

**MACHAKOS COUNTY ASSEMBLY****OFFICIAL REPORT****Wednesday, 7<sup>th</sup> October, 2015**

The House met at 10. 17 a.m.

*[The Speaker (Mr. Mung'ata) in the Chair]***PRAYERS****Hon. Speaker:** Good morning Hon. Members. Let us proceed.**BILL**

MACHAKOS COUNTY WARD DEVELOPMENT FUND (AMENDMENT) BILL, 2015

**Hon. Speaker:** Let us hear the chairperson, Trade Planning and Industrialization.**Hon. Nduva:** Thank you Mr. Speaker, Sir. Pursuant to Standing Orders Number 131 (1), I would like to move the motion that the Machakos County Ward Development Fund Amendment Bill No. 8 of 2015 be read a third time. Thank you Mr. Speaker, Sir.**Hon. Speaker:** Sorry, it cannot be a third time Hon. Nduva.**Hon. Nduva:** Sorry Mr. Speaker. The Machakos County Ward Development Fund (Amendment) Bill Number 8 of 2015, be now read for the second time. Thank you, Mr. Speaker.**Hon. Speaker:** Thank you. Clerk.*(The Bill was read a Second Time)***Hon. Nduva:** Mr. Speaker, Sir, the Machakos County Ward Development Fund Amendment Bill, 2015 seeks to make amendments to the Machakos County Ward Development Fund Act, 2014, which was enacted by this Hon. House and assented by the Governor on 18<sup>th</sup> November 2014. The Act had a lot of resemblance to the CDF Act and after the High Court ruling on the CDF Act, it was necessary to amend some sections of the Machakos County Ward Development Fund Act to operationalize the Ward Development Fund Act in December 2014 and it was therefore necessary to consider them so that funds would be released without delay.

Mr. Speaker, Sir, the amendments were also aimed at ensuring that there was separation of powers between the Executive and the County Assembly as outlined in the Constitution of Kenya, Article 183.

### **Mandate of the Committee**

Mr. Speaker, Sir, the Committee on Trade, Planning and Industrialization was established pursuant to the Second Schedule of the Standing Orders with specific mandate on all matters related to trade development and regulation including the markets, trade licenses (excluding regulation of professions), fair trading practices and statistics.

Mr. Speaker, Sir, Standing Order No. 190 (5) states that the functions of a sectoral committee shall be to: -

- a) investigate, inquire into and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned department;
- b) study the programme and policy objectives of departments and the effectiveness of the implementation;
- c) study and review all county legislation referred to it;
- d) study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- e) investigate and inquire into all matters relating to the assigned departments 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*) and ;
- g) make reports and recommendations to the assembly as often as possible, including recommendation of proposed legislation”.

### **Committee Composition**

Mr. Speaker, Sir, the committee has thirteen (13) members as follows:-

- |                           |                    |
|---------------------------|--------------------|
| 1. Hon. Sammy Nduva       | - Chairman         |
| 2. Hon. Ruth Ndumi        | - Vice Chairperson |
| 3. Hon. Joshua Mwonga     | - Member           |
| 4. Hon. Cornelius Kitheka | ”                  |
| 5. Hon. Stephen Muthuka   | ”                  |
| 6. Hon. Francis Matheka   | ”                  |
| 7. Hon. Phillip Ndolo     | ”                  |
| 8. Hon. Collins Mbithi    | ”                  |
| 9. Hon. Nina Mbithe       | ”                  |
| 10. Hon. Phoebe Koki      | ”                  |

11. Hon. Gideon Kavuu ”
12. Hon. Cecilia Sereka ”
13. Hon. Alex Kamitu ”

### **Consideration of the Bill**

Mr. Speaker, Sir, Machakos County Ward Development Fund Act is very dear to all the Hon. Members of the Assembly and so are the amendments to the Act. The committee felt it wise to involve all the Hon. Members in the discussion of the amendments so that consensus could be built early and also to ensure that each member was aware of the goings on of the Ward Development Fund.

Mr. Speaker, Sir, as a result of this, the committee involved all the members of the Assembly in consideration of the amendments and thereafter undertook public participation on the Bill.

### **Committee Sitings**

Mr. Speaker, Sir, the Committee together with the other Members of the County Assembly retreated to consider the Bill at Sai Rock Hotel in Mombasa on September 9<sup>th</sup> – 10<sup>th</sup>, 2015. Further, the Committee and other Members of the County Assembly met the Executive Committee Member, Finance on September 25<sup>th</sup> 2015 in her office on the same matter.

### **Recommendations from MCAs**

Mr. Speaker, Sir, Hon. Members went through the proposed amendments and were in agreement with almost all of them. Members proposed that section 34 (7) on the term of office of the ward committee be the same as the term of the Member of the County Assembly instead of the three years renewable once as proposed in the amendments. On the term of office, members agreed that the term of the Ward Committee to be two years.

Mr. Speaker, Sir, members also pointed out that procurement processes be done by the Ward Development Fund Committee so as to encourage the locals to undertake development in their own wards. Members further proposed that the Ward Development Fund Committee to be consulting specialists such as engineers to ensure projects were of good standards and did not threaten the lives of the public or their costs were not exaggerated. As such, members agreed that all projects be supervised by the sub-county Works Officers. Members also agreed that Ward Project Committee be anchored in the regulations so that it could assist in evaluating the projects that were being undertaken.

Mr. Speaker, Sir, Hon. Members proposed that 20 per cent of the total amount of the Ward Development Fund be set aside for bursaries by amending clause 28 (8a).

Mr. Speaker, Sir, to ensure that operationalization of the Act was smooth, a number of new clauses were proposed. The Executive Committee Member, Finance shall convene the first meeting of the County Ward Development Management Committee and will appoint a Chief Officer to act in his or her capacity until a Chairperson is appointed as per section 5 (3) of the principal Act. Further, a new subsection 5 (5) was proposed aimed at ensuring the operations of the committee were not halted by an occasion of vacancy in the membership of management committee.

