

REPUBLIC OF KENYA
COUNTY ASSEMBLY OF MACHAKOS
OFFICIAL REPORT

Wednesday, 22nd December, 2021

The House met at 2.50 p.m.

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

PRAYERS

PETITION

**NON-PAYMENT OF MACHAKOS LEVEL V HOSPITAL
CLEANERS CONTRACTED BY DIANA KING INVESTMENT**

Hon. Deputy Speaker: Hon. Members, under this Order we do have a Petition which has been received in the office of the Speaker and I am going to give details on it. The Petitioners are cleaners of Machakos Level V Hospital working under a contracted company by the name of Diana King Investment. The Petition was submitted to the County Assembly on the second day of December 2021 pursuant to Article 37 of the Constitution of Kenya 2010. Section 15 of the County Governments Act 2012 and Standing Order 194 of the County Assembly of Machakos Standing Orders.

Hon. Members, the Petitioners have raised the following grievances:

1. That they have not received their salaries for up to eight months as at the date of the Petition.
2. That neither the department of health and emergency services nor the contractor seems concerned on the accrued debts even after the cleaners sought to know their fate.
3. That some of the hospital cleaners have been arrested while questioning on delayed salary payments.
4. That the cleaners are currently on strike because of the unpaid salary arrears.

The prayers of the Petitioners, Hon. Members, to the Assembly is that the Assembly sees to it that the contractor pays the Petitioners their due salaries. Standing Order 200 provides that the Speaker, may allow comments, observations or clarifications in relation to a Petition presented or reported and such time shall not exceed 30 minutes.

Further, Standing Order 201 provides that every Petition presented pursuant to this part shall be committed to the relevant sectoral committee. So before I commit this Petition to the relevant committee, I would like to, as I have noted there, open it up for Hon. Members to

comment on this Petition which we have received in regard to this cleaners of Machakos Level V hospital. You may comment for those who wish to comment. Hon. Judas Ndawa.

Hon. Ndawa: Thank you, Mr. Speaker, Sir. Mr. Speaker, on the matter before the House, I want first of all to start by saying sorry to the aggrieved parties or the party that has filed this Petition. Mr. Speaker, it is evident that things are not working in our health facilities and this is a problem which is cutting across the entire County. Mr. Speaker, it is not fair for somebody to be given a certain task to perform at an agreed consideration and the other party which is the appointing authority fails to honour its obligation.

Mr. Speaker, I want to agree with the Petitioner or the Petitioners that they need to be paid their dues because if you engage somebody and you do not pay him or her for eight months and that particular person has a family, that particular person maybe is staying in a rented house; how do you expect that particular person to manage his family because you move out of your house to go and work so that you can get something that will sustain you in your life. Mr. Speaker, there is laxity and when we say there is laxity we are not fighting anyone. In most cases when we say that there is laxity in a certain department, we are seen as if we are fighting but this time we must say it clearly.

There is laxity because when we pass the budget here the department of health was given the lion's share.

(Applause)

Mr. Speaker, it is very shameful if our clients or our patients the moment they get into the compound of the facility they are required to go and maybe buy gloves somewhere so that they can be given services. This is something that is happening in almost all of the facilities starting with Matuu where I come from, Mr. Speaker. It is very unfair we are also in the social media and we see how our clients, how our electorates are complaining about poor services in our facilities.

Right now as we talk the ambulances do not have fuel. The Hospital no drugs...last week I used my own vehicle to transport a patient who was knocked down by a motorbike and sustained a very serious injury on the head. I had to transfer that particular person from Matuu to Machakos then from Machakos after the x-ray was done I was required to take the patient to Kenyatta National Hospital.

That is a duty that is supposed to be done by the county and the department of health which now we are doing for ourselves. Mr. Speaker, we request the government, that is the Executive that is the department of health to address the issues of health in our facilities. There was a time my hospital that is Matuu was almost closing and I had to write a letter to the Governor because some of the services had already been withdrawn. The contracted clinical officers had already withdrawn. The people who supply food within the facility had already withdrawn their services.

Those who clean the hospital had also withdrawn so if the hospital can remain for five days without being cleaned it means that is now not a good place for patients to visit because they can contract even more serious diseases than the one bringing them to that facility. So Mr. Speaker, I agree with the Petitioners and request the county government of Machakos to ensure that those workers are paid. I believe there is that Diana King Company which is given that work to do. If the owner of that particular or the director of the particular company is also obliged to

pay the workers because the workers who are complaining now do not have any contract with the County; it is Diana King who has contract with the county.

So we are requesting that particular director to ensure because before you get any contract you prove that you have the capacity to sustain that contract. So we are requesting Diana King to ensure that he pays the cleaner and I am also advising the cleaners; if you employ somebody and you do not pay that is a criminal offense. Let them also report to the police so that that particular director is also arrested. If he is not arrested we need, to confine him in what we call civil jail and pay for his food to stay there so that whoever is a friend to him will come and pay and rescue him. Mr. Speaker, we should not allow this madness to continue while we watch.

(Applause)

Lastly Mr. Speaker, because I might not have an opportunity to speak again in this House before we go home, I would like to take this opportunity to wish the Machakos residents and Matuu electorates a Merry Christmas and happy new year and remind them as we celebrate Christmas we also remember that January is coming so we save something for the kids to go to school in January. Thank you very much, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Judas Ndawa. Hon. Mueni.

