

**REPUBLIC OF KENYA**  
**MACHAKOS COUNTY ASSEMBLY**  
**OFFICIAL REPORT**

**Tuesday, 21<sup>st</sup> September, 2021**

The House met at 10.41 a.m.

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

**PRAYERS**

**COMMUNICATIONS FROM THE CHAIR**  
**WELCOME FROM SHORT RECESS**

**Hon. Speaker:** Hon. Members, under this Order, I have one communication to make to you and here it is; Firstly, I start by a welcome remark's members. You have been on a short recess and I welcome you back to this session. I am hoping that you took a bit of a rest and I realize that during the recess you were also working even as you were resting because you undertook a number of activities including the training by the Ethics and Anti-Corruption Commission (EACC) on integrity issues.

That is not to say that you are lacking integrity just that we have to keep up reminding ourselves as leaders because we are supposed to abide by the provisions of Chapter Six of the constitution and we need to remind ourselves on what we are required to do.

**TRAINING ON BUDGET IMPLEMENTATION PROCESS**

The second one you did you had training on Budget implementation process. I am also aware that you did a consideration of annual progress report for the financial year 2020/2021 and I am also aware that you undertook robust public participation on three bills that are before the various committees; the Machakos County Senior Citizens Bill 2020, the Machakos County Environmental Management Bill 2020 and the Machakos County Abattoirs Bill 2020. So, this is to urge you members in the different committees particularly on those bills that you fast track the processing of the Bills so that they may be approved by the House before you undertake the next recess.

**FIRST SUPPLEMENTARY BUDGET ESTIMATE FOR 2021/2022**

The second communication Members is the Supplementary Budget estimate for 2021/2022. Hon. Members, Section 11 of the County Allocation of Revenue Act (CARA) No.

9 of 2021 provides that “Section 130 of the Public Finance Management Act 2012 is amended by inserting the following new subsections immediately after subsection (2)—

“(3) In preparing the annual appropriation Bill under subsection (2), the County Executive Committee Member responsible for Finance shall include, in the allocation to the County Assembly any unspent funds that had been appropriated to the County Assembly in the immediate preceding financial year.

(4) Where an Appropriation Bill is passed before the beginning of the financial year to which it relates and does not contain unspent funds allocated to the County Assembly in the immediate preceding financial year, the County Executive Committee Member for Finance shall prepare and submit to the County Assembly a Supplementary Appropriation Bill allocating the unspent funds.

(5) A Bill prepared under subsection (4) shall be introduced in the County Assembly within two months of the commencement of the financial year. And failure by the County Executive Committee Member for Finance to prepare a Supplementary Appropriation Bill under subsection (4) shall constitute an additional indicator of a serious or persistent material breach under section 94.”

Further, Section 129(3) and (4) of the Public Finance Management (PFM) Act provides that, each County Assembly Clerk shall prepare and submit to the County Assembly the Budget Estimates for the County Assembly and a copy shall be submitted to the County Executive Committee Member for Finance who shall prepare and present his or her comments on the Budget Estimates presented by the County Assembly Clerk.

Hon. Members, pursuant to these provisions of the CARA 2021 and PFM Act 2012, the Clerk prepared a Supplementary 1 Budget for Financial Year 2021/2022 for the Assembly and was approved by the County Assembly Service Board (CASB). The Supplementary budget estimates were submitted while the House was in recess and committed to the Budget and Appropriations Committee pursuant to Standing Order 1 and 186(3), and the Committee is urged to fast track the consideration of the supplementary budget so that a report can be filed before this House for your resolution on the same.

#### THE MACHAKOS COUNTY WOMEN AND PERSONS WITH DISABILITY REVOLVING FUND REGULATIONS, 2021

The other communication is on the Machakos County Women and Persons with Disability Revolving Fund Regulations, 2021. Hon. Members, Article 183(2) of the Constitution provides that a County Executive Committee may prepare proposed legislation for consideration by the County Assembly. In addition, Article 185(1) of the Constitution provides that the Legislative Authority of a County is vested in, and exercised by, its County Assembly.

Pursuant to these provisions of the Constitution, the Assembly is in receipt of the Machakos County Women and Persons with Disabilities Revolving Fund Regulations, 2021 from the County Executive. The Regulations were submitted in the Assembly on 26<sup>th</sup> August, 2021.

Hon. Members these regulations are meant to create a fund whose objective is to enhance access of financial facilities for women and persons with disabilities in furtherance of economic

empowerment initiatives and of course for purposes of affirmative action and this is to go for purposes of table banking and small enterprises. The Regulations Hon. Members are hereby committed to the Committee on Delegated Legislation for scrutiny and submission to the assembly in a report for approval. The Committee should report to the House within thirty days from the date of this Communication.

#### THE MACHAKOS COUNTY GENDER EQUALITY POLICY

There is still a further communication on The Machakos County Gender Equality Policy. Hon. Members, the County Assembly also received of the Machakos County Gender Equality Policy, 2021 from the County Executive on 26<sup>th</sup> August, 2021 and the policy seeks to give the residents of Machakos County greater social protection that will culminate in increased personal and community development towards a more robust economy.

The policy is hereby committed to the Committee on Youth, Women, PWDs and Sports for scrutiny and submission to the assembly in a form of a report for approval. The Committee should report to the House 30 days from the date of this Communication. Thank you, Hon. Members.

#### PAPERS LAID

##### REPORT ON VETTING OF NINE NOMINEES FOR APPOINTMENT TO THE COUNTY BURSARY COMMITTEE

**Hon. Speaker:** Hon. Members, under this Order, we have Papers as listed in the appendix and the first Paper is by Hon. Daniel Kiilu, and we also have a second Paper by Hon. Geoffrey Kamulu. I can see Hon. Hellen Matei rising up on behalf of Hon. Kiilu. Go ahead, Hon. Member.

**Hon. (Ms.) Ndeti:** Madam Speaker, Hon. Kiilu is running a bit late so he asked me to hold brief. Hon. Speaker, I beg to lay the following Paper on the table of the House today, Tuesday, the 21<sup>st</sup> day of September, 2021; the Education Committee report on Vetting of Nine Nominees for Appointment to the County Bursary Committee.

**Hon. Speaker:** Thank you, Hon. Matei. Next Member, Hon. Geoffrey Kamulu or any Member holding his brief. Give the Paper to Hon. Katumo standing in for Hon. Geoffrey Kamulu.

##### REPORT ON THE PERFORMANCE FOR 2019/20 FOR THE DEPARTMENT OF YOUTH AND SPORTS

**Hon. Katumo:** Thank you, Hon. Speaker. On behalf of the chair, I beg to lay the following Paper on the table of the House today, Tuesday, the 21<sup>st</sup> of September, 2021; Report of the Youth, Women, Sports and PWDs Committee on the Performance for the FY 2019/ 20 for the Department of Youth and Sports. Thank you, Madam Speaker.

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

**NOTICES OF MOTIONS**  
REPORT ON VETTING OF NINE NOMINEES FOR  
APPOINTMENT TO THE COUNTY BURSARY COMMITTEE

**Hon. Speaker:** Hon. Members, under this Order, we have two businesses again as per the appendix; the first one is by Hon. Hellen Matei, but on behalf of Hon. Kiilu and the second one is by Hon. Katumo also on behalf of Hon. Kamulu.