Mr. Speaker, Sir, the amendment Bill proposes to amend clause 8 (2) by deleting it and substituting it with a person with at least bachelors' degree from a recognized university in finance, accounting, engineering, economics, law, community development or any other related field. This was informed by the fact that few persons had the threshold of qualifications needed in the principal Act.

Mr. Speaker, Sir, the amendments were also meant to ensure that funds were managed as per the Public Finance Management (PFM) Act, Public Procurement and Disposal Act and other laws governing public finance. This will be achieved by amending clause 11 (3) of the principal Act. In addition, prudent budgeting has been considered in the amendments by ensuring that project that were earmarked and were not implemented or were done partially were given first priority. This would be achieved by substituting clause 12 (4) with a new clause.

Mr. Speaker, Sir, emergencies have been provided for through the County budget and it would be a duplication of scarce and meager resources if wards also set aside 5 per cent of the funds for emergencies. Moreover, coordination for response to emergencies may be difficult in case the situation required a larger amount of money than what was set aside by the wards. To ensure that the County was wholly responsible to emergencies, clause 14 has been deleted.

Mr. Speaker, Sir, clause 16 (8) was seen as redundant and confusing as it stated that unutilized funds for a project would not be invested elsewhere and consequently deletion of the clause has been proposed. Clause 17 (2) shall be substituted with provisions that require the ward committees to have work plans and funds to be disbursed as per the plans instead of quarters. Further, clause 17 (4) has been amended to conform with law which requires the accounting officer who is the Chief Officer to submit reports to the Auditor General instead of Executive Committee Member.

Mr. Speaker, Sir, the period of submitting project proposals by Ward Committees to County Management Committees has been amended to be May instead on February. The date was moved closer to the start of the financial year to reduce the need of changing the proposals as the year ended. Clause 28 (5) on provision of emergency services by religious organizations has also been proposed for deletion in line with deleting clause 14 on emergency fund.

Hon. Members noted that the fund was mainly for major projects that were going to have major impact in the Wards. As such, they proposed deletion of clauses 28 (8c) and (d) since sports and purchase of ward office vehicles would not bring about universal benefit to the society. Hon. Members left the issue of sports to the county department in charge of sports to handle.

Mr. Speaker, Sir, clause 31 has been proposed for deletion because the fund was not meant to benefit individuals and necessary laws relating to management of public funds have been brought on board by changing clause 11 (3).

Mr. Speaker, Sir, in the Principal Act, the County Public Service Board (CPSB) was tasked with employment of staff to work in the fund at the ward level. Hon. Members noted that the fund was very small to warrant involvement of the Board and as such clause 34 (12) has been proposed for deletion and amendment to clause 34 (13) to avoid reference to clause 34 (12). This means that the Ward Committees in consultation with the local leaders shall negotiate terms of engagement to the persons they employ. Further, the committees will be in a position to vet who they engage as opposed to having staff referred to them from the headquarters by the Board.

Mr. Speaker, Sir, Clause 39 which provides for projects to be procured as per the Procurement and Disposal Act has also been earmarked for deletion to avoid repetition since provisions on the Act were made under clause 11 (3). Further, new clauses 49 (3) and (4) have been proposed to hasten the process of operationalization of the Act by enabling the Executive Committee Member to issues guidelines on the Fund and having the Chief Officer convene meetings as per section 34 (2a).

Mr. Speaker, Sir, the first schedule has also been proposed for amendment to conform to amendments made in the Act. These include changing the term of office of Committees from three years to two and also substituting words “shall be eligible for not more than two terms” with the words “shall be eligible for reappointment” in paragraph 1.

Mr. Speaker, Sir, most of these amendments have been made to ensure accountability as well as to ease the operationalization of the Fund.

### **Public Participation**

Mr. Speaker, Sir, the Committee conducted public participation from 18<sup>th</sup> to 21<sup>st</sup> November, 2014 in all eight sub-counties pursuant to Standing Order 120 (3) which states that the Sectoral Committee to which a Bill is committed shall facilitate public participation and take into account the views and recommendations of the public when the committee makes its report to the County Assembly.

Mr. Speaker, Sir, members of public in all the eight sub-counties welcomed the amendments saying that they will help to curb conflicts of responsibilities and provide a demarcation between the Executive and the Assembly. They also credited the County Assembly for coming up with the Act saying that it will revive development projects that had stalled and also initiate new projects in the Wards based on specific needs therein. In total, 431 members of the public attended public participation, in all the eight sub-counties.

**Recommendations from Members of the Public**

Mr. Speaker, Sir, members of the public proposed that an oversight committee be formed where the area MCA will be the Chairperson and the committee should have powers to recommend to the CEC Member administering the fund to disband Ward Fund Committees in case of incompetence and impropriety. Public participation on the projects to be undertaken should be carried out to ensure that priority projects to the residents were implemented first.

Mr. Speaker, Sir, members of the public further suggested that the MCA should have a representative in the Ward Committee and that the representative will advise on expenditure of the fund in consultation with the MCA. In addition, they requested that the election for Ward Committee members be free, fair and transparent and that higher offices in the County should not interfere with the elections and the committee to have equal geographical representation of the ward.

Mr. Speaker, Sir, the public proposed each ward to have a bank account for the funds and that youth, women and persons with disabilities should be considered when awarding tenders to undertake projects.

Mr. Speaker, Sir, as put earlier most of the members of the public were comfortable with the amendments and were actually requesting for fast-tracking of the amendments to ensure funds were released as soon as possible.

**Recommendations**

Mr. Speaker, Sir, the Committee recommends the report to the House for approval together with the amendments therein. Amendments are annexed to the report. Thank you Mr. Speaker, Sir.

