in the Assembly, learn because this is part of your syllabus; devolved political systems is part of what you read in school...devolved governments so you will be able to learn a lot from what we are doing here.

I am very sure that in the near future looking at some of you, some of you will be the Speaker, others will become Clerks and others will become Hon. Members sitting in these seats so it is a good thing to aspire to see and to aspire to be like any of these Hon. Members. Work hard and I am very sure with God's guidance you will be able to make it. *Karibuni sana*. Thank you.

Now as I do go ahead and contribute on these recommendations, first of all thanking the chair, Implementation and the entire team for the way they have analyzed this report and the way they have looked at the issue of bursaries at length, looking at the report, you can be able to see that there has been a lot of thought process which has gone through it and they have been guided by recommendations which of course have come from the Controller of Budget and also by their own other findings which prove that the report surely looks very representative of what we expect.

Attached to it, we do have the Machakos County Gazette Supplement number seven dated 30th May 2014 which is on the Machakos County Bursary Fund Regulations, 2014 which they are also seeking for it to be amended so that they can be able to be in line with the reality as it is today.

Madam Speaker, I would like to go straight to the committee recommendations and applaud that they are saying in page six, item one the Machakos County Bursary Fund Regulation, 2014 should be amended within 30 days of the adoption of this report to comply with the proposals by the office of the Controller of Budget. That I agree because there needs to be urgency in the way the regulations are currently being done. Just to pinpoint an item here, when we got the list of the people who benefited from the bursaries which were given the other day, I went to the Chief Officers and I got a print out for the beneficiaries.

I found in my ward several children who have benefited from this who do not come from Mumbuni North; who come from Kangundo where the assistant administrative officer comes from. So because of the non-involvement of Hon. Members and the committees at that level---

Hon. Speaker: Hon. Museku---

Hon. Museku: Yes

Hon. Speaker: Those students from Kangundo they are also coming from Machakos County. What are you saying? Can you put it clearly?

Hon. Museku: Okay, what I am trying to say is this, bursary funds are per ward, bursary funds are specific to the area and therefore if I give bursary to people who come from Kaewa ward and they also go to Kaewa and they are given again by the local MCA because he would not know that they have been issued in another ward, then there is every chance that people in my ward, needy people in my ward, will miss to get bursary because it has been allocated to other needy children but from another ward.

Hon. Speaker: Very good, I wanted you to put it that way, that Kangundo ward also has its fund so Kangundo students should get from Kangundo, Mumbuni North from Mumbuni North and so on. Carry on.

Hon. Museku: Thank you Madam Speaker for the guidance. That is what I meant that these funds need to be specific and that is the reason why when you look at the composition especially of the committee which is choosing the bursaries and the recommendations which the chair and his team have come up with, we are talking about public participation needs to be done so that the public is involved in determining who should get a bursary and who should not get the bursary because they know.

Among themselves, they know which family is needy and which family is not needy but if we leave it to people sitting in an office somewhere to sit down and tell people come to me, the way it was happening Madam Speaker, is that people were going to the chief's area and they would find the ward administrator seated there and they would say I come from Mumbuni North and they would fill a form, that person does not know this person. Some of them are very well able people and they filled the forms and got the bursary. So the end result of that is that what we intend to target, the intention of this Hon. House, is to assist needy children who are in school to assist them in getting an education, going through the educational system successfully.

So I really am in agreement with what they have said here. Number two the Machakos County Bursary Regulations, 2014 should be further amended to state that beneficiaries of bursaries should be chosen in public forum that I have mentioned. Number three, regulation 93 should be amended to include the approval of the County Assembly in nominating the members of the County Bursary committee if you look at the Act---

Hon. Speaker: The regulation.