**Hon. (Ms.) Ndeti:**

Hon. Speaker, that aware that Regulation 9(1) of the Public Finance Management (Machakos County Bursary Fund) Regulations, 2019 establishes the County Bursary Committee;

Further aware that Regulation 9(3) of the same Regulations confer the County Executive Committee Member for Education the power to nominate and subject to approval by the County Assembly, the County Bursary Committee Members;

Acknowledging that pursuant to Regulation 9(3) of the Public Finance Management (Machakos County Bursary Fund) Regulations, 2019 as read together with Section 4 and Section 6(1) of the Public Appointments (County Assemblies Approval) Act, the County Executive Committee Member (CECM) in charge of the County Department of Education, Skills Training and Social Welfare vide a letter dated dated 22<sup>nd</sup> March, 2021 under reference number GMC/DOESS/C.ASS/Vol.1 forwarded to the County Assembly, for consideration and approval, the notification of nomination of nine persons for appointment in the County Bursary Committee;

Aware that pursuant to Section 7(5) of the Public Appointments (County Assemblies Approval) Act 2017, the Committee conducted approval hearings for the nominees on 23<sup>rd</sup> August, 2021;

Hon. Speaker, I wish to give the notice of motion that this House discusses and approves the Education Committee Report on Vetting of nine Nominees for appointment to the County Bursary Committee.

**Hon. Speaker:** Thank you, Hon. Matei. The next one is Hon. Katumo for Hon. Kalumu.

REPORT ON THE PERFORMANCE FOR 2019/20  
FOR THE DEPARTMENT OF YOUTH AND SPORTS

**Hon. Katumo:** Thank you, Madam Speaker.

Hon. Speaker, that aware that Article 183(3) of the Constitution of Kenya, 2010 provides that the County Executive Committee shall provide the County Assembly with full and regular reports on matters relating to the County;

Informed that in exercise of the functions vested on County Assembly under Article 185(3) of the same Constitution, the County Assembly through the Committee of Youth, Women, PWDs and Sports requested for the Departmental Performance report for the FY 2019/20 for the Department of Youth and Sports;

Aware that pursuant to Standing Order 190(5) the committee analyzed the requested report and consequently compiled it for tabling before this Hon. House; Hon. Speaker, I wish to give notice of motion that this Hon. House discusses and approves the report of the committee on Youth, Women, PWDs and Sports on the performance of the Department of Youth and Sports for the FY 2019/20.

Thank you, Hon. Speaker.

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

### STATEMENT

BUSINESS FOR THE HOUSE FROM 21<sup>ST</sup> TO 22<sup>ND</sup> SEPTEMBER, 2021

**Hon. Speaker:** Hon. Members, under this Order, we one business; I call upon the member who is listed on the appendix to move the statement. Hon. Majority Leader.

**Hon. Muendo:** Thank you, Hon. Speaker. Madam Speaker, statement on business of the House. Hon. Speaker, the House Business Committee met on Monday, 20<sup>th</sup> September, 2021 to prioritize business for the House pursuant to the provisions of the Standing Order 151(5). The Committee balloted business as follows:

Tuesday, 21<sup>st</sup> September, 2021

*Morning at 10.00a.m.*

- a. Report on the vetting of nine Nominees for appointment to the position of County Bursary Committee Members by Hon. Daniel Kiilu, Chairperson, Committee on Education.
- b. Statement Response on a Statement requested by Hon. Jacinta Luka on compliance of the Assembly to the Persons with Disabilities laws by Hon. Geoffrey Kamulu, Chairperson, Youth, Women, PWDs and Sports Committee.

*Afternoon at 2.30 p.m.*

Report of the Youth, Women, Sports and PWDs Committee on the Performance Report for the FY 2019/ 20 for the Department of Youth and Sports by Hon. Geoffrey Kamulu, Chairperson, Committee on Youth, Women, Sports and PWDs.

Wednesday, 22<sup>nd</sup> September, 2021

*Morning at 10.00 a.m.*

Report of Agriculture Committee on the Performance of the Fisheries sub-sector for FY 2020/21 by Hon. Moses Mitaa, Chairperson, Agriculture Committee.

*Afternoon at 2.30 p.m.*

Report of the Joint County Assemblies Committee on consideration of the Constitutive Agreement on the South Eastern Kenya Economic Bloc (SEKEB) by Hon. Moffat Maitha, Chairperson, Justice and Legal Affairs Committee.

Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Majority leader. Hon. Ndawa, I know you are a member of the House Business Committee; this was the business we balloted yesterday but the other way round. You agree?

**Hon. Ndawa:** Yes, I agree Madam Speaker.

**Hon. Speaker:** But because of the other two Assemblies who are tabling this at 2.30 p.m. we had to change. I constituted a small meeting of the House Business Committee this morning and so we changed. We reversed so that the agriculture Chair's report is in the morning and the SEKEB report is in the afternoon. There is a reason why I referred to you Hon. Ndawa.

### **STATEMENT REPLY**

#### **COMPLIANCE OF THE ASSEMBLY TO THE PERSONS WITH DISABILITIES LAWS**

**Hon. Katumo:** Thank you, Hon. Speaker. This is a Statement Response on compliance of the Assembly to the People with Disabilities laws. I am holding brief for Hon. Geoffrey Kamulu Chairperson, Youth, Women, PWDs and Sports Committee.

Hon. Speaker, pursuant to Standing Order 41, Hon. Jacinta Luka sought a Statement on 16<sup>th</sup> February, 2021 on what measures and facilities the County Assembly has put in place to ensure compliance with Section 21 of Persons Living with Disabilities Act 2003, which provides that persons living with disabilities are entitled to a barrier-free and disability-friendly environment to enable them to have access to buildings, roads and other social amenities, and assistive devices and other equipment to promote their mobility.

The committee held a meeting with County Assembly Service Board on 11<sup>th</sup> May, 2021 and the following response was presented before the committee. The following various assistive structures have been put in place to ensure the rights and privileges of persons with living disabilities are honored:

1. Upon entry at the Assembly main gate, a parking lot has been reserved and marked with persons with disability signage just near the entrance to the old office block for ease of accessibility to the premises.
2. At the entrance to all main doors at the ground floors in the new office block and old block respectively, a gentle ramp has been provided to enable accessibility for those on wheelchairs.

3. Wide enough corridors and pathways not less than 1.2m wide have been provided and standard size doors to allow ease of passage for persons using a wheelchair as an assistive mobility device.
4. At the old block, one spacious washroom with handrails and a high-level water closet has been provided for both genders that allow usage for those on a wheelchair, crutches, or such mobility requirements. Similarly, in the new office block, two have been provided on ground floors one at wing A and the other at wing B. All have clear signage on their doors.
5. As it is in the old chamber, the design for the new chamber in construction, two ramps have been provided at the entrance and exit from the chamber, a lift for access to the first floor, an internal ramp at the debating chamber, wide walkways to the lobbies and designated seats for persons with disability have been considered to ensure compliance with the Act.
6. A lift serving the new office block allows accessibility up to the fifth floor in wing A and wing B via the interlinked corridors connecting the two blocks.
7. Further, the lift car features such as the protruding buttons, braille buttons, and the audio function allow usability by the visually impaired persons. Also, the handrails and the non-slip lift floor to avoid accidental sliding by people on crutches or white cane.
8. Non-slip floor tiles are provided in corridors to avoid slipping not only for persons on crutches but also for the non-physically challenged members and staff. In conclusion, the Assembly buildings are user-friendly even to persons with disabilities to ensure every person has an equal opportunity to access all the facilities in the same capacity. However, there are a few areas for improvement such as the library that requires the provision of a ramp and a handrail since it was not provided during construction or renovation.
9. In embracing the provisions of Article 27 and 35 of the Constitution, the CASB is in the process of recruiting a sign interpreter to enable the translation of the spoken word into sign language and vice versa, to enable impaired individuals understand the proceedings of the plenary and committees of the Assembly, facilitate communication with the deaf through sign language and to serve as a liaison between County assembly and the deaf community.