*(Applause)*

**Hon. Speaker:** Thank you.

**Hon. Nduva:** Mr. Speaker, Sir, I will request Hon. Kamitu to second the report on amendments. Thank you, Mr. Speaker.

**Hon. Kamitu:** Mr. Speaker, Sir, I hereby stand to support the amendment. Thank you Mr. Speaker, Sir.

**Hon. Speaker:** Thank you. Debate on the matter is open. Yes?

**Majority Leader (Hon. Mwonga):** Thank you Mr. Speaker, and the House at large. I would like to start by thanking the chair who is my chair since I am a member of that committee for taking us this far as concerns the ward development fund. Mr. Chairman, although we have come up with a committee which will handle the ward development fund I would not have hesitated to thank the chair and the new chair who has been elected to be the chair of the ward development committee and he is also the one who came up with this idea of ward development fund.

*(Applause)*

Mr. Speaker, I want to quote a Swahili saying, "*Mgala muue na haki umpe,*" end of the quote. Mr. Speaker, about a few months ago we were not reading from the same script with the new chair but Mr. Speaker, I am proud that he is equal to the task and I know he will fast track the implementation of the ward development fund, Mr. Speaker.

Mr. Speaker, mine is just to urge this Hon. House to take a record shortest time possible to approve the report of the committee on planning which will be prepping way to handing over the whole issue to the ward development committee. Thank you, Mr. Speaker. As I sit, I want to repeat again; Members let us take the shortest time possible on this issue. I think for the years we have been here and even the years before, we have known how it works in the National Assembly when they are debating on a matter of national importance and this is a matter of county importance which will improve the lives of our people in quotes. Thank you, Mr. Speaker.

**Hon. Speaker:** In your contribution Majority Leader you said that there is already a committee in place, the ward development committee, headed by the Hon. Matheka, and then in the report I have seen an oversight committee. Maybe you can tell us what your position on that is.

**Majority Leader (Hon. Mwonga):** Mr. Speaker, the committee on Planning was handling this matter because the committee on ward development fund was not there. Now that we have a ward development committee, this matter squarely lies on that committee. From today it is that committee which will be handling this matter. Thank you, Sir.

**Hon. Speaker.** Yes, let us first get the transcript.

**Hon. Kitheka.** Mr. Speaker, the issue of the oversight committee which is reflecting on the last page of this document was a recommendation which was made by the public when we were doing public participation. That is what the public were recommending and it may not have been captured by the committee as part of the report because there is now a committee in place. Thank you.

**Hon. Speaker:** Yes, I think the chair was just raising concerns because I was wondering about the legality of an oversight committee and that it may put us in the same situation we were in. Let us hear the chair.

**Hon. Nduva:** Mr. Speaker, adding to what Hon. Kitheka has said, these were views of members of the public; it is not something that is in the Bill or the Act, but it was a feeling of the public.

**Hon. Speaker:** Alright, thank you. It is now clear in my mind. Allow me to hear Hon. Mueni.

**Hon. (Ms.) Mueni:** Thank you Mr. Speaker, Sir. As the Majority Leader has said, I think Mr. Speaker, Sir, there is no need of wasting time in this so we just pass it because I think every elected member was waiting for this and even the nominated people will be working for our wards and that will be an advantage to our people. So Mr. Speaker, sir, I think you can put the question. Thank you Mr. Speaker, Sir.

**Hon. Speaker:** Thank you. Hon. Katela.

**Hon. Katela:** Thank you Mr. Speaker, Sir. First I thank the chair, Planning, who was my chair before he kicked me out, for work well done and to quote what Hon. Mueni has said, there is no need of wasting time on this. Mr. Speaker I can read the mood of the House and ... Mr. Speaker, protect me.

**Hon. Speaker:** Allow him to conclude.

**Hon. Katela:** Protect me Mr. Speaker.

**Hon. Speaker:** Alright let me hear Hon. Dominic.

## POINT OF ORDER

**Hon. Maitha:** Mr. Speaker, this House is vested with powers to legislate. Why does this Hon. Member think that we are wasting time here? Is he in order to say that we should not waste time? Does he want to imply that we are wasting time Mr. Speaker? He is out of order Mr. Speaker, Sir.

**Hon. Speaker:** I agree... I agree the member is out of order. Hon. Katela, you are out of order and you have lost your right of speech. Let us hear Hon. Manyolo at the back.

**Hon. Manyolo:** Thank you Mr. Speaker, Sir, and the House at large. First I congratulate the committee on Planning for the good work they have done. I know it was very hard for them to go through the amendments and they have come up with a very nice document. We have been awaiting this for a long time and we have debated severally to have the ward development fund. I am grateful for now because every elected member will have a say in his ward and also we will be able to perform whatever we were elected for. I am in support of it and Mr. Speaker, Sir, may you put the question because the mood of the House says yes. Thank you Mr. Speaker, Sir.

**Hon. Speaker:** Thank you. Let us hear Dominic.

**Hon. Maitha:** Thank you Mr. Speaker. Hon. Katela, you need to exercise decorum when members are in this House. This House belongs to Members and there is freedom of expression---

**Hon. Speaker:** Hon. Dominic, you are out of order; the matter was decided by the Chair.

**Hon. Maitha:** You know he is heckling while I am talking. You need to listen to what he said---

**Hon. Speaker:** Proceed, proceed Hon. Dominic

**Hon. Maitha:** Mr. Katela please...thank you Mr. Speaker for your protection. Mr. Speaker, I am one of those people who need this thing---

**Hon. Speaker:** Order, order, order Hon. Katela.

**Hon. Maitha:** Mr. Speaker, I am one member who needs this ward development fund like last year but we need to verify this document and the proposals that have been made so that we can come to a consensus. For example Hon. Members, I want us to reason from a point of purpose; if you got to page 4, let us go to page 4, and those are my observations, page 4 the third paragraph: *“Mr. Speaker, Sir, emergencies have been provided for through the County budget and it will be a duplication of scarce and meager resources if wards also sets 5 per cent of the funds for emergencies.”* Just there.

Mr. Speaker, this County Assembly has been speaking about the issue of the emergency fund which is provided for by the PFM Act; 2 per cent of the total budget allocation. Can anyone here today in this Hon. House, tell me which emergency project has ever been undertaken by this County? Mr. Speaker, right now the *El-Niño* rains are just about to start. Every member here is running up and down; it is evident from the ward Assembly *Whatsapp* site that everybody is asking, 'where are my graders, where are my equipment?'