Hon. Museku: The regulation which had been passed and you look at the composition of the people who should be forming the bursary committee, I will like us to...I want to go to the actual page of the Act---

Hon. Speaker: Regulation 11

Hon. Museku: 11 and I would like to read it so that we can be able to understand. It says there is established for each ward a committee to be known as the ward bursary committee. The committee shall consist of;

- a. One person with experience in education matters who ordinarily resides in the ward who shall be the Chairperson. One person with experience in education matters, a teacher or somebody in that profession.
- b. The County Officer responsible for matters relating to education in the ward shall be the secretary. The County Officer responsible to matters related to education in the ward shall be the secretary, the one taking the notes and the one calling for the meetings.
- c. The elected member of the County Assembly from that ward.
- d. One person representing faith based organizations involved in education matters in the ward. Faith based religious you are bringing a religious person into the committee now.
- e. Three persons who ordinarily reside in the ward representing marginalized groups. Here we are talking about we need somebody like for example a PWD included in that committee.

We need to look at gender, we need to look at all the issues about marginalized groups to ensure they are represented.

The aim of that was to ensure that when this committee does make a recommendation, it is doing so after taking into consideration the interests across the board. That way, ensuring that there is impartiality in as far as awarding of the bursaries is concerned. So I am fully in agreement with this report and the recommendations they have done and I fully support it and say if it is implemented with the urgency we are talking about here, then the next disbursement of bursaries shall see a better allocation and a better spread of the bursaries for our people. Thank you, Madam Speaker.

Hon. Speaker: Hon. Museku before you sign out, if you look at regulation nine of the regulations, it is talking about the committee for the County, the county bursary committee which is more senior to the ward bursary committee. What would you say of that particular one in as far as the approval of the Assembly is concerned?

Hon. Museku: Now as the approval of the Assembly is key in all these matters because when you look at the established bursary committees at that level, at the ward level they are talking about they establish a committee to be known as County Bursary Committee which is now for the entire county, the committee shall consist of the County Executive Committee member responsible for matters related to education who shall be the chairperson, the Chief Officer who shall be the Secretary the (c) An officer of the National Government responsible for matters related to education which means someone from the Ministry of Education, one person with experience in education matters, one person representing faith based organizations, two persons who ordinarily reside in the county representing marginalized groups and three, the person referred to shall be nominated by the chief officer responsible for matters of education. (e) In nominating the person referred to in paragraph two, the Chief Officer shall take into consideration gender balance to the committee. The persons in paragraphs 2d, 2e and 2f shall serve for a term of three years.

As you look at that, there is no representation of the County Assembly at that level and I do believe that any decisions which are being made also at that level need to have the input of this House. So the approval which the Hon. Committee came up with when I look at their recommendations, they say that regulation 93 should be amended to include the approval of the County Assembly in nominating the members to the County Bursary Committee. Therefore,

those members who shall be elected into the County Bursary Committee should be approved by this Hon. House so that we are all in tandem with them, because if for example you vet and you get bursaries at our level and we are the ones who have vetted and said these are the people who need to go, the public has come and said these are the people who need to be given bursaries and then it goes to this committee and because you do not have an approval at this level, they change them, you will never know. You will be coming to know of it as an afterthought or after the fact. So I am totally in agreement with that recommendation, Madam Speaker. Thank you.

Hon. Speaker: Thank you, Hon. Museku. Hon. Kisila

Hon. Kisila: Thank you, Madam Speaker. Madam Speaker, this is a very good report; I must commend the implementation committee for bringing among the first reports to this Assembly which is very commendable. My only issue Madam Speaker, I have, is page five on criteria of disbursement of bursaries. First of all Madam Speaker, there is no well spelt criteria according to this. People are being left at will to decide upon themselves what criteria to use. I think there should be a well spelt out criteria whereby we say uniform criteria and just to borrow what I did in my ward, I sat with my people and identified the criteria because when I realize there is no criterion, then everybody can get the bursary.

The first criteria we came up with was total orphans, the second criteria was partial orphans, the third criteria was people with disabilities and I was very shocked to find out that in my ward, I have very many children who are physically challenged and actually they are in secondary school and they are doing very well. The other criteria was single parents and the other criteria was children from homes which are disadvantaged and I put that criteria to use and I took it to public participation. So we need to have very good criteria which are applicable across the board.

Madam Speaker, I also want to draw your attention to the fact that (a) talks about Ksh. 30 million which was set aside for bursaries. If you divide Ksh. 30 million by 40 wards, it comes to 750,000. So what is happening to the Ksh. 50, 000 on top? Where did it go because Ksh. 50,000 is a lot of money?