Hon. Speaker, the committee conducted a site visit around the Assembly on 5<sup>th</sup> July, 2021 and come up with the following recommendations:

1. A ramp should be constructed to link the old office block to the new office block through the shed.
2. Addition of hand rails in PWDs toilets for ladies, in the old block and both toilets in the new office block should be done.
3. Widen existing ramps in the old block.
4. Construction a ramp to ease access to the library.
5. Set aside a seat for sign language interpreter in the debating chamber.
6. Several Serjeant-at-Arms should be trained to guide the people living with disabilities and they should be of both genders.

7. Construct additional toilets for people living with disabilities for both genders and should be separated.
  8. Construct another pathway to the gallery for the people living with disabilities.
- Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Katumo. Hon. Members that is a statement response to a Statement that was sought by Hon. Jacinta and in the usual manner and the nature of the business that is in the Statement I think it is only fair that we get a few comments from members so that we can know on the way forward because we must make it possible for the particular sector of the community to discharge its mandate in a manner that is possible. Hon. Majority Leader.

**Hon. Muendo:** Thank you, Madam Speaker. Let me first by start by congratulating our Hon. and able *Mheshimiwa* Jacinta for this statement and also congratulate the committee under the leadership of Hon. Geoffrey Kamulu. Madam Speaker, it is true people living with disabilities are also our people, our sons and our fathers. Madam Speaker, I always champion for the people living with disabilities to be given respect the way a normal people live because they are human beings. Madam Speaker, when I look at this statement and the response from the committee, yes, the Assembly under your leadership have done quite good job on addressing the issues of people living with disabilities---

**Hon. Ndawa:** Point of information.

**Hon. Speaker:** Point of Information from Hon. Ndawa.

**Hon. Ndawa:** Madam Speaker, I want to inform the Hon. Member that Covid-19 is still with us and it is not safe for him to remove the mask when he is in the chamber when other members are on their masks. Kindly Madam Speaker, we are requesting that you order him to have the mask on. Thank you, Madam Speaker.

**Hon. Speaker:** Indeed, the Hon. Majority Leader has been a proponent of wearing sometimes even two masks; I wonder what devil has come to you this morning. Let it go away and thank you Hon. Ndawa for reminding him.

**Hon. Muendo:** On a light touch Madam Speaker, we have seen people have received the two jabs in the world even in the premier games we have seen the remove the masks.

**Hon. Speaker:** You are out of order, Hon. majority Leader.

**Hon. Muendo:** Thank you for that information, *Mheshimiwa* Ndawa. Madam Speaker, as I was saying that here in the Assembly, the Assembly has done a good job on the side of people with disabilities; we have seen we have a lift which has got those features for taking our Members to wherever they want to go upstairs. Madam Speaker, or else when we have done that, what I want to



point out is the issue of sign language person. This Assembly is actually not doing well to our people living with disability when we don't have a sign language person.

My submission, as soon as possible let us recruit one person for sign language. Madam Speaker, I realize when we went for the public participation on the Bills, in my ward I have some people living with disabilities and one of the ladies is the chairlady of people living with disabilities in Athi River and she was in attendance and I could see that she was struggling to write and give somebody to present.

Therefore, in this case we don't need only one sign language person; we need several because when we have these public participation in different locations, we need to have a sign language person in every public participation because those people with disabilities want to hear and they also want to put their effort on what we are doing in the Assembly. Madam Speaker, I am said that, the other issue is that even the new chamber coming up let us not forget to have a seat for the sign language interpreter because we want also our people and our members to know what is going on in our Assembly. Thank you, Madam Speaker; otherwise it was a very well sought Statement.

**Hon. Speaker:** Thank you, Hon. Majority Leader. Hon. Moffat Maitha.

**Hon. Maitha:** Thank you, Hon. Speaker. I want to comment the committee for taking into consideration the issues of people living with disabilities. Hon. Speaker, there are more than two members here who are living with disability including myself. I hardly find a place to park my car. Normally I park it outside here and when I came I found so many cars out there I had to take my car outside the Assembly so would wish to request.....Hon. Mwikali is also another one, we have cards for that to show that we are people living with disability. We should also be considered so that we do not suffer when we come in the Assembly. I thank you, Hon. Speaker.

**Hon. Speaker:** Thank you very much, Hon. Maitha. That point is well noted and it will be actioned. Mr. Dominic you remind me on that matter to be taken up urgently. Any other? Yes, Hon. Hellen wanted to say something then we come to Hon. Jacinta and the mover of the Statement. Hon. Katumo.

**Hon. Hellen:** Thank you, Madam Speaker. I am very happy with *Mheshimiwa* Jacinta's statement. It is very timely and very well crafted. I only pray that we have included everything so that there is no room for future catering of the disabled. I am praying that the report is so conclusive such that in the future everybody within the House will be accommodated.

**Hon. Speaker:** Thank you, Hon. Hellen. Hon. Jacinta. You can proceed just, but we have not finished Hon. Constance; I will come to you Hon. Constance Mbula. Hon. Jacinta please proceed.

**Hon. (Ms.) Luka:** Thank you, Madam Speaker. First, Madam Speaker, I want to thank the Board for what they have done so far concerning the persons with disability and their safety in the Assembly and second according to the recommendations much is needed because when we look at it there is need for more washrooms because when we look at the new building, we have only two toilets which are supposed to serve the whole building.

So I think much is needed in that area and according to the recommendation there is much room for improvement in the area of persons with disabilities to be free walking in the Assembly and also the

activities in the premises. Thank you, Madam Speaker. Hon. Constance it does not mean if Hon. Katumo speaks that is the end of it. You will have occasion to comment. Hon. Katumo.

**Hon. Speaker:** Thank you, Hon. Jacinta. Hon. Katumo.

**Hon. Katumo:** Thank you, Hon. Speaker. I was the mover, on behalf of Hon. Chair Geoffrey Kamulu but I have to say that I am grateful and to my colleague for moving and seeking this Statement within the Assembly because this is where we are and we are lawmakers and we should appear to be working from where we are, our work place. Madam Speaker, I have seen that the Assembly has tried so much and actually they have done so much. One thing we have very wide toilets on the other side but the doors have no locks. The doors have no locks, I used one this morning and it was opening by itself so it was not very good but I wish that the intention and action that has been taken is quite sufficient. We need to move on and make sure that we do much.

Then Madam Speaker, I think it is prudent that that action of saying something is happening because we have those parking lots but that signage is not there and therefore everybody can park. They use a string and you know when we have those parking lots they are not only for us but they are reserves for even others who will come who have a disability to use and they should not only be two they should be like three, four, five to make sure that they accommodate every one of us and visitors who have the same.

I would wish to say Madam Speaker, it is good to employ a sign language interpreter and we should make deliberate efforts to make sure we have somebody who can be a consumer of that particular utility and I am still begging this Assembly to make sure that they continue to recruit. We should have a desk actually there is a particular desk as you enter the main entrance in the new block. That desk should be reserved for a person with disability and therefore I think that is okay and I would wish that the new chamber will be compliant that would be a plus.

