

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF MACHAKOS
OFFICIAL REPORT

Tuesday, 19th September, 2023

The House met at 3.00 p.m.

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

PRAYERS

COMMUNICATION FROM THE CHAIR
REPLACEMENT OF DEPUTY MINORITY WHIP

Hon. Speaker: Hon. Members, following the demise of Hon. Gideon Saul Kavuu who until his death was the Deputy Minority Whip, I have received a letter dated 19th September, 2023 on replacement of that position. I therefore wish to notify this House that the Maendeleo Chap Chap which is the Minority Party has nominated Hon. Margaret Ndalana to fill in the position of deputy Minority Whip. I wish Hon. Margaret Ndalana all the best as she serves in the position of Deputy Minority Whip. Thank you, Hon. Members.

(Applause)

Is Hon. Ndalana in the House? So, she receives an award in absentia?

Hon. Mbili Ndawa (Matuu, MCCC): Hon. Speaker, the Member is from my political party and she is engaged in a function in Mutituni Ward with Mheshimiwa Hon. Johana handling matters concerning this County. So, on our behalf I want to say thank you for the communication. Thank you.

Hon. Speaker: I think next time it is also important that the Speaker gets to know in advance where Members are.

(Applause)

NOTICE OF MOTION
PERINATAL AND POSTPARTUM CARE TO PREGNANT WOMEN

Hon. Speaker: May I invite Hon. Ruth Wanjiru to give a notice of motion.

Hon. Ruth Wanjiru (Nominated, CCU): Thank you, Madam Speaker.
Hon. Speaker, THAT aware that according to the World Health Organization, globally 10 per cent of expectant women and 13 per cent of women who have just

given birth experience a mental condition, referred to as perinatal and postpartum depression, which is higher in developing countries with a prevalence of 15.6 per cent during pregnancy, and 19.8 per cent after child birth;

Further aware that women who go through stillbirth and those that lose their children during delivery are taken to the general maternity ward where other mothers with healthy babies are recovering, causing them mental anguish and adversely impacting their mental health;

Noting integrating mental health care into primary healthcare settings requires training in psychiatric care and providing consulting support to primary care providers, considering that there are not enough mental health care providers to meet the current and growing need for mental health services;

Appreciating that the Health Act under Section 6(1)(b) provides that every person has a right to reproductive health care which includes the right of access to appropriate health care services that will enable mothers go safely through pregnancy, childbirth, and the postpartum period which should include the integration of mental health in perinatal care as recommended by the National Mental Health Taskforce in its “Mental Health and Wellbeing towards Happiness and National Prosperity” report;

I wish to give notice of motion that the Department of Health and Emergency Services:

- i. Ensures that all county health facilities with maternity wings have a separate ward for recovery of mothers who have gone through stillbirth or those that have lost their babies during delivery;
- ii. Facilitates continuous mental health training and the provision of counselling support in the post natal wards for all primary care providers in all counties;
- iii. Establishes counselling facilities at all county health facilities with maternity wings to provide counselling therapy to mothers who lose their children through a miscarriage, during delivery, or through still birth; and,
- iv. Establishes counselling facilities at all county health facilities with maternity wings to provide counselling therapy to mothers who are suffering from perinatal postpartum depression.

Thank you, Madam Speaker.

Hon. Speaker: Thank you very much, Hon. Member.

STATEMENT SOUGHT
HARASSMENT OF HAWKERS WITHIN
MACHAKOS TOWN CENTRAL BUSINESS DISTRICT

(Hon. Nicholas Nzioka on 19.09.2023 Morning sitting)
(Resumption of Debate interrupted on 19.09.2023 Morning sitting)

Hon. Speaker: May I invite Hon. Nicholas Nzioka, Majority Leader to proceed. This is a statement we dealt with in the morning and may I invite Members to continue ventilating on this very important matter. Therefore, the floor is your Members; Mheshimiwa Mulinge.

Hon. Joseph Mulinge (Muvuti Kiima/Kimwe, MCCC): Thank you, Madam Speaker. I start by thanking the Majority Leader and MCA for Machakos Central ward. The statement that was sought was overdue and most of the hawkers but I will call them small business traders, most of them come from my ward. This is a common problem being experienced in most urban centres including Machakos and Nairobi.

In Machakos County, our main source of income is farming and because of lack of enough rains and good measures for farming, that problem has caused most of the people from the surrounding areas of Machakos town including Muvuti/Kiima Kimwe to run to Machakos town. Madam Speaker there is a saying; where there is traffic there is business or money. Most of the people are running from villages because of lack of employment to seek business in towns.