(Applause)

Hon. Speaker: Point of information Hon. Kisila from the mover of the motion, Hon. Muthoka.

Hon. Muthoka: Yes that is a very good observation, but in this Regulation, 2014, they were saying that Ksh. 50,000 should be used for administrative purposes and that's why Controller of Budget has said we should not use that 2014 regulation. That's why we are coming up with a new regulation. Thank you Madam Speaker.

Hon. Speaker: Thank you Hon. Muthoka. Hon. Kisila, proceed.

Hon. Kisila: Okay. I agree with the chairman. I think that is a very good idea you have brought but honestly, I think if Ksh. 50,000 multiplied by 40 wards, we could have given a lot of children money with that. I don't know what is administrative to spend on and Mwala alone to spend 50, 000. So I think we need to go back and demand that 50,000.

I realized when I was giving bursaries it reached a stage whereby I had to do away with the people who are deserving. That Ksh. 50,000 could have gone a long way. So I am happy the chairman has noted that one. So Madam Speaker, my next point is on the amounts. I hope tomorrow when you are talking about supplementary budget, we are going to agree on a good amount of bursary.

(Applause)

Honestly, Ksh. 700,000 for Mwala it was a drop and Madam Speaker we have a lot of children who are at home even now including form fours; very bright children who are at home. So I am urging my fellow members, let us be very prudent. Let us be very tough and ensure we get good allocation for bursaries.

(Applause)

Ksh. 30 million to me is too low. So that is my contribution Madam Speaker and at the same time my last point is what the Chair of Chairs said. I think public participation is mandatory in whatever we do and Madam Speaker we need to demand that whatever we do as a county we must go to the public and don't go public in one social hall or somewhere and you say you have done public participation; that is not public participation. Public participation is the least common denominator; it is the village which is the sub location.

So let us ensure whatever we do, we take it to the village. Madam Speaker, I was very surprised the other day, I was given a list of beneficiaries of seed. When I got the list, I picked out several teachers, several businessmen, very good businessmen and they are being given seeds. When I went back to public participation I did away with 40 per cent of the people who had been put in that list.

(Applause)

So the more we put importance in public participation, and I urge members, don't delegate public participation; don't send your P.A, don't send your ward administrator. Please let us try our level best to be there ourselves and we sit there and just watch what the public is doing, with our guidance will go very far. So Madam Speaker this is a very good report. I just urge the chairman of budget to ensure that in the next allocation, we get a minimum of Ksh. 3 million per ward in bursaries to help us. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Kisila. Hon. Kieti.

Hon. Kieti: Thank you, Madam Speaker. I want to start by thanking the chairman and the committee for the Implementation for coming up with this report and say that one of the recommendations that they have made about the county bursary committee is in order because, one, this is the House that appropriates money. We are the ones who approve budgets and I don't see how this Hon. House can approve a budget for bursary and then it is given to people who we never vetted because the same can be misused.

So I fully support the idea that any people handling the bursary at the county level should be people who have gone through the vetting of this House. At the same time, the ward committees that were formed, Hon. Speaker, I want to say that in many of the wards, the process

was not well done. At the moment when the list was released there is a lot of quarrel in the villages and all over. I want to say that this one should not be repeated in future because it is giving bad image to us as Hon. Members and also to the county because when you look at the beneficiaries who have benefited from that bursary, you will just wonder.

I want to say that the regulation is very clear on five, number 19 where it is talking about application for grant of bursaries. It is clearly showing that for one to qualify, the criteria should start with orphans. I don't know whether Hon. Kisila had seen that. We start with the orphans, it is very clear. Two, a person with disability and three we also have from an indigent family.

So we have very clear guidelines on how this bursary should be disbursed, only that it was misused and at the same time I fully support the idea this bursary should be given in an open space whereby every person in the village is watching not just in an office where we just sit as a committee and then we award the bursaries. So I fully support the report and urge that what happened in the previous bursary should not be repeated and we still need more bursaries for our children to be in school. Thank you Madam Speaker.