The new chamber in Makeni County Assembly has not been used because of lacking that facility. The MCA for Kee Ward who was elected but is a person with disability refused to use it and they are still using the old chamber and therefore to avoid such I think the CASB should be very proactive to make sure these things are good. I would wish that this Assembly will be used as a benchmark on issues to do with disability because I think the person with disabilities law was enacted in 2016 and I think was the Second Assembly to do that. Therefore, following what is said there I think it is important that we comply and make sure that we do that. Thank you, Madam Speaker. I support that statement.

**Hon. Speaker:** Thank you, Hon. Katumo. Hon. Constance Mbula.

**Hon. (Ms.) C. Nzioki:** Thank you, Madam Speaker. Sorry I had thought when Hon. Katumo speaks there would be no other chance however, I am on now. I want to say the statement was well done but there have been challenges. For example, in the ladies washrooms we only have one and you find when we get there and the other two are occupied I will not be able to wait until they finish because you expect Hon. Jacinta to come in and we have to leave room for her but that does not happen, Madam Speaker.

We always crowd there and it is like who came first and who feels more pressed and you find Hon. Jacinta sometimes she has to suffer also and I wish that we have more than one of those facilities because not only her alone we will have others who will come because we cannot say we will not have nominees or others with disabilities. So in that case my wish is to have more than one or two of them.

The other thing as we speak of the Assembly facilities, I think we had spoken it before, even in the public facilities there are big challenges. You cannot enter or come out. You wait, you are squeezed in the crowd because people will not care who you are and what you do not have. So I think we need to look into all

he sectors even for the public transport; if we can get some which only accommodate the disabled and then the county will run properly because when you look at it Madam Speaker, it is like we are all equal.

We are equal in the eyes of the Lord but we have parts of our bodies which are not working. Even the elderly we are getting there. You find people walking with sticks because of their age. Those people will not be able to climb stairs they will need lifts and those lifts are not available for them. So, Madam Speaker, I want to say whoever came up with the Statement it was well-versed and it was needed. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, on. Constance Mbula. Thank you, Members for your sentiments and thank you, Hon. Madam Jacinta for bringing up this issue. I just want to assure that the sentiments in the report and also on the floor will be taken seriously by the board and I agree that there is a lot more that needs to be done and this report will still go back to the CASB for purposes of implementation I am noting the issue of the toilets and the issue of the parking lot and what needs to be done elsewhere.

Hon. Katumo I want to assure you that the Board is still having in its mind the issue of meeting the not less than five percent of employment in the Assembly staff for PWDs. it is a constitutional requirement; we are already heading there and we have already planned for about three PWDs so far of the total employment. So the issue of the desk being manned by a person living with issues of mobility that is up in our mind and that is a position which is already ring-fenced for a PWD person so your sentiments are going to be addressed.

As Hon. Constance Mbula has said, it is not just an issue of the Assembly it is an issue of the whole country it is an issue of county putting PWDs first and we do not need to talk about them being human really that does not arise and I do not even hope we will keep on repeating that they are human. That is not a question, it is a question of facilitating them to be able to move and do their work where they are supposed to do.

So let it not be a discussion that they are our brothers they are what; it does not arise at all. It should not arise so as we go forward I would expect the Members here to advance the issue of the PWDs in the whole county for a beginning not just the Assembly. What the board can do it will do I can assure you. So this matter will go to the CASB for implementation on the part that needs to be done and a report will still come back to this Assembly within 30 days. Thank you.

**MOTION**  
**REPORT ON VETTING OF NINE NOMINEES FOR**  
**APPOINTMENT TO THE COUNTY BURSARY COMMITTEE**

**Hon. Speaker:** Hon. Members, under this Order, we have one business by Hon. Kiilu. I thought I saw Hon. Kiilu but Hon. Ndeti has done so well so far holding your brief so can we proceed on Order No. 8.

**Hon. Kiilu:** Hon. Speaker, she has my blessings to proceed if you do not mind.

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

**Hon. (Ms.) Ndeti:** Committee on education report on the vetting of the nine nominees for appointment for the position of county bursary committee.

**Hon. Speaker:** Start with the notice of motion Hon. Ndeti.

**Hon. (Ms.) Ndeti:** Thank you, Madam Speaker. Approval of report of education committee on appointment of nominees to the county bursary committee read on behalf of Hon. Daniel Kiilu chairperson education committee

Hon. Speaker, that aware that Regulation 9(1) of the Public Finance Management (Machakos County Bursary Fund) Regulations, 2019 establishes the County Bursary Committee and further aware that Regulation 9 (3) of the same Regulations confers the County Executive Committee Member the power to nominate and subject to approval by the County Assembly, the County Bursary Committee Members;

Acknowledging that pursuant to Regulation 9(3) of the Public Finance Management (Machakos County Bursary Fund) Regulations, 2019 as read together with Section 4 and Section 6 (1) of the Public Appointments (County Assemblies Approval) Act, the County Executive Committee Member (CECM) in charge of the County Department of Education, Skills Training and Social Welfare vide a letter dated dated 22<sup>nd</sup> March, 2021 under reference No. GMC/DOESS/C.ASS/Vol.1 forwarded to the County Assembly, for consideration and approval, the notification of nomination of nine (9) persons for appointment as County Bursary Committee;

Hon. Speaker, aware that pursuant to Section 7(5) of the Public Appointments (County Assemblies Approval) Act, 2017 the Committee conducted approval hearings for the nominees on 23<sup>rd</sup> August, 2021;

Hon. Speaker, I wish to move the motion that this House discusses and approves the Education Committee report on Vetting of Nine (9) Nominees for appointment to the County Bursary Committee.

Hon. Speaker, I would like to call upon *Mheshimiwa* Ndawa to second this motion.

**Hon. Speaker:** Now Hon. Ndawa not *Mheshimiwa* Ndawa. You have been speaking in English so please do not mix the two languages. Hon. Ndawa?

**Hon. Ndawa** seconded.

**Hon. Speaker:** Thank you, Hon. Ndawa. Hon. Matei Hon. Ndawa has seconded the motion please proceed now with reading the report.

**Hon. (Ms.) Ndeti:** Committee on education. Report on the vetting of nine nominees for appointment to the position of county bursary committee.

## *1.0 PREFACE*

### *1.1 Establishment of the Committee*

**Hon. Speaker,** the Sectoral Committee on Education is established under Standing Order 190 of the Machakos County Assembly Standing Orders.

**Hon. Speaker:** Can we assume that members we know the mandate of this committee and that we know what Standing Order establishes it so that we make it easier for Hon. Matei to proceed so that you skip 1.2?

**Hon. (Ms.) Ndeti:** 1, 2, 3.

**Hon. Speaker:** 1.3 you just refer to the membership is good for record purposes; talk about the Chairperson and the Vice Chair and the following members.