As much as I am representing the good people of Machakos Sub-County to operate within town, I urge this noble House because one of our missions is to have positive legislation that will help Machakos town to progress in the next 10 years. I will give a solution.

The County Government or the department concerned is supposed to come up with a good framework to accommodate the upcoming small business people. Why we are having the problem is because the designer of the markets did not consider the hawkers. In Machakos town, there is no space for hawkers and that is the reason we are having a problem. We have traders operating and they understand traders are supposed to be protected at the same time and because I represent the dynasty and the small traders my request is to handle the issue very wisely because we represent both the traders and the small traders.

I propose the County Government of Machakos the way the County Government of Nairobi did; one of the methods they used to decongest Nairobi to push hawkers from CBD was to create adjacent markets. For instance, we have Uhuru Market and Gikomba Market where hawkers can operate freely.

The other way of solving the problem is the County Government to register the hawkers and provide or give them soft loans to go and start businesses---

Hon. Mbili Ndawa (Matuu, MCCC): Point of information Hon. Member

Hon. Speaker: Yes, Hon. Member.

Hon. Mbili Ndawa (Matuu, MCCC): I will inform my good friend Hon. Mulinge that if we station these hawkers in one place, they are no longer called hawkers so we are addressing is not a market place; we are strictly dealing with hawkers moving from one point to another selling. That is the information I wanted to give him.

Hon. Speaker: Yes, and he said Mheshimiwa Mulinge said that we need to decongest the town center and also have structures, if I heard him correctly. Have structures where we can have those hawkers placed although you are saying they are called hawkers because they move around. When you put them together they are no longer hawkers. I get it proceed Mheshimiwa.

Hon. Joseph Mulinge (Muvuti/Kiima Kimwe, MCCC): Leader of Minority Leader has a small definition of an hawker. I would like to inform you the meaning of a hawker; it is a person or businessman who moves or traverses from one place to another place for business purposes. Madam Speaker, when the County Government of Nairobi delocalized or shifted hawkers from CBD to Uhuru market, they did not change the name. If you go there and find *akina mama* making some noises; am selling this and that and those are hawkers.

The point here is when we are handling the issue let us remember the County Government of Machakos in support of the County Assembly we need revenue. If for instance, a hawker will go and sell petrol outside another petrol station, it means that we might be helping the hawkers when we are abetting the disaster.

Another hawker because we said this is a business man moving from one point to another point will start selling wine outside a club and that will mean Machakos County will be a town of disorder. I am saying, as leaders and still under our mission to come up with positive impact on hawkers so that can address the problem today, tomorrow and days to come. Thank you, Madam Speaker.

Hon. Speaker: Before you even seat let me ask you this; do you want them to have a place where they can do their hawking in a designated place or you are anticipating for what kind of---

Hon. Joseph Mulinge (Muvuti/Kiima Kimwe, MCCC): Madam Speaker, I have said this; one of the solutions is to support them to shift from being an hawker to become a trader. The other area to get alternatives because I have said when the designer of this place were making designs they did not consider space for hawkers---

Hon. Speaker: So we can have space for hawkers?

Hon. Joseph Mulinge (Muvuti/Kiima Kimwe, MCCC): Alternative place but it is not supposed to be far from the town.

Hon. Speaker: Thank you, Hon. Member. Hon. Katiti and Hon. Lucky after that.

Hon. Boniface Katiti (Muthetheni, UDA): Thank you, Madam Speaker---

Hon. Speaker: Let us give solutions to this problem because we already know we have the problem with us.

Hon. Boniface Katiti (Muthetheni, UDA): I still want to substantiate further.

Hon. Speaker: Yes.

Hon. Boniface Katiti (Muthetheni, UDA): While we acknowledge the influx of the people in this town. I know maybe the hawkers some come from my own Ward. I know the challenges that they face, I understand because somehow I have lived in Nairobi for some years and I have seen how the hawkers sometimes do their business and how they are harassed by County askaris. Here we have to create a balance because we must have order in this town.

To echo what Mheshimiwa has said, there are people who have permits, who have licenses, they have paid those revenues to the County and they need free space to do their business. When somebody comes in the name of an hawker and puts a shop in front of his door then that person does not sell and eventually the hawker does not pay any tax. So to me it is good to get the numbers of hawkers so that they can be paying something small like Ksh. 50 that they even that revenue can go to County and they will be given time and space to operate.