Hon. Speaker: Thank you, Hon. Kieti. Hon. Musau.

Hon. Musau: Thank you, Madam Speaker.

Hon. Speaker: Now what is that Honorable?

(Laughter)

Hon. Musau: Oh pardon. I withdraw, Madam Speaker.

Hon. Speaker: When did you get baptized?

Hon. Musau: I withdraw, Madam Speaker.

Hon. Speaker: Very good. Proceed.

Hon. Musau: Thank you, Madam Speaker. I would wish first and foremost Madam Speaker to commend the committee on a very good report, Madam Speaker. There is a work well done. Madam Speaker I do observe that previously, the expectations of *mwananchi* have not been met through issuance of these bursaries, Madam Speaker, because actually as my colleagues who have just spoken Madam Speaker, these bursaries have not been awarded to the most deserving people and with this development Madam Speaker, with this report if it becomes an Act Madam Speaker, we do see some transparency in it because if the board members to award this bursaries are to be vetted, if this Assembly is given the powers to approve Madam Speaker, then it will have powers to disapprove once again Madam Speaker if the committees don't perform to the best.

Madam Speaker most of what I wanted to say have been said but my attention has been drawn to the fact that a provision of possible should be included such that Madam Speaker we have students down there who are very good but the situations are very desperate Madam Speaker. Even if awarded Ksh. 10,000 Madam Speaker, they will not see it to the form four Madam Speaker because of desperation in their families.

It has been talked a lot that high school fee is free, is subsidized but Madam Speaker, check the issue with schools like Machakos Boys where a student is to part with almost Ksh. 26,000, Madam Speaker. We have students from certain families who will score very high marks and if awarded even up to Ksh. 10,000 Madam Speaker for the high school education, the balance of Ksh. 16,000 is still a nightmare to that family, Madam Speaker.

Madam Speaker it was my request if possible, in this money there be factored a scholarship scheme for the high school for that child who cannot manage any other cent Madam Speaker because paying the Ksh. 10,000 may end up being a waste because the family may not afford the balance Madam Speaker and by so doing, we shall have saved very needy students who score very high marks and whose family cannot afford a plate of food to put on the table, cannot afford even just the 200 shillings normal for survival of a family in the village, Madam Speaker and by so doing Madam Speaker, we shall have talents not wasted at all.

As I thought of this, I remember what I did last year Madam Speaker; I made sure all students scoring 350 marks and above were enrolled into high school, Madam Speaker. Now I did that, I am likely to do it again Madam Speaker but periodically every term, these students will need fees and the number is growing, Madam Speaker.

So at a given point, it will overwhelm me and I will not be able and I see part of the solution to this Madam Speaker is full scholarship for such children whose families even if stretched beyond any limit, cannot afford extra coin for these students' fees, and upon that Madam Speaker, I think we shall have tapped all academic talents that are available within our societies Madam Speaker.

I do observe and I do believe that Madam Speaker education is the major solution to the wounds remaining in our society, in our community and a learned community Madam Speaker is a prosperous community. Thank you Madam Speaker.

Hon. Speaker: Thank you, Hon. Musau. Hon. Helen Ndeti.

Hon. (Ms.) Ndeti: Thank you, Madam Speaker. Apparently what I wanted to say is more or less said but I would like to comment because I believe in education, I believe that the future lies in the hands of our children and if our children are not educated, then we are bound to get into problems down the road. I feel that the allocation of Ksh. 2,000 per child is just too little.

I feel that Machakos doesn't rain like other parts of the country where if people don't go to school, they can farm and be able to make a living but in Machakos County we need to educate our children so that they can make a living out of the education. An educated child can get out of Machakos and go to UK, go to China, go to other parts of the world and be able to earn a living.

Hon. Speaker: Hon. Ndeti, don't we also need educated farmers?

Hon. (Ms.) Ndeti: Yes, Madam Speaker I believe even farmers should be educated but what I meant is that whatever part of education you are going to give our children, I think we need to give them enough funding because most of the children who are assisted are coming either from very poor backgrounds, either orphans with no parents or with parents who have got very little income. So it will be nice if we can work towards little to pay since they are unable to raise the school fees.