**Hon. (Ms.) Ndeti:** Thank you, Madam Speaker. I go to

### *1.3 Committee Membership*

Hon. Speaker, the County Assembly Committee on Education comprises the following members:

- |     |                       |                   |
|-----|-----------------------|-------------------|
| 1.  | Hon. Daniel Kiilu     | -Chairperson      |
| 2.  | Hon. Hellen Ndeti     | -Vice Chairperson |
| 3.  | Hon. Jane Nyawira     | - Member          |
| 4.  | Hon. Angela Munyasya  |                   |
| 5.  | Hon. Geoffrey Kamulu  |                   |
| 6.  | Hon. Benedette Mueni  |                   |
| 7.  | Hon. Francis Kalumu   |                   |
| 8.  | Hon. Joseph Musau     |                   |
| 9.  | Hon. Alice Nzioka     |                   |
| 10. | Hon. George King'ori  |                   |
| 11. | Hon. Margaret Ndalana |                   |
| 12. | Hon. Judas Ndawa      |                   |
| 13. | Hon. Phoebe Koki      |                   |

### *1.4 Committee Secretariat*

The following officers supported the Committee during the compilation of this report:

- |    |                   |                         |
|----|-------------------|-------------------------|
| 1. | Ms. Sarah Mwanja  | Senior Clerk Assistant  |
| 2. | Ms. Stella Kanini | Clerk Assistant         |
| 3. | Mr. Dalmas Masila | Senior Research Officer |
| 4. | Mr. Erastus Mutua | Commissionaire          |

## **2.0 BACKGROUND**

### *2.1 Establishment of the County Bursary Committee*

Hon. Speaker, Regulation 9(1) of the Public Finance Management (Machakos County Bursary Fund) Regulations, 2019 establishes the County Bursary Committee which consist of:

- (a) One person with at least a degree in education, with experience in matters relating to education who has ordinarily been residing in the County for at least 10 years preceding the appointment and who shall be the Chairperson;
- (b) The Chief Officer which shall be the Secretary of the Committee;
- (c) A woman and a man who have ordinarily been residing in the County for at least 10 years preceding the appointment representing faith-based organizations involved in education matters in the county;
- (d) A woman and a man who have ordinarily been residing in the County for at least ten years preceding the appointment representing the youth in the county and who are involved in education matters in the county;
- (e) A woman and a man who have ordinarily been residing in the County for at least 10 years preceding the appointment representing persons with disabilities and who are involved in education matters;
- (f) A woman and a man who have ordinarily been residing in the County for at least ten years preceding the appointment with experience in public administration, public affairs or management.

The functions of the County Bursary Committee as provided under regulation number 10 are to:

- a) Oversee the administration of the bursary fund in accordance with the objects and purpose of the fund.
- b) Receive, compile and approve lists of applications for bursaries forwarded by the Ward Bursary Committees.
- c) Raise monies for the fund
- d) Determine, approve and review the policies for administering the fund.
- e) Monitor the application of the fund.
- f) Set the maximum number of applicants to be awarded bursaries.
- g) Oversee the disbursement of bursaries to the approved applicants.
- h) Consider requests for review of applicants.
- i) Prepare and forward reports on the fund to the County Executive Committee Member responsible for matters relating to education
- j) Undertake such other activities as are necessary for the effective application of the fund.

### *2.2 Nomination of the County Bursary Committee Members*

Regulation 9(3) of the Public Finance Management (Machakos County Bursary Fund) Regulations, 2019 confers upon the County Executive Committee Member the power to nominate and subject to approval by the County Assembly, the County Bursary Committee Members. It provides that, “the Executive Committee Member responsible for matters relating to Education shall nominate the County Bursary Committee with the approval of the County Assembly.”

### *2.3 Notification of nomination*

Pursuant to Regulation 9(3) of the Public Finance Management (Machakos County Bursary Fund) Regulations, 2019 as read together with Section 4 and Section 6(1) of the Public Appointments (County Assemblies Approval) Act, the County Executive Committee Member

(CECM) in charge of the County Department of Education, Skills Training and Social Welfare vide a letter dated 22<sup>nd</sup> March, 2021 under reference No. GMC/DOESS/C.ASS/Vol.1 (*Annexure I*) forwarded to the County Assembly, for consideration and approval, the notification of nomination of the following nine persons for appointment as County Bursary Committee.

	<b>NAME OF NOMINEE</b>	<b>POSITION</b>
1.	Mr. Sammy Musau	Nominee for the position of Chairperson.
2.	Rev. Daniel Kyalo Kaveva	Male nominee representing faith based organizations.
3.	Ms Salima Swaleh	Female nominee representing faith based organizations
4.	Mr Dennis Musoia Mutisya	Male nominee representing the youth in the County.
5.	Ms Cynthia Munanie Makau	Female nominee representing the youth in the County.
6.	Ms Purity Kavindu Mulungye	Female nominee representing persons with disabilities.
7.	Mr Titus Mutua	Male nominee representing persons with disabilities.
8.	Mr Samuel Katumo	Male nominee and a resident with experience in public administration
9.	Ms. Mary Ndumi Ngau	Female nominee and a resident with experience in public administration

#### *2.4 Committal of the nominations to the Education Committee*

The nomination list was committed to the committee on Education after which the committee requested for additional information from the CECM vide letter dated 8<sup>th</sup> April 2021 under reference No. MKSCA/PCS/CMM/ESW/VOL.2/07 (*Annexure II*). A further reminder was sent to the CECM vide letter dated 27<sup>th</sup> April 2021 under reference No. MKSCA/PCS/CMM/ESW/VOL.2/075 and the CECM re-submitted the list of nominees with support documents containing the information earlier sought by the committee vide letter dated 8<sup>th</sup> June, 2021 under reference No. GMC/DOESS/CECM/ADM/VOL.1/001 which was tabled before the Committee for deliberations on 12<sup>th</sup> July 2021(*Annexure III*).

#### *2.5 Notification to the public and request for memoranda*

Section 7(5) of the Public Appointments (County Assemblies Approval) Act, 2017 provides that the Committee shall, by notice in at least one newspaper of national circulation, notify the public of the time and place for holding an approval hearing at least seven days prior to the hearing.

The Clerk of the County Assembly placed an advertisement in the Standard newspaper on Friday, 13<sup>th</sup> August, 2021 (*Annexure IV*) inviting members of the public to submit memoranda by way of written statements on oath or affidavits on the suitability or otherwise of the nominees. The submissions were to be received by Friday, 20<sup>th</sup> August, 2021 at 5.00 p.m.

### *2.6 Notification to the Nominees*

The Clerk of County Assembly through an advertisement in the Standard newspaper on Friday, 13<sup>th</sup> August, 2021 invited the nominees for the vetting exercise that was scheduled to take place on 23<sup>rd</sup> August 2021 at the County Assembly Precincts.

### *2.7 Memoranda from members of the public*

Section 7(10) of the Public Appointments (County Assemblies Approval) Act, 2017 provides that any person may, prior to the approval hearing, and by written statement of oath, provide the Clerk with evidence contesting the suitability of a candidate to hold the office to which the candidate has been nominated. By close of business on Friday, 20<sup>th</sup> August 2021 and at the time of concluding the approval hearing sittings the Committee had not received any written memoranda opposing the suitability of the nominees to hold public office.

### *3.0 APPROVAL HEARINGS/ VETTING OF NOMINEES FOR APPOINTMENT TO THE POSITION OF COUNTY BURSARY COMMITTEE*

The Sectoral Committee on Education held a pre-vetting meeting on Monday, 16<sup>th</sup> August, 2021 at 11.00 a.m. to deliberate on the approval hearings, review documents, testimonials and the following were highlighted:

That, by the deadline date of 20<sup>th</sup> August, 2021, the Clerk of the County Assembly had not received any written statements on oath contesting the suitability of all the nine nominees; In conducting the approval hearings, the Committee examined the nominees against the following criteria as set out in the Public Appointments (County Assemblies Approval) Act---

**Hon. Speaker:** County Assemblies Approval

**Hon. (Ms.) Ndeti:** Public Appointments (County Assemblies Approval) Act.

- I. Academic qualifications;
- II. Employment record;
- III. Professional affiliations;
- IV. Overall suitability for the position;

**Hon. Speaker:** On the next on, Hon. Matei, that is the actual vetting of the candidates that 3.1 just refer the Members 3.1 to the last one they will be able to look at the details of each candidate and I think from there we will go to the committee findings or recommendations. You do not need to read in other words but refer to the clauses and to whom each clause refers. For example 3.1 refers to the vetting of Mr. Sammy Musau King'oo nominee for the position of chairperson. 3.2 refers to and so on.