Mr. Speaker, I believe if every Hon. Member has got like about Kshs.2 million as emergency fund in that ward development fund, it is a key requirement because you will be able to address urgent issues that come forth before you. It is not anything that we can avoid. If we say we are duplicating, then the National...point of protection Mr. Speaker.

**Hon. Speaker:** I will take the point of order.

### POINT OF ORDER

**Hon. Kitheka:** Mr. Speaker, I wish you scrutinize the document clearly because the Member might be misleading the House because the emergency fund which was totaling 5 per cent was scrapped and taken to the bursary so that the emergency fund can be dealt with in the Executive. I can give him a reason why it was scrapped; there is no law anchored for the execution of the same. So Mr. Speaker, I wish the member to continue and stop misleading the House. Thank you.

**Hon. Speaker:** Thank you. I sustain that point of order.

**Hon. Maitha:** Mr. Speaker, I was not misleading the House; I was giving my personal observation---

**Hon. Speaker:** The point of order has been sustained.

**Hon. Maitha:** Okay, it shall be remembered. More so Mr. Speaker, the case is rested because Mr. Speaker, it was a point of concern...let me continue Mr. Speaker.

**Hon. Speaker:** You have your second stand...

**Hon. Maitha:** The other issue---

**Hon. Speaker:** Order Hon. Dominic. You have your chance at the committee of the Whole and you will raise those specifics.

**Hon. Maitha:** The other issue Mr. Speaker that I also wanted to put to the Hon. Members is...if you go to the same page 4, about the second last page, Hon. Members noted that the fund was mainly for major projects that were going to have major impact on the wards. As such they proposed deletion of clauses 28 sub sections (c) and (d) since purchase of ward office vehicles would not bring. If you go to that clause, it provides for purchase of ward vehicles and equipment.

Members I would request you once again, think about it on this aspect, I had spoken to quite a number of you and told you to date we are having shortage, serious shortage of equipment in our wards and I said if we delete that clause, it is going to tie us up; we can suggest we delete the clause on purchase of vehicles but in terms of equipment, we can maintain it reason being, if today Hon. Mwonga and Hon. Muinde from Ekalakala or Hon. Kathinzi combined forces and they say that they are going to buy a grader jointly, that grader will be of great importance to those two wards.

If we delete the clause on purchase of equipment, it is going to be a serious injustice that we can do to ourselves. Otherwise, my proposals are reserved but I know it is better we retain that clause and maybe we do away with the purchase of vehicles and maintain the issue of purchase of equipment because they are vital. Right now we are fighting for equipment due to the shortage in the County Executive but if they so wish to delete, it is up to them Mr. Speaker. Thank you.

**Hon. Speaker:** Let us hear the Leader of Majority.

### POINT OF INFORMATION

**Majority Leader (Hon. Mwonga):** Thank you, Mr. Speaker. I would like to inform the Member that maintenance of vehicles or machinery is very difficult and hard. Mr. Speaker, right now the National Government has machinery but they are not doing any works for the good of the public but they are lending them out, Mr. Speaker because the maintenance of this machinery is unsustainable. Back to our County here; how many graders did we buy? How many are now functional Mr. Speaker?

With the meager Kshs.20 million we cannot afford to buy equipment and at the same time allocate some money for fueling and maintenance when they have mechanical problems or breakdowns at the expense of doing major projects in our wards. Mr. Speaker, I wanted to inform the Hon. Member that we cannot afford to maintain this equipment. Thank you, Sir.

**Hon. Speaker:** Let us hear the chair.

**Hon. Nduva:** Mr. Speaker, on that issue that has been raised by Hon. Dominic, ideas and feelings of members are welcomed when we are discussing this important issue concerning the members. But Members note that a lengthy discussion was held between members of this committee and the CEC Finance where we came out with the amendments that we had not done while in Mombasa.

Mr. Speaker, the issue of purchasing motor vehicles and what Dominic said machinery in our wards, we discussed at length and we found it could not be possible because of the amount of money that is allocated to the ward fund. At the same time, the discussion that we held with the CEC is that it would be like duplication if we will be buying machine in the wards while the county Government or the Executive is also buying the machines.

The committee agreed with the CEC that the clause to purchase vehicles and the machinery be deleted and this was the feeling of the members who represented the whole house in that meeting. Mr. Speaker, considerations and feelings of this Hon. House were represented by the members who attended that meeting and what we came up with is the best of what we could because we are all beneficiaries of this fund. So Mr. Speaker, purchase of machineries in the wards was looked at as duplication of what now the County Government is doing. Thank you, Mr. Speaker.

**Hon. Speaker:** Thank you. Hon. Kathinzi.

**Hon. Kathinzi:** Thank you, Mr. Speaker. As I stand here today, I stand first to support this particular report and acknowledge the efforts which were done by this committee of Trade, Planning and Industrialization. Once again I would like to recommend highly on the Ward Development committee which now we have the chair; I think this work we are passing through should have been done by this committee but due to the fact that it was not in existence I think now from this step it is us to handle this particular issue.

I would like to start by wondering about page 3 whereby we have the committee sittings; this particular extract which says that *'Mr. Speaker, Sir, the committee together with other Members of the County Assembly retreated to consider the Bill at Sai Rock Hotel Mombasa on September 9<sup>th</sup> to 10<sup>th</sup> 2015,* shows how most of us members are not keen when we are seated there because Hon. Dominic I think was there; he should have raised the issues he is raising now in that particular forum.

*(Laughter)*

**Hon. Kathinzi:**... so I think I am seconding a member who has been wondering in this House seated next to me. I think it is good now to be considerate when we are raising issues

which should have been raised on other forums. My concern goes to the same page, the third last paragraph of 20 per cent of the ward development funds to be set aside for bursaries by amending clause 28 sub section 8 (a) and Mr. Speaker, as I am urging this House to, with a lot of keenness, adopt this report and maybe put it into practice now that our children have gone back to school this week and most of us elected members have been facing a lot of challenges when we are trying to explain why we do not have the bursaries in place, Mr. Speaker.