The other thing I wanted to say or to request is when the committee is formed in the ward to look at the deserving children, they should ensure that there is equality, there is transparency; I

have noted that in Mua ward, some parents came to approach me because they had given the names of two children who were left out just because they are perceived not to have supported somebody during the general elections. So I request that all children be assisted regardless of their parents' political affiliations. Thank you Madam Speaker.

Hon. Speaker: Thank you Hon Ndeti. Hon Betty.

Hon. (Ms.) B. Nzioki: Thank you Madam Speaker. I want to start by congratulating the committee for the great job they have done and I want to say this is the way that us as the Assembly we are supposed to take our roles and responsibilities. Madam Speaker, I want to go direct to the recommendation page No. 7, No. 5; that in the identification of the beneficiaries of disbursement and award of the bursaries and notification of the beneficiaries, the department of education and social welfare and all other administrative units concerned with bursaries, should do so in liaison with the office of the Member of the County Assembly in all wards at all times.

Madam Speaker this is a thorn in our flesh. Madam Speaker most of the time, you find us, I want now to speak as the member of the assembly representing Masii, Madam Speaker you find that most of the parents and even the students themselves, once they get these problems once the kids are sent away from school, Madam Speaker they come to our offices and you find that like the last disbursement of the bursaries Madam Speaker we were not fully incorporated with the committee and Madam Speaker, you find that us as the members of the assembly we are the people who know the people who are very needy and in a way that you can identify the parent who needs more money than the other.

Madam Speaker especially the total orphaned children they normally suffer because you find that they don't have parents or guardians to take care of them. Madam Speaker this is a good recommendation and I would urge the County Government, the Executive, so that they can incorporate us in identifying the beneficiaries of these bursaries so that they can land to the right people.

Madam Speaker also recommendation number six (6), in the wards where the Member of the County Assembly was not involved in the process of awarding the bursaries, the department should develop the remedial measures within 30 days of adopting this report and share with respective members. Madam Speaker, this is the right way to go so that if there is a mistake or else something went wrong somewhere, we can rectify together and move together. So Madam Speaker, I stand to support this report fully and I want to say if we can go with this direction and take the recommendation that this committee has given to us, Madam Speaker I know we can go far and we can make Machakos a better place. Thank you Madam Speaker.

(Applause)

Hon. Speaker: Thank you very much, Hon Betty. Hon Kituku.

Hon. Kituku: Thank you, Madam Speaker. I would like to commend the committee for the job well done; actually the recommendations are very much valid so this is the work that we would like to be seen actually being brought before this House. Madam Speaker, my concern is about the way the disbursement of the cheques and the issuance of the cheques is usually delayed. If you remember the time that the beneficiaries were identified and still the time when the students and the parents were asked to apply for these bursaries, it is long overdue. Last year and even up to now, students have not benefited from the bursaries so still we should also

recommend on the process because actually, once you tell a person, you will do something in relation to the needs. You should not actually delay so much so that people are not disturbed.

As far as we are concerned, we should not actually be involved in this issue of bursaries because the Act is not recognizing our effort there. Let us keep off and actually if we put more effort in this issue of public participation, I think it is okay because the needy people will be actually identified very easily. If a public baraza is held, if you are needy, you will not shy off but if you are not, you will shy off and you will even stay at home. So that one is a very strong recommendation and again after the beneficiaries are identified when we have now the MCA being told to look at the list, then you will obviously know whether there is inclusion of beneficiaries from other places, and by so doing you will actually make some input in the list and maybe the list will not have so many issues. So Madam Speaker, I support the report. Thank you Madam Speaker.

Hon. Speaker: Hon. Muthoka, the mover of the motion, can you reply please? Hon. Kiilu, I know you are the Chair of Education; there is no minister you are just a chair, but Hon Muthoka, let us give the chair some opportunity to say something. Hon Kiilu.