**Hon. (Ms.) Ndeti:** 3.1 Madam Speaker, has already gone through and thank you for the correction to avoid taking too much time.

### **3.1 Vetting of Mr. Sammy Musau King'oo**

Nominee for the position of Chairperson

The nominee also known as Sammy Manda King'oo Musau and possess ID No. 7422868. The nominee is a resident of Machakos County born in Yatta sub-county.

#### *Academic Credentials*

The nominee has the following academic qualifications:

Bachelor of Arts degree from the University of Nairobi (UoN) and a postgraduate diploma in education from UoN.

#### *Professional training*

The nominee has professional training in education.

### **3.2 Rev. Daniel Kyalo Kaveva**

Male nominee representing faith based organizations.

The nominee possesses ID No. 9345236. The nominee was born in Iveti location in Kathiani Sub-County. The nominee represents the Christian faith and is a spiritual leader at Machakos Family Chapel.

#### *Academic Credentials*

The nominee has the following academic qualifications:

Diploma in bible and theology from Ukamba Bible College.

### **3.3 Ms. Salima Swaleh**

Female nominee representing faith based organizations.

The nominee also known as Elizabeth Silali and possesses ID No. 9686856.

The nominee resides in Kathiani Sub-county.

The nominee represents the Muslim faith.

### **3.4 Mr. Dennis Musoia Mutisya**

Male nominee representing the youth in the County.

The nominee was born in Mwala location, Mwala Sub-county and possesses ID No.32479234

#### *Academic Credentials*

The nominee has the following academic qualifications:

- a) Diploma in sales and marketing from Thika Institute of Business Studies (TIBS).
- b) Certificate in information technology from Redeemed Gospel Church College.

#### *Experience*

The nominee has experience as:

- a) A field sales executive in Inter (FSI) Musoni microfinance ltd from March to June 2019.
- b) Trade development representative at Bacardi Martini Ltd May to December 2020.
- c) Sale representative at Africa Spirit Ltd from 2015 to 2019.

### **3.5 Ms Cynthia Munanie Makau**

Female nominee representing the youth in the County.

The nominee resides in Mavoko sub-county and possesses ID No.25992392.

#### *Academic Credentials*

The nominee has the following academic qualifications:

- a) Bachelor of Commerce (Human Resource Option) degree from UoN in 2014.
- b) Advanced Certificate in Education form Progressive SS, Bweyogerere Campus in Uganda in 2009.

The nominee has the following work experience:

- a) As a presiding officer with Independent Electoral and Boundaries Commission (IEBC) in 2021.
- b) As Supervisor with the National Hygiene programme (Kazi mtaani) from July 2020 to June 2021.
- c) Census content supervisor with the Kenya National Bureau of Statistics (KNBS) during the Kenya Housing and Population census 2019.

### **3.6 Ms. Purity Kavindu Mulungye**

Female nominee representing persons with disabilities and possesses ID No.35243137.

The nominee is a resident of Kalama sub-County.

The nominee provided a card from the National Council for Persons with Disabilities (NCPWD) bearing registration number NCPWD/P/59398.

### **3.7 Mr. Titus Mutua**

Male nominee representing persons with disabilities and possesses ID No.7386308.

The nominee is a resident of Machakos County born in Tala, Matungulu Sub-county.

#### *Academic Credentials*

The nominee has the following academic qualifications:

1. Certificate in accounts clerk from Karatina Secretarial College.
2. Certificate in principals of accounts from Karatina Secretarial College.

#### *Experience*

The nominee has experience as:

1. Lead facilitator Plan International from 2013 to date.
2. A business advisor in Christian Children's Fund Mwala from 1992 to 1995.
3. Member of Board of Management Kinyui Girls' High school from 2015-to date.
4. Member of Board of Management Tala Girls' High school from 2015-to date.
5. Member of Board of Management Kyaume secondary school from 2015-to date.
6. Member of Board of Management Mbiuni S.A secondary from 2015-to date.
7. Member of Board of Management Itheuni A.I.C secondary from 2015-to date.
8. Member of Board of Management Sengani AIC primary from 2015-to date.
9. Member of Uwezo Fund Committee Matungulu sub county.
10. Member of disability technical working group Machakos County.

### **3.8 Mr. Samuel Katumo Muneene**

Male nominee with experience in public administration and possesses ID No.0700717.

The nominee is a resident of Machakos County born in Kawethei location in Kangundo sub-county.

*Experience*

The nominee is a retired education officer.

**3.8 Ms. Mary Ndumi Ngau**

Female nominee with experience in public administration---

**Hon. Speaker:** Then there is one who we skipped and I think because of mis-numbering. After 3.1 for the Chairperson there is one who is named as Rev. Daniel Kyalo Kaveva. So you need to refer to them so that they are not left out of the deliberations. So just say under 3.1 there seems to be 3.11 referring to.

**Hon. (Ms.) Ndeti:** Thank you, Madam Speaker. Members 3.1 there is some confusion but under 3.1 there is the Chair Mr. Sammy Musau King'oo and there is also Rev. Daniel Kyalo Kaveva nominee representing faith-based organization.

**Hon. Speaker:** Okay, proceed now to recommendations.

**Hon. (Ms.) Ndeti:** Okay.

*4.0 COMMITTEE RECOMMENDATIONS*

Having considered the suitability of the nominees, and pursuant to Regulation 9(3) and Standing Order 190(5)(f), the Committee recommends that the County Assembly approves the nomination by the CECM County Department of Education, Skills Training and Social Welfare:

1. Mr. Sammy Musau for appointment as the Chairperson.
2. Rev. Daniel Kyalo Kaveva for appointment as male representative of faith-based organizations.
3. Ms. Salima Swaleh for appointment as female representative of faith based organizations.
4. Mr. Dennis Musoia Mutisya for appointment as male representative of the youth in the County.
5. Ms. Cynthia Munanie Makau for appointment as female representative of the youth in the County.
6. Ms. Purity Kavindu Mulungye for appointment as female representative of persons with disabilities.
7. Mr. Titus Mutua for appointment as male representative of persons with disabilities.
8. Mr. Samuel Katumo for appointment as a man with experience in public administration.

**Hon. Speaker:** Is it a man or a person.

**Hon. (Ms.) Ndeti:** They have written man.

9. Ms. Mary Ndumi Ngau for appointment as a woman with experience in public administration.

### 5.0 ACKNOWLEDGEMENT

Hon. Speaker, the Committee extends its appreciation to the Offices of the Speaker and the Clerk of the County Assembly for the support accorded to it in the execution of its mandate and the opportunity accorded to its Members to develop this report. Hon. Speaker, on behalf of the Education Committee, I now wish to present this report to this Hon. House for consideration and adoption. Thank you, Hon. Speaker.

**Hon. Speaker:** Thank you, Hon. Matei. I now propose the question.

*(Question proposed)*

Hon. Members I invite you to debate the motion. Hon. Kalumu.

