

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF MACHAKOS

OFFICIAL REPORT

Tuesday, 21st December, 2021

The House met at 3.00 p.m.

[The Temporary Deputy Speaker (Hon. Muli) in the Chair]

PRAYERS

MOTION

**REPORT ON PUBLIC PETITION BY THE FORMER
MACHAKOS DISTRICT COOPERATIVE UNION (BANKING SECTION)**

Hon. Temporary Deputy Speaker: Under this motion, we have one Hon. Moffat Maitha. Hon. Maitha, proceed.

Hon. Maitha:

Hon. Speaker that aware THAT Article 1(1) and (2) provides that all sovereign power belongs to the people of Kenya and shall be exercised only in accordance with the Constitution and that the people may exercise their sovereign power either directly or through their democratically elected representatives;

Aware THAT Article 195(1) of the Constitution of Kenya, 2010, provides that a County Assembly or any of its committees has power to summon any person to appear before it for the purpose of giving evidence or providing information;

Hon. Speaker, a petition by the former Machakos Cooperative Union (Banking Section) was brought to the Assembly and the same was committed to the Justice and Legal Affairs committee, which is mandated, under the Second Schedule of the Machakos County Assembly Standing Orders, to handle all matters related to constitutional affairs, the administration of law and justice, including the election, ethics, integrity and anti-corruption and human rights;

Further aware THAT Standing Order 201 of the County Assembly of Machakos Standing Orders enables members of the public to submit petitions directly or through Members of the County Assembly, with the consent of the Speaker of the County Assembly, on any matter within the authority of the County Assembly;

Informed THAT the committee met a representative from the Union and the petitioners on different dates where they submitted several documents that were used to compile the report;

Hon. Speaker, I wish to move the motion THAT this Hon. House discusses and approves the report of the Committee on Justice and Legal Affairs on

public petition by the former Machakos District Cooperative Union (Banking Section) on their terminal dues.

I request Hon. Jacqueline Nziva to second. Thank you, Hon. Speaker.

Hon. Temporary Deputy Speaker: Hon. Nziva, please.

Hon. (Ms.) Nziva: Mr. Speaker, I stand to second the motion. Thank you.

Hon. Temporary Deputy Speaker: Yes, we have Hon. Mitaa. Please proceed.

Hon. Mitaa: Hon. Speaker, mine was a very humble request, on behalf of the Hon. Members, that you give guidance and allow Hon. Members to have time to go through the report because this is a petition which was brought by aggrieved persons and I believe that it is good because these are our electorates, we also have time, as Hon. Members, to go through it and if possible, Hon. Speaker, you allow debate to proceed tomorrow. Thank you Hon. Speaker.

(Applause)

Hon. Temporary Deputy Speaker: Thank you, Hon. Mitaa. This is a very important report and it should be given to each and every Member to go and read carefully. My ruling is that, let each and every member get a copy of this so that we may go through it; we read it then discuss it tomorrow when each and everyone knows what is inside. I also want to thank you Hon. Mitaa for you have seen it is important that before we do anything, we see it and we agree that we discuss it tomorrow.

Hon. Mitaa: Point of Order, Hon. Speaker.

Hon. Temporary Deputy Speaker: Yes, please.

Hon. Mitaa: I think I didn't call a seconder and I would request Hon. Jacqueline Nziva, the Minority Whip, to second my request.

Hon. Ndawa: Point of information, Mr. Speaker.

Hon. Temporary Deputy Speaker: Point of information by Hon. Ndawa.

Hon. Ndawa: I just want to inform the Speaker and also the House at large, that we are breaking the norms of this House and the reason why I'm saying so, you only called Hon. Mitaa when he had not raised his hand and we don't understand how he communicated to you so that you can give him---

Hon. Mitaa: Point of order, Hon. Speaker.

Hon. Temporary Deputy Speaker: Yes.

Hon. Mitaa: Thank you Mr. Speaker. I believe Hon. Ndawa is out of order because from where he is seated, he is not monitoring movements of Hon. Members. Thank you, Hon. Speaker.

Hon. Temporary Deputy Speaker: Thank you, Hon. Mitaa. As the Speaker of today, I can see each and every one of you---

(Applause)

Of course, it is my duty to deduct what a Member is saying, either by talking or by signs. Thank you, Hon. Members. Hon. Nziva, please.

Hon. (Ms.) Nziva: Mr. Speaker, I stand to second what the Hon. Majority Whip has said because the petition is kind of voluminous and it is very tricky for Members to be given a report at this time and they have not digested what is inside the report, so I request that we dispense it tomorrow so that Members can be given time to go and read. Thank you, Mr. Speaker.

Hon. Temporary Deputy Speaker: Thank you, Hon. Nziva. At this juncture, the business...I now propose the question that this Hon. House discusses and approves the report of the Committee on Justice and Legal Affairs on a petition by the former Machakos District Cooperative Union (Banking Section) regarding their terminal benefits. The business is sent back to the House Business Committee for re-balloting.

ADJOURNMENT

Hon. Temporary Deputy Speaker: The House stands adjourned to Wednesday, the 22nd day of December, 2021, at 10.00 a.m. Thank you, Hon. Members.

The House rose at 2.46 p.m.