Now it is with a lot of concern that we move with speed and pass this particular report so that the amendments can be annexed to the other report and maybe request the Executive to release the 20 per cent of the bursaries so that we can allocate this to our people. Our children, most of us elected, are at home; most of them are orphans and if Mheshimiwa Kathinzi wishes to give the bursary during December holiday, well and good; if another one wishes to give in April, it will be your discretion together with the committee seated in your area to see to it to the best of your knowledge that the people benefit.

Mr. Speaker, the development committee, there is another paragraph there, I think it is the second paragraph on the recommendations from MCAs which now even from chapter one of the Constitution says that the representation of the people is vested on the elected members; these recommendations should be taken with a lot of seriousness, which states that *'Mr. Speaker, members also pointed out that the procurement processes be done by the Ward Development Fund committee.'* I want every member to underline that particular section, that is page 3 on the recommendations from the MCAs. *'Members also pointed out that the procurement processes be done by the Ward Development Fund committee so as to encourage the locals to undertake development in their own wards.'*

Mr. Speaker, we have said the essence of devolution be put into practice in this particular scenario that, giving an example in my ward, there is a contractor who was given Kithyoko Community Hospital in the financial year 2013/2014 and those who are members in the Machakos County Assembly forum in *Whatsapp*, you can see a picture posted there by my PA that looks like a building which was done in the early 60's. It was contempt, there is no follow up, we tried to make a request to be told what is happening but there is no information.

In this particular scenario, I am, supporting this particular statement and saying, let the Assembly, let the Ward Development Fund committee be given space to operationalize and work with the appointees in that particular department. I am seeing a scenario whereby, other external forces might be forced to put their pressure on these particular issues whereby you find people coming and saying they want to implement whatever has been given by the Executive.

This is a fund which has been set aside to be given priority by the electorate that if my area wishes to do a gabion, it is their discretion to do that. I continue supporting when I go to page

5 Mr. Speaker whereby we have the public participation, and you go to the last page 3.4, which is under the title *'Recommendations from the Members of Public.'* Under chapter one of the Constitution, if the citizens are not represented by the elected members, they can do so. The sovereign power is vested in them and they can give their voices and if this was said by these members, and second paragraph which says *'Mr. Speaker, members of the public further suggest that the MCAs should have representation in the ward committee and that the representative will advise on the expenditure of the fund in consultation with the MCA. In addition, they requested that the election for the ward committee members be free, fair, transparent and that higher offices in the county should not intervene in the election and that the committee to have equal geographical representation of the ward.'*

This particular scenario Mr. Speaker, if we put the best foot forward now and start making mistakes, some forces are coming in maybe to say 'I want to put my people from other areas.' I think this is an issue we need to check and as we proceed to the next paragraph which says, *'also the public proposed that each ward to have bank accounts for the funds and the youth, women, persons with disability should be considered when awarding the tenders and undertaking the projects.'* You see this is a scenario whereby we are seeing each and every day from the National Government where the Member of Parliament is coming with cheques; they issue cheques, they control whatever has been done by the public.

So these are the issues our members are expecting to see even though there are changes in the administration but I think it is something we can all be willing to accommodate so that our people can be able to actualize whatever they feel like. I can now tell you, most of the MPs have been sitting, like my Member of Parliament in Masinga has been there for 15 years; Why? Because he is coming with cheques, issuing cheques personally, the cheques are coming from the committee but he is the patron to oversee and make sure that these cheques are coming direct to the bottom of this project.

So as I am resting my argument Mr. Speaker, I support this document personally and I wish if it is possible that by next week, we can now start getting this disbursement so that we can proceed. Thank you so much.

**Hon. Speaker:** Thank you. Let us hear the chair, Finance.

**Hon. Nzeki:** Thank you, Mr. Speaker, Sir. I would like to participate in these reports. One, before I congratulate the Member, that is chairman, Planning for bringing such a very good report, page 3, last paragraph, *'Mr. Speaker, Sir, the amendment Bill proposes to amend clause 8 (2) by deleting it and substituting it with a person with at least bachelor's degree from a recognized university in Finance, Accounting Engineering, Economics, Law or any other related*

*field. This was informed by the fact that few persons had a threshold of qualifications needed in the principal Act.'*

If you go back to page three again paragraph 3, '*Members further proposed that the Ward Development Fund committee to be consulting with specialists such as engineers.*' Again down there we had talked of engineers, now we are talking of specialists like engineers to ensure projects were of good standards and did not threaten the lives of the public or the costs were not exaggerated.

As such members agreed that all projects be supervised by the sub-county works officers. Sub County Works Officer might be an engineer so I do not see why we should employ engineers in the last paragraph because we have sub county engineers, that is County Works Officers

**Hon. Speaker:** Let us take the point of order.

#### **POINT OF INFORMATION**

**Hon. Kitheka:** Mr. Speaker, as a member of the committee, I wish to correct the member and inform him that the people we are seeking with recognized university degrees in those fields are appointees in the County Ward Development management committee; they are not employees, they are just people who will be sitting in that committee. On the other hand, in the ward committee, we will be consulting engineers and people with relevant qualifications in works which are being done within the ward. They are not people who will be employed, they will be people who will be consulted and on the other hand, they will be people who will be sitting in the management committee. Thank you.

**Hon. Speaker:** Thank you. Now, you can take that advice and then I will conclude with Collins. Proceed, proceed, Hon. Member. You have concluded?

**Hon. Nzeki:** No, sir. I was saying that because paragraph 4 we had talked of consulting specialists, we should not talk of specialized people like engineers and what have you because you will find if they are employed, you cannot have a consultant and pay him less than Kshs.30,000 in a project; we want to maximize on the amount we were given. Thank you, Sir.

**Hon. Speaker:** Thank you, thank you. Information? You must be very brief.

#### **POINT OF INFORMATION**

**Hon. Maitha:** Mr. Speaker, I wish to tell Hon. Munyaka that this document is a report recommendation by the Committee. All what is most important is the Act, so the issue of specialists is not in the Act; it is only a recommendation.