They should also be allocated some streets not everywhere not at the center of the town. They should be allocated some streets and we customers will go to where they are because we want to but from them. I will convert them now from being a hawker to a trader and we shall be knowing where we will be getting them and (inaudible)

The other thing the hawkers when they are arrested by County *askaris* there is a tendency the case that they have is not the case that they go and be mentioned in the court of law. You can see somebody was arrested while hawking but when you go to the court the case is read he was urinating at a very big fig tree in the center in Machakos County which we do not see it and we do not locate.

If you arrest a hawker and he or she was hawking let his case be he was hawking or she was hawking but before then we should set programs right, we should set regulations right so that we can accommodate both those hawkers because they are our people and as the speaker of the Statement said we have to balance them because the economic activity in this town is business and everybody is in business. Even me I am in business everybody here is in business.

We have to protect those people because at the end of the day they need something to put on the table at night so that their children can be fed, clothed and they can be taken to school. So mine is let us come up with regulations the right ones that will accommodate both the hawker and the trader that is my submission. Thank you.

Hon. Speaker: Thank you very much, Hon. Member. As we make our submissions let us also remember there is also another aspect here of hawkers being treated badly or harassed by the County Inspectorate and Enforcement officers. We ask ourselves are they supposed to be arresting them or harassing them. Do we have those powers? Do we have laws in place that allow them to do such things to hawkers? Therefore our debate should also surround that area. Thank you. Hon. Lucky, proceed.

Hon. Lucky Nzau (Matungulu West, WDM-K): Thank you, Madam Speaker. Madam Speaker I would request you get a swinging chair so that you can be able to see me your angle is a bit difficult for you because of your glasses.

Hon. Speaker: I get a what? I did not hear you. Swinging chair?

Hon. Lucky Nzau (Matungulu West, WDM-K): So that you can see my corners. I am somehow disadvantaged by your chair.

Hon. Speaker: Alright. I am sorry about that.

Hon. Lucky Nzau (Matungulu West, WDM-K): Madam Speaker I stand up to support the request by our Majority Leader. Madam Speaker, I want to contribute stating that however much it has been repeated I want to just add a bit. According to me the three involved in this

matter are our clients. As legislators of this county we have the *askaris*, hawkers and licensed renting business partners. So from what I read I request we take care of all of them because the *askaris* are exercising a certain policy maybe to keep order in the market of which when they are executing their mandate they end up affecting a hawker who is also looking for income given that it is a beneficial of Machakos County.

When the hawker is hawking affects the business of somebody who has rented a house and has paid license like when Minority Leader said somebody was selling eggs outside T-Tot hotel yet the hotel has eggs inside there and another egg is sold inside there. Which one do you buy? You end up buying the cheaper one.

I would request that we would legislate and accommodate all of them by giving order because there is a statement that was done by Leader of Minority stating that when the hawkers come up and say it will not go on we will have a fight. So we have something like a time bond in the market.

In addition Madam Speaker, this is not applicable in Machakos town alone we have Tala, we have Matuu I believe Minority Leader has the same problem. So I would request we legislate that we put order in our markets. It is also in good environment when we have order however much we know there are hawkers and hawking you have to move from place to place we also give ample time for the *askaris* to know how best they can apply their policies.

In that case Madam Speaker I believe we will have an organized County, townships and Municipalities with good order, good working rapport between the *askaris*, hawkers and main shops. Madam Speaker, I take the matter with weight and request we legislate a good policy where all these people will benefit and their interests and welfare taken care of. Thank you, Madam Speaker.

Hon. Speaker: Thank you very much, Mheshimiwa. Mheshimiwa Digital; sorry for that name.

Hon. Wilson Ndunda (Kangundo North, IND): Thank you, Madam Speaker. Digital is still a good name. I am here also to contribute on the matter which was raised by the Majority Leader in regard to these issues of small traders and indeed we get to understand that is very vital also to give them space in terms of enhancing their business. You find a case whereby this is a woman with a kid and still is trying to make ends meet and when they are doing so you find the *askaris* are harassing them. Others are in the extension of just picking you like a cabbage and placing you in a vehicle.

This is an horrible issue and in deed it should be looked upon one and for most I believe for the *askaris* what they need to do I know they work with mandate and what I know is important at least like what the Chief Officer revenue clarified during public participation; there is need of order when such kind of activities had been done.