**Hon. Kalumu:** Thank you, Madam Speaker. I would like to take this opportunity to congratulate the committee and indicate that I support the approval of the members of county bursary committee. However, Madam Speaker, one of the mandates of that committee is raising funds for the bursary fund and approval of applicants and beneficiaries of the bursary from ward committees. I want to say we have been having issues with bursaries and because they are here ready to take office, let them know that the task before them is big because Madam Speaker, any country that is not educated is always having issues with the rule of law.

The ground is very hot because Covid-19 came and disturbed and made people broke and the only saviour they are looking forward to see whether the county bursary will save their school-going children from secondary schools to universities and see that they will not go home. As they come to take office, let them know that we have been having issues on the fund. You remember the other day Madam Speaker we had an issue with the fund on how the requests have been made and utilized. Having known that we allocate close to Ksh. 120 million for the bursary and what we receive does not tally with what we allocate. That is one of the issues that need to be tackled by the new committee.

Another issue is that once the bursary fund is applied, some does not reach the beneficiaries; they should take note before assuming office that, this is a very hot office for them and they need to keen on what they are doing. I am sure being one of the people who were looking at their suitability, I looked them and if they follow what has been laid out by law, then we will not have a problem. What we request the Governor and the CECM concerning this sector, we want bursaries enough to educate children of Machakos County.

The other day I went to Kilifi and they allocate a substantive amount to educate their people up to Ksh. 15 million per ward.

*(Applause)*

For example, they see a student through school up to the fourth year. Machakos cannot do that because we are allocated a Ksh. 1 million per ward per term and that is a little amount. Is it possible for Ksh. 1 million to with people like in Kithimani we have 2,000 school-going children; who are very poor and destitute and their families cannot meet school fees. We even go deeper to our own pockets and help them because the bursary given is Ksh. 2,000 for 400 and there are others who are orphaned and others who their parents cannot do anything but have bright children. Madam Speaker, I request this committee because I can see the persons who have been selected by the CECM are good for the office.

**Hon. Speaker:** Thank you, Hon. Kitheka. Hon. Ndawa.

**Hon. Ndawa:** Thank you, Madam Speaker. I will start by applauding the committee more so our able Chair for coming up with such an elaborate report and also congratulate Hon. Matei for taking us through the report. I support the report and inform the House that I also took part in compiling the report because I am a Member of this Committee. We all remember this House passed a regulation on bursaries and it requires that we have a county bursary committee, so Madam Speaker, I will request the Hon. Members of this House to pass the report so that we can have these nominees in office so that we can pave way for issuance of bursaries.

Again, Madam Speaker, when we were vetting these nominees, the information as you have read from the report, the CECM---

**Hon. Speaker:** Point of information.

### **PROCEDURAL MOTION EXTENSION OF SITTING TIME**

**Hon. Mitaa:** Thank you, Hon. Speaker. I wish to rise on Standing Order 27 to request extension of time.

That aware that Standing Order 27(2) provides that the Speaker shall interrupt business at 1230 p.m. for the morning sitting;

Aware that Standing order 27(3) provides that the House may resolve to extend its sitting time;

Aware that Standing order 27(4) requires a motion to extend time to be moved at least 30 minutes before the time appointed of adjournment;

Hon. Speaker, I beg to move the motion that the House resolves to extend its sitting time until the end of business.

I request Hon. Constance Mbula to second my motion.

**Hon. Speaker:** Thank you, Hon. Mitaa. Hon. Constance Mbula.

**Hon. (Ms.) C Nzioki:** Thank you, Madam Speaker. I second.

**Hon. Speaker:** Let me have that motion that you have just read Hon. Mitaa. Hon. Members because this is a motion that has come in the middle of a debate, let us hear what it is about.

*(Question proposed)*

Members, can we have comments in that particular motion; extension of time under Standing Order 27, Hon. Katumo.

**Hon. Katumo:** Thank you, Madam Speaker. I support that motion because what we have in the floor of the House is a very important report trying to bring in and establish a county bursary committee which is very important for the bursaries. I think from where I sit, the bursaries have not been availed because we do not have that regulation and it was an advice given by our authorities to make sure that we are compliant and I think having that county committee it is very important. Therefore this debate should continue to conclusion and the extension of time is in order, Madam Speaker. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Katumo, any other Member who has a contrary opinion?

*(Question put and agreed to)*

Hon. Members, time is extended. Hon. Ndawa you can proceed.

**Hon. Ndawa:** Thank you, Madam Speaker. My second point was that, during the interrogation when the documents were brought, there is some information which were not availed and that is why we wrote so many letters to request the information. Madam Speaker, I want to report to this House that we went through the academic and all the other documents and we found that these nominees are suitable for the task we are talking about.

The other issue that we considered, Madam Speaker, is the distribution of members and we came to find out that these nine nominees are drawn from the nine sub-counties; so each sub count in Machakos County has a member in this board.

**Hon. Speaker:** Do we have nine or eight sub-counties?

**Hon. Ndawa:** We have nine because of Kalama.

**Hon. Speaker:** You considered Kalama?

**Hon. Ndawa:** Yes Madam Speaker; so every sub-county is well represented. So I want to urge and request the Hon. Members to agree with the report of the committee on education. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Ndawa. Hon. Mitaa.

**Hon. Mitaa:** Thank you, Hon. Speaker, for the opportunity. I also want to applaud the committee for coming up with this report, Madam Speaker. I have only one concern on the mandate of this committee; under (c), one of the mandates is to raise monies for the fund. I am not getting it right how this committee will be mandated to raise funds because I believe there are channels through which the county can raise funds and if at all the committee is supposed to raise some funds, my feeling is that it needs to be very clear and well defined to what extent the committee can raise funds.

Again, Madam Speaker, matters related to funds, this House is the one which has authority to approve how the funds can be utilized. My feeling is that we need to get more information either from the Chair, the committee or from the Executive, to what extent this committee is supposed to operate.

**Hon. Ndawa:** Point of information.

**Hon. Speaker:** I am sure Hon. Ndawa you must be referring to the regulation as passed?

**Hon. Ndawa:** Yes.

**Hon. Speaker:** What you need to do and I appreciate that issue raised by Hon. Mitaa. It is unclear because any member can go round holding a bucket or a plate; please give money, please give money. That is not what we intended but time maybe that the House may need to review that particular clause because I am also not sure how to went on the oversight of the funds raised by this House. It could be considered in a proper forum of the House.

It is already a legislation that is passed so if it is to be changed it has to come again to this House and Hon. Mitaa, maybe you could lead that effort perhaps through Hon. Kiilu's committee. You can raise it up and we see if we need to recall the regulations and amend as necessary.

**Hon. Ndawa:** More information, Madam Speaker.

**Hon. Speaker:** More information. Hon. Ndawa.

**Hon. Ndawa:** Thank you Madam Speaker. I have also noted the concern of the Member and it was also raised by Hon, Kalumu. I would wish to request the House to substitute that word with 'request'. The board will be requesting for funds.

**Hon. Speaker:** Is that what the Regulation says?

**Hon. Ndawa:** Yes, not sourcing.

**Hon. Speaker:** Can we have the Regulations because there is already an existing legislation. So maybe if it was wrong capturing of what the Regulations say, we can correct it here. If it is citing the regulations as they are, then that is a point for amendment of the Regulations. Table Clerk we need that; as we go on we need to confirm that position. We had Hon. Johana and let us have the Regulations urgently.