**Hon. Speaker:** Thank you, thank you for that guidance. Let us hear Hon. Collins then Kitheka and then the chair will now give his thanks.

**Hon. Mbithi:** Thank you Mr. Speaker. First I want to appreciate the millions of Kenyans who sacrificed their time and energy to vote for the new Constitution in the year 2010. Mr. Speaker, it is for these Kenyans that we came up with devolution, what we are enjoying today. Mr. Speaker, during that time of voting for the Constitution, it was said and I want to quote "*wakati ni sasa na kama sio sasa, ni sasa hivi*"

**Hon. Speaker:** Hon. Collins, maybe I would want the Minority Whip who is in the House to advise me whether that Member is properly dressed.

**Hon. Kamitu:** Mr. Speaker, Sir, it is good that you have noticed and I confirm that Hon. Collins is not well dressed and he knows exactly what he is supposed to do.

**Hon. Speaker:** Then he is accordingly out of order and he has lost his opportunity. Let us hear Hon. Kitheka.

**Hon. Kitheka:** Thank you Mr. Speaker. I wish to first and foremost to congratulate my Chairman and defend him jealously in this House on all issues for the good work which has been done by the committee. Secondly, Mr. Speaker, I have only two pertinent issues which I want to bring light to; first Mr. Speaker, there is a Member who addressed the issue of bursary being issued within the shortest time possible. Mr. Speaker, I wish to inform the Member that there is a policy guideline which is in place in the Ministry of Education and it has to be retrieved so that we can put what is in place in action; that is a point which has to be noted.

Secondly, Mr. Speaker, I wish to inform the House that, it is for this House in the shortest time possible to pass the policy guidelines for the operationalization of this Act because without the policy guidelines, we will go nowhere. So I request this House in the shortest time even if it is just three to four days, we pass the policy guidelines from the Executive then the document will be in place.

Thirdly and final Mr. Speaker, you know very well the Chairman, Planning has done a very good work with the members. We would like to take a very good ceremonial time to go and hand over to the next committee so that there can be good continuity and I propose we go to Kisumu. Thank you very much, Mr. Speaker.

**Hon. Speaker:** Let us hear the chair.

**Hon. Sammy Nduva:** Thank you Mr. Speaker, Sir. I want to take this opportunity to thank all members of this Hon. House for supporting and giving their contribution towards this noble document and Mr. Speaker, I think where we are, we have gone a long way as far as this matter is concerned. It is now the duty of the Committee on the Ward Development Fund to move as fast as they can so as now to push the CEC for Finance who is administering the fund for the time being to make sure operation of the same is done.

Mr. Speaker, the last meeting that we had with the CEC Finance, we agreed before the committee that is supposed to be constituted for the County is put in place, the Chief Officer for Finance will administer the fund and as such we agreed as the Assembly that by the end of this month, the fund should be operational because matters that may make the operation not to be in place mostly are on our side.

The chairperson for the ward committee should work hand in hand with our legal officer to make sure now the amendments which were agreed and done are quickly implemented so that now the ball should be on the side of the Minister.

Mr. Speaker, I thank the entire House for the support they have also given, I also thank the office of the Speaker and the Clerk and his team, I will not forget to thank our chief Legal Officer Mr. Muthui who has worked day and night to make sure matters related to his office concerning this noble fund are taken care of without delay. Mr. Speaker, finally, I hereby propose that the House turns into a committee of the whole House to discuss the Bill. Thank you, Mr. Speaker.

**Hon. Speaker:** Thank you very much. Let us proceed and I put a question that those in support of the report by Hon. Sammy Nduva, Chairman, Trade, Planning and Industrialization committee.

*(Question put and agreed to)*

**Hon. Speaker:** The report having been adopted then the House now converts to a committee of the whole House.

## COMMITTEE OF THE WHOLE HOUSE

*(Order for Committee read)*

*[Mr. Speaker left the Chair]*

IN THE COMMITTEE

*[Mr. Chairman (Hon. Nathaniel Nganga) took the Chair]*

## MACHAKOS COUNTY WARD DEVELOPMENT FUND (AMENDMENT) BILL, 2015

**Chairperson:** We are going to start with the clauses without amendments.

**Clauses without amendments***Clause 4***Clauses with amendments***Clause 5*

*(Question, that the word(s) to be inserted in place thereof  
be inserted, put and agreed to)*

*Question put and clause amended as proposed*

**New clauses***Clause 4*

*(Question that the word(s) to be inserted in place thereof  
be inserted, put and agreed to)*

*(Question that the new clause be read  
a Second Time, put and agreed to)*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to  
the Bill, put and agreed to)*

*Clause 2*

*(Question that the word(s) to be inserted in place thereof  
be inserted, put and agreed to)*

*(Question that the new clause be read  
a Second Time, put and agreed to)*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to  
the Bill, put and agreed to)*

**Clause 3**

*(Question that the word(s) to be inserted in place thereof  
be inserted, put and agreed to)*

*(Question, that the new clause be read  
a Second Time, put and agreed to)*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to  
the Bill, put and agreed to)*

**Clause 4**

*(Question that the word(s) to be inserted in place thereof  
be inserted, put and agreed to)*

*(Question that the new clause be read  
a Second Time, put and agreed to)*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to  
the Bill, put and agreed to)*

**Clause 5**

*(Question that the word(s) to be inserted in place thereof  
be inserted, put and agreed to)*

*(Question that the new clause be read  
a Second Time, put and agreed to)*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to  
the Bill, put and agreed to)*

**Clause 6**

*(Question, that the word(s) to be inserted in place thereof  
be inserted, put and agreed to)*

*(Question, that the new clause be read  
a Second Time, put and agreed to)*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Clause 7**

*(Question, that the word(s) to be left out be left out, put and agreed to)*

*(Question of the new clause proposed)*

*(Question, that the new clause be read a Second Time, put and agreed to)*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Clause 8**