To support this I believe it is very important to support what Mheshimiwa Mulinge has talked about to form zones. If we try to implement the issue of zoning it means this kind of infighting shall be coming to an end. I believe by zoning for example looking the way just towards Level 5 hospital, you are going to find the containers and that street is well known for clothes and I believe if the same can be done for other formal products, members of the public will be getting to understand where they need to move to get what they need. For example, they can we can get to understand this street is for clothing, the other street is, for example, like for the fruits and so forth and so forth. This will regulate our market and our area.

As per what Mheshimiwa Lucky has talked about, it is not all within Machakos town, there are other areas like, there is Kangundo, Tala, Matuu and Mlolongo, among others and you find this form of streets and zoning, it is going to help our sellers and also our askaris will be getting what they are supposed to get for the revenue, which will be for the production of our County. By so doing, I believe it shall be a win-win for the County and also for our traders and this will enhance them to continue making the progress of growing from small scale to middle traders. Therefore I support the motion.

Hon. Speaker: There was no motion but it is a Statement. Thank you very much. Mheshimiwa Musila, then Deputy Speaker.

Hon. Muoki Musila (Ndithini, WDM-K): Thank you, Madam Speaker. I think the Statement by the Majority Leader is paramount to this House. I think it is the highest time in our debate in our leadership we showed the way. I stand to make some proposals to that Statement that one yes, according to Hon. Mulinge, we can re-plan our town or towns that we decongest our towns with these traders. Myself, I am reluctant to call them hawkers just the word hawking can mean hawking a lot of things including illicit things but I am talking about those small-scale traders because they are trying to eke a living out of the business that they do. All we need to do is to give them a decent way of doing the same.

One way is allocating them a piece of land or areas where they can do the same, possibly a little outside of the CBD of Machakos and the other towns. Another way is allocating them some streets at some times or some designated times in a day or in a week like what it is done in Nairobi. I know the High Court parking is designated for trading, I think Maasai or something like that, at particular days on some particular days on those days, the City Council or the authorities collect some revenue from these people.

These are the things that I think are paramount to having these people of ours because even ourselves, we also do such trades. Let us give them decent areas to do their business. Madam Speaker, I also would wish to tie that to something else that we discussed sometimes ago; I was invited here in a meeting for I think the transport and we were talking about the touting.

Touting at Machakos bus park and we are saying here that this bus park is too small for the number of vehicles that are already there. It was maybe planned, designated in the 1950s when Machakos just started being a town today the number the motorized traffic and the pedestrians alike is so big that they can no longer be here and one proposal we were doing was decongest the CBD of Machakos by relocating that bus park to a place elsewhere and then we can have some communication between wherever they will be taken with the CBD so that we can come for the rest of the businesses.

Another formula would be the relocating some of the maybe offices, particularly the government offices from the CBD. If you take them to Mua those who wanted some business with the government offices, they will go to Mua area and they will not congest the CBD. So Madam Speaker, I want to say yes, it is the high time that we did something good for our towns. Let us go back to the plan and do a better job. Thank you.

Hon. Speaker: Thank you very much, Hon. Muoki wa Musila. Hon. Deputy Speaker, then Hon. Dee, then we have Hon. Ndwiki.

Hon. Stephen Mwanthi (Ekalakala, WDM-K): Thank you, Madam Speaker. Madam Speaker, I stand in support of the Statement that the Majority Leader sought. I believe it is good, we get to know the facts behind what has been happening. I think on the Statement is talking about harassment of, hawkers. It is good for all of us to understand that the County Government of Machakos has got a Finance Bill---

Hon. Speaker: The harassment and there is also competition of business between the hawkers and the licensed rent payers or business community.

Hon. Stephen Mwanthi (Ekalakala, WDM-K): Madam Speaker, when we move around especially when preparing the Finance bill, as a law for the account that we use, we always have the amount of money that is supposed to be levied on the big traders and we also have what the hawkers ought to pay or what they are supposed to pay. So legally, these hawkers are doing their businesses legally; I believe we do not have designated areas as at now and so that means these people are doing business legally because it is enshrined in our Finance Bill that we have and the issue should be if they failed to pay what is supposed to be paid to the County Government or why are they getting arrested.

If it is about payment of revenue, that is okay, they should be paying but now being chased out of the town, then we need to get some clarification. Do we have other laws elsewhere that are supposed to chase them? So with that I think the relevant authorities will shed light to this Hon. House if there is any another law that we do not know but the one with that we know as at now is that there is a Finance Bill that should be implemented and followed by people who are doing business.