**Hon. Munyao:** Thank you, Madam Speaker. I support this report on the vetting of the nine nominees for the appointment to the position of the County Bursary Committee. I am totally in agreement with some of the contributors that the nomination considered whatever has also been cited in the legislation which guides on the nomination of such nominees in terms of gender representation that was well considered. Also the regional representation and again I have also seen that in terms of the faith, it tried to consider the different faiths.

Madam Speaker, I also echo the issue touching on the raising of funds. I still want to insist because it is coming up from the Bills that we are passing in this House, that as we come up with very nice Bills and Acts which call for taking care of our people in terms of empowering them. We strongly sit as a House even the Executive to ask ourselves on the sources of funding; just to quote on a Bill which I am sure I am not diverting from the business of the day which we were conducting public participation on, for example the Machakos County Senior Citizens Bill and how to fund them. The question has always been- are we ready to raise funds.

So it is my prayer that any fund we discuss here, our main question should always start with, which are the possible sources of funds. With the bursary we have been getting some challenges in terms of consistency, the poverty levels. We have high demand in the school-going children and the level of poverty in our county that we have very needy cases and whatever we are giving out is really not assisting our people and is not impacting as required.

So I would suggest that we sit as a county and ask ourselves on how to raise funds to cater for education of our children so that this committee, as it commences its operations, it is also empowered and it has resources, it can sit frequently and distribute monies to our children so that it is not just there to be seen but to work and serve our people. So, Madam Speaker, I appreciate the good work done by our committee in the vetting of this team and it is my prayer that very soon we are going to witness it doing its first sitting to distribute bursaries maybe in the next one month because we have a lot of outcry in terms of children who are sitting idle at home without attending schools and given that the Ministry of education's directive is 100 per cent transition to form one.

Given that the calendar of the current curriculum which was distorted due to Covid-19 were terms are only separated by holidays of one week; it is very messy and there is need for us to address this with the urgency it deserves. Thank you, Madam Speaker. I support.

**Hon. Speaker:** Thank you, Hon, Johana. Hon. Majority Leader.

**Hon. Muendo:** Thank you, Madam Speaker. Let me also applaud the committee on education for the good work they have done. These Members I can see they are all qualified and that is why I am saying the committee did a good job but what I would say is that now we have this bursary committee, they should do a proper and clear mapping to know exactly how many



school-going children we have in the county and that has been lacking. I think this Committee is going to do a job and it must also raise a concern on the amount we are getting from the Executive. Indeed if they consider what we have been receiving, I think we have been receiving very little towards the bursaries.

Madam Speaker, it happened during the recess I went to Turkana to do something and I interacted with two of the Members and I wondered whether we are living in the same world. The bursary in Turkana, they are taking it from Nursery school all the way to the university. I asked them about the law and they said for them they are educating those kids for free and whoever wants to know much you talk with the people of Turkana and you can talk to the Speaker, Madam Speaker.

I am speaking about a reality which I have not seen; from standard one up to university so free education in Turkana. I think this committee which has been formed can go for benchmarking and know how the Executive is giving money to educate the school-going children from standard one up to university for free. This committee will face it tough because we are receiving Ksh. 1 million, in the last financial year we only received Ksh. 800,000 and it was not even a million.

This amount for a ward.....i did calculations and left the cheques to be distributed by the ward administrators because I had 3,000 school-going children in my ward. When you divide Ksh. 800,000 by 3,000, you can see how much a kid will get. In Machakos, we are not doing well in bursaries. Other counties are giving twice a year and I hope this committee is going to look at those things which have been making Machakos not to move well on bursaries.

Secondly, sometimes in Machakos when we have bursaries politics come in. Madam Speaker, in the last bursary we disbursed we were learning the cheques have come, they are being distributed and we were not involved. I think it is only Members who know where the kids who are suffering are from and the families which need; you cannot distribute the bursaries equally because there are some kids who come from very poor families and need to get more than the others. So, Madam Speaker, this committee is going to have a lot of work and if they are honest they are going to streamline the bursary issuance in Machakos.

I support the committee report because they have done their work; it is now the work of the bursary committee to do their part. Thank you, Madam Speaker.

**Hon. Speaker:** Thank you, Hon. Majority Leader. I have been waiting for this Regulations; Table Officers please ensure every time we have a motion all the laws related to that motion are with you on the Table because we are almost voting on the motion and we do not have the Regulations. We want to clarify on that position so that we do not leave it out.

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

I am being told that the Regulations are not available at the moment and that is not any excuse really. I will take it up with the Table Office later but for purposes of confirmation on whether it is raising money or requesting for money, that is a matter we have agreed we confirm on a later date because it is still hanging. It will be guided by what is in the Regulations. So I call upon the mover of the Motion to reply. Sorry Hon. Kiilu you where to say something.

**Hon. Kiilu:** Thank you, Hon. Speaker. Thank you very much Hon. Speaker for the opportunity and thank you Hon. Ndeti for stepping in; I was committed elsewhere and it was very important. Hon. Speaker, as I make my comments, let it not go unnoticed that I have done a lot of benchmarking on the ECDE issue, the feeding program in Mombasa, Kericho and elsewhere. Allow me to say that you are one of the most-keen Speakers that I have ever seen because as I noticed the typo when one Member was missing you had seen it already so congratulations for that.

Allow me to sincerely congratulate my team, the Members of education committee because they have been participating fully in almost all the sittings. I rarely missed more than two members during those sittings and I want to congratulate that group and that is the reason why you realize that since the Members were so committed we had to go further and enquire for more information simply because we used to go into details of what these Members had provided. Therefore I wanted to congratulate the Members for the job well-done.

Allow me to concur with the Majority Leader that during my move to these benchmarking visits, I realized that some counties give a lot of money for the bursaries like Ksh. 15 million, Ksh. 10 million and so forth. I tried to enquire from the Chief Officer on the same and what I want to promise the House is that we have decided to now hold the committee by horns; we need to sit with the Chief Officer, the CECM and those members so that we are able to get enough bursaries for our Members here.

We have had issues with the issuance of the bursary. As the Majority Leader has said, at times you are given the bursary, other times it is done by the ward administrators like the previous one even mine was given by the ward administrators because I was not there. So, allow me to concur with the Members that the shortfalls that are there we are going to address them Hon. Speaker. Thank you very much, Hon. Members, for supporting the report and thank you, Hon. Speaker.

**Hon. Speaker:** Hon, Kiilu on the point of the role of the ward administrators, you will stand guided by what the Regulations provide when I look at them it is the Chief Officer who is the secretary to the committee and it does not provide whatsoever for a ward administrator. So it is about us doing the right thing because we have the laws and it is about implementing the laws as they are on the composition of the committee.

**Hon. Kiilu:** Thank you, Hon. Speaker. I wanted to say that it was done the right way; therefore my comment is that we are going to correct that.

**Hon. Speaker:** Now that we have a committee in office.

**Hon. Kiilu:** Yes. Thank you.

**Hon. Speaker:** I call upon the mover of the motion to reply. Hon. Helen you are still the mover of the motion.

**Hon. (Ms.) Ndeti:** Madam Speaker and Hon. Members, I wish to thank each and every one for your contribution in this very important motion that touches on bursaries for our children. On behalf of the Chairman Hon. Kiilu, we appreciate your comments and whatever other comment might have been discussed we shall make sure that it is implemented. Thank you.

**Hon. Speaker:** Thank you very much, Hon. Matei.

*(Question put and agreed to)*

### **ADJOURNMENT**

**Hon. Speaker:** Hon. Members, at this point the sitting is adjourned to continue on 22nd September, 2021 at 2.30 p.m.

The House rose at 12.25 p.m.