*(Question, that the word(s) to be left out be left out, put and agreed to)*

*(Question, that the word(s) to be inserted in place thereof be inserted, put and agreed to)*

*(Question of the new clause proposed)*

*(Question, that the new clause be read a Second Time, put and agreed to)*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Clause 9**

*(Question, that the word(s) to be left out be left out, put and agreed to)*

*(Question that the word(s) to be inserted in place thereof be inserted, put and agreed to)*

*(Question of the new clause proposed)*

*(Question, that the new clause be read  
a Second Time, put and agreed to)*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to  
the Bill, put and agreed to)*

**Clause 10**

*(Question, that the word(s) to be left out be left out,  
Put and agreed to)*

**Hon. Maitha:** Members, I still stand by my earlier suggestion, let us read from the same script on a point of reference. The issue of emergency fund, as you know, with the Executive, two and half years down the line we cannot attest to anything. Let us take the current situation, we need monies to do repairs, there is no money; we need money to undertake certain functions like doing culverts, there is no money for that; if you go to the Constituency Development Fund, it has an emergency kitty. The National government has an emergency kitty which is right now functioning but county governments' emergency kitty for two and half years have not been in existence.

I would propose we do not delete that section, we retain it, and then there is a proposal that you delete those sections where you need to include a religious leader because members we will need an emergency fund.

To date as an Hon. Member, I would be more comfortable with at least two million shillings as emergency fund in my ward so that in case of an eventuality, I don't need to come to the Executive; I just need to convene a meeting with the committee, discuss that matter, assess it and in two days' time we make an assessment and we agree to that. Let us be guided by reason and reference.

The County Executive department in charge of emergency funds, two years down the line, there is nothing that we can attest to. I propose that we don't delete section 14 of the emergency fund; we retain it but the sections requiring that we delete the issue of the religious leader which is here, we do away with that. We will need this emergency fund and it will just be in January whereby after the *El-Nino* there will be so many areas that need repair. If we don't have money that you can call immediately and convene a meeting and take that money, where are you going to take them?

I still remain with that and request members, let us not delete section 14 of the principal Act but delete the proposed sections that require that we do away with the religious leaders and let the committee administrate on the emergency fund as per the Act. Thank you members.

**Chairperson:** Thank you Hon. Dominic. The matter is open for debate; I can hear opinions of members before they vote.

**Hon. Ngunzi:** Mr. Chairman, I want to stand in support of Hon. Dominic on the issue of the emergency fund that has to be there. We definitely as members of this House need that fund. We have had experiences with the County Executive on matters relating to finance and we can never rely on them. Us members representing wards, we totally require something that we can access in times of need. We therefore require this emergency fund. So we cannot delete that section. Thank you Mr. Chairman.

**Hon. Nzioki:** Thank you Mr. Chairman. I am also in support of the previous speakers that we do not delete the emergency fund, section 14. Mr. Chairman, I have an experience in my ward. A class was blown up by wind five months ago and I have been asking for this roof to be repaired. Mr. Chairman, it has been taken as an emergency and urgent by the Executive and up to now nothing has been done. Mr. Chairman, I would urge these members that we retain that clause that we have the emergency fund so that we can deal with such cases. Thank you, Mr. Speaker.

**Chairperson:** Hon. Geoffrey

**Hon. Munyao:** Thank you Mr. Chairman. We can't do away with the emergency kit because as of now, in the last few months one school in my area was burned by fire and I have talked with the Executive for the last few months and nothing has been done and if this kit was to be accessed easily, I would have done all those works. So I stand to support that we have the emergency fund. Thank you Mr. Chairman.

**Chairperson:** Any other member?

**Hon. Kitheka:** Thank you Mr. Chairman. I wish to succumb to the pressure of the members that we retain the kit but on condition that we push further for a policy guideline which should come in place as the document goes through so that we can be able to access the funds because without a policy guideline on the same, we will not be able to access the funds. Thank you Mr. Chairman.

**Hon. Kamitu:** Thank you Mr. Chairman. I am on the point of supporting what Hon. Maitha has said that with the guidance of the chair, I being one of the committee members when we were deleting, I would put a recommendation on it but then procedurally my fear is in regard to deletion; maybe we can come up with a policy in regard to emergency services whereby the ward will be involved.

But in regard to the ward finance that will be awarded to us, then we shall be running short of the total amount meant for the projects. I understand an emergency in any ward will also be a project but when it comes to emergency services, my request and observation will be we come up with a policy where apart from the money that we shall be given by the Ward development, there should be an additional in regard to emergency services. Thank you, Mr. Chairman.

**Hon. Chairperson:** It is important that members understand that policy generation is the role of the County Assembly not the County Executive and in that regard we will hear the incoming chair of the Ward development Fund, Hon. Matheka.

**Hon. Matheka:** I am also a member of the planning committee so I have been with my chair all through this. In the last meeting we had with the CEC Finance, we talked about the policies and the Act being aligned and what Hon. Chair said was right. I have to follow our legal officer. We know the CEC finance has to come up with a policy but we came to a mutual agreement that we follow our legal officer so that he can align the policy and the Act then from there it will be taken back to her for signing. So as the incoming chair I can say that we are on track because I have also been in the other committee and I was working closely with the chairman. Thank you.

**Hon. Chairperson:** Yes, briefly.

**Hon. Maitha:** Thank you. I still want to make my reservations; members, clause 14 of the Act is very clear. Sub-section 3 states that, *“in this section emergency means an urgent and unforeseen need for expenditure for which it is the opinion of the committee that it cannot be delayed until the next financial year without harming the public interest or the constituents.* The PFM Act still describes what an emergency is.

Members, don't we understand an emergency? Today a bridge has broken, there is need for accessibility, it is the mandate of the committee to sit down and say we need to repair this, so members let us not complicate this matter, and I want us to be guided by past experience; the more we continue to engage the Executive on these issues, they will come up with a policy that is too binding and that money will remain in the account that we cannot even access it. Let us leave it as it is that the committee will see the emergency and work on it. Thank you.

