

**REPUBLIC OF KENYA**  
**COUNTY ASSEMBLY OF MACHAKOS**

**OFFICIAL REPORT**

**Tuesday, 25<sup>th</sup> July, 2023**

The House met at 2.35 p.m.

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

PRAYERS

**PAPER LAID**

AUDIT REPORT MAVOKO WATER AND SEWERAGE  
COMPANY FOR THE YEAR ENDED 30<sup>TH</sup> JUNE, 2020

**Hon. Speaker:** May I invite Hon. Philip Ndolo to proceed and lay a Paper.

**Hon. Philip Ndolo** (Mitaboni, UDA): Thank you, Madam Speaker. Hon. Speaker, I wish to lay the following Paper on the floor of the House today, Tuesday, 25<sup>th</sup> July 2023; the Audit report of Mavoko Water and Sewerage Company for the year ended 30<sup>th</sup> June, 2020. Thank you.

**Hon. Speaker:** Thank you, Hon. Member.

*(The Paper was laid on the Table)*

**NOTICE OF MOTION**

AUDIT REPORT MAVOKO WATER AND SEWERAGE  
COMPANY FOR THE YEAR ENDED 30<sup>TH</sup> JUNE, 2020

**Hon. Speaker:** May invite again Hon. Philip Ndolo to come forward and give a Notice of Motion.

**Hon. Philip Ndolo** (Mitaboni, UDA): Thank you, Hon. Speaker.

Hon. Speaker, that aware THAT Article 229(5) of the Constitution provides that the Auditor General may audit and report on the accounts of any entity that is funded from public funds;

Further aware THAT Article 229(7) of the Constitution that states that Audit Reports shall be submitted to Parliament or the relevant County Assembly;

Cognizant THAT the Audit report of Mavoko Water and Sewerage Company for the year ended 30<sup>th</sup> June, 2020 was received in the Assembly pursuant to Article 229(7) of the Constitution;

Further aware THAT the report was committed to the Committee of Public Accounts and Investments pursuant to Standing Order 185(2)(b) and (c) that

states that “the Public Accounts and Investments Committee shall be responsible for examination of reports, accounts and workings of the County Public Investments and whether the affairs of the public investments are being managed in accordance with sound financial or business principles and prudent commercial practices”

Aware THAT the Committee, after receipt of the report, conducted several meetings with the Accounting Officer of the Company together with officers from the office of the Auditor General and consequently compiled a report;

Hon. Speaker, I wish to give Notice of Motion THAT this House discusses and approves the audit report of Mavoko Water and Sewerage Company for the year ended 30<sup>th</sup> June, 2020.

Thank you.

**Hon. Speaker:** Thank you, Hon. Ndolo.

### MOTION

#### REPORT OF AUDITOR GENERAL ON MACHAKOS COUNTY ASSEMBLY CAR LOAN SCHEME FUND FOR THE YEAR ENDED 30<sup>TH</sup> JUNE, 2019

**Hon. Speaker:** Thank you, Clerk. May I invite Hon. Phillip Ndolo, Chairperson Public Accounts and Investments Committee to come forward and move the motion? Welcome, Hon. Ndolo.

**Hon. Philip Ndolo** (Mitaboni, UDA): Thank you, Hon. Speaker.

Hon. Speaker, that aware THAT Article 229(5) of the Constitution provides that “the Auditor General may audit and report on the accounts of any entity that is funded from public funds;

Further aware THAT, Article 229(7) of the Constitution that states that Audit Reports shall be submitted to Parliament or the relevant County Assembly;

Cognizant THAT the report of Auditor General on Machakos County Assembly Car Loan Scheme Fund for the year ended 30<sup>th</sup> June, 2019---

**Hon. Brian Kisila** (Makutano/Mwala, MCCC): Point of order.

**Hon. Speaker:** Yes Mheshimiwa.

**Hon. Brian Kisila** (Makutano/Mwala, MCCC): Madam Speaker, we are discussing a very important document that should be given its fair share of hearing in this Assembly and in Standing Order 31, the quorum of the Assembly shall be one third of members. Madam Speaker, I rise to bring to your attention that the House does not have quorum for us to discuss such an important document. So I just want you to take the necessary action.

**Hon. Speaker:** Thank you, Hon. Brian Kisila. It is clear that we do not have enough quorum. I would suggest that we ring the bell for some time and see whether we can get a quorum after which we can make a decision after that. Serjeant-at-Arms, proceed and ring the bell.

*(Quorum Bell rung)*

**Hon. Speaker:** I am instructed that eight minutes are over. So, the Serjeant-at-Arms organizes that the person stops ringing the bell. Hon. Members, I have been advised again that we still have no quorum because quorum is supposed to be 20 members and we are 19 now. So, the provisions of Standing Order 32 provide for procedures that follow when a member objects to issues of quorum; the Speaker is supposed to ask the Serjeant-at-Arms to ring the bell for eight minutes after which if that happens and there is still no quorum, the provisions of that Standing Order 32 provides that we have the House adjourned until the next sitting. Based on that, I hereby order that we adjourn the House. Yes?

**Hon. Dominic Maitha** (Muthwani, WDM-K): I am really sorry, Madam Speaker. In the interest of this Assembly, Madam Speaker, we have tried as much as we can to whip the Hon. Members. In fact, the Hon. Deputy Speaker has done his best and I think, Madam Speaker, if you count the number right, we already have a quorum. Kindly you can order the Serjeant-at-Arms to confirm the numbers so that we may be able to expedite the business of the day. Madam Speaker, I kindly request.

**Hon. Speaker:** So we already have the quorum? Is that so? Guide me properly members.

**Hon. Brian Kisila** (Makutano/Mwala, MCCP): Madam Speaker, you had already made the ruling. When you are making the ruling, the quorum was still not there. So I think the Speaker's ruling is final.

**Hon. Speaker:** I am guided. Kindly, this confusion is not healthy. I am guided we are still 19; are we not? Then the law provides that we proceed and adjourn the House. So I am going to do that. Thank you.

**ADJOURNMENT**

**Hon. Speaker:** The House is adjourned to the 8<sup>th</sup> of August, 2023 at 10 O'clock in the morning. Thank you, Hon. Members.

The House rose at 2.59 p.m.