Hon. Kiilu: Thank you, Madam Speaker. I was just holding on so that I can be the last one to comment and thank you very much for that opportunity. Otherwise I will be very brief because much has been said. Allow me to more sincerely thank the committee for the work well done and again let me also concur with Hon. Museku for the comments that he made. One thing I would like to tell the members is, education is one of the trickiest committees and I also want the members also to congratulate my committee because we underwent a lot of tribulations the previous time.

One problem Madam Speaker in this one is that most of the information from the Chief Officer and the CEC were not being communicated to the education committee. You could ask for information and they fail to give you the information or they give you when it is too late to make any comment. Let me say that through the handshake, I believe that things will happen and actually I have visited the offices severally with a few members of the education committee to seek clarification on some issues and some of the issues are the ones that are being mentioned by these members.

Last week, I was accompanied by Hon. Kamulu to the office of the CEC to check on the reasons why the cheques were not disbursed and I had information from the Chief Officer that they had done the cheques already and they were in the drawers, so he accepted that there is a mistake committed and he accepted to have the cheques disbursed and I'm told they were launching the cheques today. One mistake Madam Speaker, and he accepted and he agreed that we are going to sit as a committee with him and discuss the way forward is that I had requested him.

In fact, I talked to the Deputy Governor yesterday while we were at Gelian hotel and I told him that if he wants to succeed as far as bursary issues are concerned, we must involve the MCAs; number two, we also talked about the launch. I talked to him and requested that if they are launching these bursaries, let it be done for these big schools like Machakos Boys, Machakos Girls, but for the day schools from our wards, let those cheques be given to the Hon Members to move with them.

One mistake that I realized from my area, I want to thank those Hon Members of Parliament, those who normally issue the cheques with their colleagues, MCAs from their areas. I realize that most of the student who are given cheques by the Hon Members of Parliament, we

duplicate so I talked to my MP and we agreed that once he gives bursaries, he will be giving me that list so that we don't duplicate, we give to other needy children. Then finally we also talked with the CEC and actually the way the members are saying, we have to give more funding to this kit, the bursary, so that students can benefit fully. Otherwise, thank you very much for the report and thank you very much, Hon. Members.

Hon. Speaker: Thank you Hon. Kiilu. Hon. Fredrick Muthoka.

Hon. Muthoka: Thank you very much Madam Speaker and Hon. Members and thank you for supporting and debating on this important report. You know when devolution, when we voted for new constitution we wanted the people to identify their needs, to identify what they should do so this public participation will heal all these we are talking about.

Even yesterday we met Chief Officer, Agriculture and next week maybe they are starting to cultivate, the tractors have been released, they are saying 30 farmers per ward so let those 30 farmers be the most needy. Also the seed I understand they are going to launch next week, so let this seed also go to the needy. So let me also take this opportunity and thank our students from Kyanguli Secondary School. It is good you are here when we are discussing about bursary, so go and tell your parents the bursary is on the way. Thank you Madam Speaker.

(Applause)

Hon. Speaker: Thank you, Hon Muthoka.

(Question put and agreed to)

Hon Members, the resolutions that you have just passed and the report are hereby committed to the committee on County Delegated Legislation. Hon King'ori the chair of that committee and so that you can interrogate this report and come up with the proposals for amending the existing bursary regulations... You are the deputy?

(Loud consultations)

Who is the chair? Now you keep quiet and your chair is taken away, Hon Kituku? You should have said earlier that you are the chair, so he is the Deputy Chair? Let me now turn my attention to the chair. Hon Kituku just resume your seat. So that Committee on Delegated County Legislation, I can see the report is giving them 30 days to come up with the regulations on formalizing the issue of bursaries and you need that like yesterday, so you are going to get the 30 days.

The only saving grace for you is that the Assembly is going to be on recess for about three weeks in about two weeks and it is expected that you utilize that time and so that you can bring this report the soonest, and it will be the first business that the House will deal with within the period of 30 days from now. So it is hoped that you will be able to take up the mantle and that you deliver. Notice the importance of that task that you have been given.

ADJOURNMENT

Hon. Speaker: Hon Members at this point the sitting of the House is adjourned. It will resume on the 20th day of March 2019 at 10.00 a.m. Have a blessed evening. Thank you.

The House rose at 4.00 p.m.