**Hon. Chairperson:** Hon. Dominic I feel you are digressing. When the policy framework comes, it must be approved by the House so we are yet to cross the road. Hon. Chair let us hear your final submissions.

**Hon. Nduva:** Thank you chairperson. This matter was discussed by the committee and the CEC finance and we were of the feeling that we needed the emergency fund, but the other arm of the government felt like it was like a duplication of what they are doing because we have the emergency kitty in our budget but I will stand with my fellow members that we retain the

emergency kitty in our fund. This is regarding to what is happening even today that a matter will happen then it will take years for the other arm to consider how to implement.

So I think it will be of importance if we have this question so that we can agree to request for the same matter. With that Hon. Chair if you allow me, I would suggest section 14 that reads:“(1)a portion of the fund equivalent to 5 per cent thereafter referred to as emergency reserve shall remain un-allocated and shall be available for emergencies that may occur within the ward. (2)The Ward Development Committee shall determine the allocation of the emergency reserved in accordance with this Act.(3) In this section, emergency means an urgent, unforeseen need for expenditure for which it is the opinion of the committee that it cannot be delayed until the next financial year without harming the public interest of the constituents.”

Hon Chair, this emergency fundi suggest that we should retain it. Thank you, Chair.

**Hon. Chairperson:** I then propose that clause 10 be part of the clauses without amendments.

*(Question put and agreed to)*  
*(Clause as amended agreed to)*

**Clause 11**

*Question, that the word(s) to be left out be left out,  
put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to  
the Bill, put and agreed to)*

**Clause 12**

*Question, that the word(s) to be left out be left out, and word(s) to be inserted in place thereof  
be inserted, put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to*

*the Bill, put and agreed to)*

**Clause 13**

*Question, that the word(s) to be left out be left out, and word(s) to be inserted in place thereof be inserted, put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Clause 14**

*Question, that the word(s) to be left out be left out, and word(s) to be inserted in place thereof be inserted, put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Clause 15**

*Question, that the word(s) to be left out be left out, put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to*

*the Bill, put and agreed to)*

**Clause 16**

*Question, that the word(s) to be left out be left out, and word(s) to be inserted in place thereof be inserted, put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Clause 17**

*Question, that the word(s) to be left out be left out, put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Clause 18**

*Question, that the word(s) to be left out be left out, put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Clause 19**

*Question, that the word(s) to be left out be left out, put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Clause 20**

*Question, that the word(s) to be left out be left out, and word(s) to be inserted in place thereof be inserted, put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Clause 21**

*Question, that the word(s) to be left out be left out, and word(s) to be inserted in place thereof be inserted, put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Clause 22**

*Question, that the word(s) to be left out be left out, and word(s) to be inserted in place thereof be inserted, put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Clause 23.....(inaudible)**

*Question, that the word(s) to be left out be left out, and word(s) to be inserted in place thereof be inserted, put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Clause 24**

*Question, that the word(s) to be left out be left out, put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Clause 25**

*Question, that the word(s) to be inserted in place thereof be inserted, put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Clause 26**

*Question, that the word(s) to be inserted in place thereof be inserted, put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Clause 27**

*Question, that the word(s) to be inserted in place thereof be inserted, put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Clause 28**

*Question, that the word(s) to be left out be left out, and word(s) to be inserted in place thereof be inserted, put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Clause 29**

*Question, that the word(s) to be left out be left out, and word(s) to be inserted in place thereof be inserted, put and agreed to)*

*Question put for the clause to be read for a second time and agreed to*

*(The new clause was read a Second Time)*

*(Question that the new clause be added to the Bill, put and agreed to)*

**Deletion of memorandum**

*(Question proposed)*

*(Question put and agreed to)*

**Section 2**

*(Question proposed)*

*(Question, that the section 2 be added to the Bill, put and agreed to)*

**Section 1**

*(Question proposed)*

*(Question, that section 1 be added to the Bill, put and agreed to)*

**Cover page**

*(Question proposed)*

*(Question, that the cover page be part of the Bill, put and agreed to)*

**Hon. Nduva:** Thank you chair. I wish to move that the committee doth report its consideration of the Machakos County Ward Development Fund Bill and its approval thereof with amendments.

*(Question proposed)*

*(Question put and agreed to)*

**Hon. Chairperson:** Serjeant-at-Arms, whip more members into the House so that we may be able to clear with the business. Hon. Minority Chief Whip, we need more members in the house, it is within your duty.

*(The House resumed)*

*[Mr. Speaker in the Chair]*

**Hon. Chairperson:** Thank you Mr. Speaker, Sir, I wish to report that the committee doth report to the house its consideration of the Machakos County Ward Development Amendment Bill and its approval thereof with amendments.

*(Question proposed)*

*(Question put and agreed to)*

**Hon. Nduva:** Mr. Speaker, Sir, pursuant to standing order number 131(1), i would like to move the motion that the Machakos County Ward Development Fund amendment Bill Number 8 of 2015 be now read for the third time. Thank you Mr. Speaker, Sir.

*(The Bill was accordingly read the Third Time)*

**Hon. Speaker:** Chairperson I think at this point you need to say something, return of thanks then we can proceed and conclude the matter.

**Hon. Nduva:** Thank you, Mr. Speaker, Sir. I want to stand and thank all the members for their contributions and concerns about this noble Bill. I wish also to thank the office of the speaker and the clerk for their support in handling in this crucial and important Bill in our county Assembly. 6Mr. Speaker, I wish the quicker the better, for the operation of the same Bill. Thank you Mr. Speaker, Sir.

**Hon. Speaker:** Then I proceed to request the Bill to be read for the final time.

*(Question proposed)*

*(Question put and agreed to)*

*(The Bill was accordingly read the Third Time and passed)*

And now the Bill now known as Machakos County Ward Development Fund Amendment Bill 2015 is duly enacted today.

*(Applause)*

Thank you very much.

## ADJOURNMENT

**Hon. Speaker:** That is the end of the morning session and the House adjourns till afternoon. Thank you.

The House rose at 12.15 p.m.