Madam Speaker, we cannot all of us fit in to have big businesses in our areas and if there is such a feeling, then it means there should be consultation with the stakeholders to identify areas where those other people can do their business if they are supposed to move out of town and then the same should be legislated in this House so that we may not be having commotion in our towns. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Deputy Speaker, and before Hon. Dee speaks, I have just been given a decision that was made by a Mombasa Resident Magistrate's Court by Hon. Minority Leader that actually the so-called County askaris have no powers to arrest lawbreakers. So, therefore, when they arrest they are actually overstepping their mandate. That is a decision of the court sitting in Mombasa concerning the issue emanating from Mombasa County Government askaris or inspectorate officers.

They were arresting members of the public and the case was actually affecting Kenya Women Finance Trust employee. So that can guide us through that they are overstepping. As we deliberate here, we need to understand some of these things. Thank you, Members. Mheshimiwa Dee.

Hon. Mutisya Kivuva (Nominated, WDM-K): I will be very brief and I will restrict myself to two issues. The first one Majority Leader raised is harassment and that should never be the case. Nobody should be arrested by not even askaris, even the police nobody should be harassed for any purpose. As a former disciplined officer, I know the procedure of arresting a person. In fact, if I can show it to you, you have to say something before you arrest. You tell the person I am arresting you because you have violated this or that and I want to charge you in

court so whatever you say, will be taken against you in a court of law, then you go ahead and arrest.

If the person is resistant, you are allowed to use minimum force or reasonable force that involves and not limited to, squeezing up some of your parts so that you will move very quickly for the station but that occurs only when you are resisting

Hon. Mbili Ndawa (Matuu, MCCP): Point of information Hon. Speaker.

Hon. Speaker: Point of information taken.

Hon. Mbili Ndawa (Matuu, MCCP): Thank you, Hon. Speaker. Allow me to inform the Hon. Member that in our Bill of Rights which is provided for in the Constitution, no one is guilty unless proven guilty by a court of law. So if you go ahead and start squeezing some parts of the person whom you are arresting, you will be violating. Again Hon. Speaker, another point of information I want to share to Mheshimiwa; there is what we call a *habeas corpus* and that is an order provided for by the Constitution concerning who is arrested. *Habeas corpus*.

Hon. Speaker: Or better still call them or summon them to the police station without arresting them.

Hon. Mbili Ndawa (Matuu, MCCP): And once you are arrested, you are also entitled to call your lawyer or to talk to your family members. You cannot just hold somebody incommunicado. Thank you.

Hon. Mutisya Kivuva (Nominated, WDM-K): Thank you, Madam Speaker. I take what you are saying but as I have said nobody should be harassed by whatever unit or agent. The second one, I want to unite with my friends to say that we must merge the two because we cannot chase away hawkers and we cannot also finish the big business people. I just walked after the morning sitting and had lunch in town and I took a picture at Naivas; Madam Speaker, if you go at Naivas, although I don't know how people feel about Naivas, just next to the door, small traders have set *myavuli* to sell what is being sold inside. It is sold out just next to the door!

Madam Speaker, we since we came to this House, we have not moved away from this country so kindly organize for me and the Minority Leader, we go to the established and cleanest towns so that we can see and come and share with their colleagues because for a town to grow, there must be order. There must be discipline enough in whatever you do.

I will share about one of my good friends, I do not want to mention his name but he is a general in the army. His father was also a general. They have a house in Kayole and I am trying to help them, Madam Speaker. They want to sell the house but they cannot sell it because hawkers have surrounded that house for the last 15 years and they are still claiming the house now. They cannot sell their house. It is a big family and we are trying to help them. Let us get it right.

Let us have designated areas or hours for our hawkers so that we can match the two. Also, the people I represent, you know they come in from 7 o'clock and you also designate them where they will operate from. Then everybody will have space including..... Thank you, Madam Speaker.

Hon. Speaker: Thank you, Hon. Member. We have ventilated.....Mheshimiwa Ndwiki. Sorry how could I forget my Chair?

Hon. Daniel Ndwiki (Mlolongo/Syokimau, WDM-K): Thank you, Madam Speaker. I stand here to contribute on this issue of hawkers because Madam Speaker, in the ward that I represent has more hawkers than other business people. We have been having cases of hawkers in that place Madam Speaker, so I think this is the right time that the issue of hawkers is dealt with once and for all because they are business people but at times they go to an extreme that they do hawking on tarmac roads in Mlolongo.

In fact we have a foot bridge that connects Mlolongo and the other side after the introduction of the express road. There is a foot bridge that serve the people of Mlolongo and you find on that foot bridge there are hawkers selling fruits and other things and whatever they do in that place is not the right place for that work. So I think there should be a law to guide the hawkers to make the hawk where they should hawk because

Madam Speaker, as Majority Leader has sought the Statement we can see hawkers hawking outside shops or supermarkets and that should not be the case. So they need to be protected, they should not be arrested for no reason but there should also be guidelines on how to do the hawking Madam Speaker.

Also the harassment does not come from the county askaris because in my place I had a case of hawkers' kiosks being vandalized by unknown people in Syokimau a place called Airport road. That place along the road reserve and the hawkers used to sell their fruits and other belongings their but criminals came at night and destroyed their properties. We do not know who did that. After I followed up I heard that the Residents Association was involved in that.

So Madam Speaker, I want it to be clear who should be taking care of the hawkers? Is it the County Government, the National Government or Residents Associations because we see the Residents Associations stay in Syokimau but they take initiative to vandalize the hawkers properties and I think that is a case that will be heading to court very soon and before it heads to court, I think it is good as an Assembly to have clear laws on how to do hawking in our towns.

On the issue of markets, like in my place Mlolongo we do not have a market. In all other towns we find that the market is too small to accommodate all the traders who are there. So I also suggest that the County Government does some research and visit those towns and see what they can do because if action is not taken like in my place in the next one year Mlolongo will be a terrible place to be. So I support the Statement and urge the County Government to make sure that it takes a survey in all towns and see what can be done to save the hawkers as they are our brothers and most of them pay tax. Thank you.

Hon. Speaker: Thank you, very much, Hon. Ndwiki. We have ventilated enough and at this point I would like to commit that Statement to the Committee on Trade so that they can get us a report on what to be done. I am sure they have heard the sentiments from Members and they will incorporate those sentiments and remarks into the report to come and respond to the Hon. Majority Leader. Thank you, very much.

BILL

THE MACHAKOS COUNTY HEALTH SERVICES (AMENDMENT) BILL, 2023
KENYA, GAZETTE SUPPLEMENT NO.8 (MACHAKOS COUNTY BILLS NO.5)

(Order for First Reading read - Read the First Time and

ordered to be referred to Health and Emergency Services Committee)

MOTION

AUDITOR GENERAL REPORT ON COUNTY EXECUTIVE OF MACHAKOS FOR THE YEAR ENDED 30TH JUNE, 2021

Hon. Speaker: May I know invite Hon. Philip Ndolo, Chairperson Public Accounts and Investments Committee to come forward and move that motion.

Hon. Philip Ndolo (Mitaboni, UDA): Thank you, Madam 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 on the County Executive of Machakos for the year ended 30th June, 2021 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 move the Motion THAT this House discusses and approves the audit report on the County Executive of Machakos for the year ended 30th June, 2021.

At this juncture allow me to call Hon. Ruth Wanjiru to second the motion.

Hon. Speaker: Hon. Ruth Wanjiru.

Hon. Ruth Wanjiru (Nominated, CCU): Thank you, Madam Speaker. I raise to second the motion.

Hon. Mbili Ndawa (Matuu, MCCC): Point of order, Hon. Speaker.

Hon. Speaker: Proceed.

Hon. Mbili Ndawa (Matuu, MCCC): Thank you, Madam Speaker. It is just an application I am making. It is almost 4.00 p.m. and an issue concerning audit.....those are figures and concentration can only be in the morning hours. I am requesting that we defer that matter back to the House Business Committee so that we can re-ballot and bring it in the morning sitting.

(Applause)

That is a humble request I am making and asking Hon. Phoebe to support that request.

Hon. Phoebe Koki (Nominated, MCCP): Thank you, Madam Speaker. I support. Thank you, Madam Speaker.

Hon. Speaker: Thank you, Members. Then I feel like it is the mood of the House that we defer this motion so that---

(Hon. Speaker consulted with the Clerk at the Table)

I am guided that before I defer, I must propose the question.

(Question proposed)

At this point as discussed earlier. I would wish to defer this motion; it has to go through House Business Committee for balloting the business for a particular time.

(Motion deferred)

ADJOURNMENT

Hon. Speaker: At this point, we have no more business therefore the House adjourns to Wednesday, 20th September, 2023 at 10.00 a.m. Thank you, Hon. Members.

The House rose at 3.54 p.m.