Hon. (Ms.) Mueni: Thank you, Mr. Speaker. Mine is to say that in the general hospital there is nothing going on there. When you go there to deliver a child, you are told to go and buy everything even the Panadol and drip given to women to give birth fast. I went there and Mr. Speaker, what I was told to go and buy everything even the sweepers said they are not working because they are not paid and the contract is being owned by our Executive. Even when they are given money, it is taken before he or she receives the money.

So there is a cartel which is going on there even if there are some people who can record me the Executive is the one having the money. It does not reach the contractors to be paid. So what is there, you check who are taking the money so that our people can be suffering. There are some people who are going there from *Mheshimiwa* Kibauni and they cannot give birth because they are not having the medicine to be helped to push the kids.

(Laughter)

So it is very unfair even if you went there you would cry. A woman is staying there for three weeks having no medicine to be given to push the child. So shame on the Executive!

Hon. Deputy Speaker: Thank you, Hon. Mueni. Hon. Patrick Kituku I would like you to relocate; there are Covid rules in place. Could you come and sit there is an empty seat right here because there has to be maintained the normal distances. Hon. Patrick Kituku please there is a vacant seat here you can be able to sit.

(Hon. Kituku relocated to another seat)

(Applause)

Thank you, we must maintained Covid rules and regulations at all times. Hon. Member. Hon. Kieti.

Hon. Kieti: Thank you, Hon. Speaker. Mr. Speaker, I think the Petition that has been brought by the workers who were in Machakos Level V I think they have a right to do so. And it is not just level 5 hospital even Level IV hospital like Kathiani; the workers also went on strike because of non-payment and if members can remember just the other day we were discussing about the CHVs whom we know we allocated a budget for them to be paid and have to now they have over 20 months without getting their pay and it is still within the same department and considering the circumstances which these employees go through when they are cleaning the hospitals as Hon. Ndawa has said, chances of getting infection are very high and when you look at the attire which they use in fact they do not have the right attire in most cases.

So they are exposed to a lot of danger when they are working and then at the end of it all their pay is not forthcoming. So Hon. Speaker, this is a matter which we need to consider and the committee that is in charge of that Petition needs to move fast so that we push these people to ensure that our workers are paid their dues and it was very unfortunate that the workers went on strike today and the following day they hired casuals which means they still had money and that is very unfair under any circumstances. You cannot fire somebody and then in the following morning you have hired somebody else. Meaning you are just misusing the employees so Hon. Speaker, we need to move fast and assist our people. Thank you.

Hon. Deputy Speaker: Thank you very much. Hon. Kisini.

Hon. Kisini: Thank you, Mr. Speaker. Mr. Speaker, it is a very sad affair that people can go without being paid salaries for eight months. You can just see that situation is very bad and then we can also see the situation of the Hospitals when there are no cleaners. Mr. Speaker, it is very pathetic, it is very bad. I don't know if it is the Executive which has failed to pay the contractor or it is the contractor who has failed to pay the workers. Mr. Speaker, you can see the consequences of all this when the hospital is not cleaned and bearing in mind the times we are now in, the time of the virus, the time of the flu and then we add up a health hospital which is not cleaned.

So, Mr. Speaker, I do request that we take the most immediate measures to rescue the situation. While we were at school, at a closing time, we used to say; I will close with you so let us close with this one. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you. Hon. Alex Kamitu.

Hon. Kamitu: Thank you very much, Hon. Speaker. Hon. Speaker, this is a very noble Petition, is a very good statement in regard to Petitioners who have not been paid for eight good months at generally in our Level V hospital Machakos. Hon. Speaker, with a lot of honour, I will take up this matter in regard to finding out:

1. If the contractor was paid.
2. In this statement, it is very clear that these are not county employees; they are casual workers being paid by one individual contractor.

So my main promise, Hon. Speaker is---

Hon. Deputy Speaker: Point of information from Hon. Mueni.

Hon. (Ms.) Mueni: Thank you, Mr. Speaker. The money comes from the government; nobody is paid from his pocket, so the government has to give the contractor the money.

Hon. Deputy Speaker: Go ahead, Hon. Kamitu.

Hon. Kamitu: Thank you very much, Hon. Speaker and my Hon. Sister Mueni. She is not getting my word; I am saying I want to find out if the contractor was paid by the county government so I am not denying. So there are two issues that I said; these employees are casual who were being paid by a contractor who is contracted by the county government, so as I said as a Leader of Minority and as the eyes of the Government in this Assembly I am going to check whether the contractor was paid by the County Government and define that these are not county workers. So that is exactly as I have said and bring a report.

If the contractor was paid I will bring the same report that on this date he was paid and if he has not been paid I will still bring the same report that he was not paid.

(Applause)

On that regard and on a humanitarian grounds, Hon. Speaker, it will be very bad if this contractor has not been paid by the County Government, but if he has been paid then this House will take action same as if it is going to take the same action if the County was given money and it did not pay the contractor. So I am going to take up that issue and I will bring a report to this House any time that I am told to bring. Thank you, Hon. Speaker.

(Applause)

Hon. Deputy Speaker: Thank you. Finally, Hon. Betty.

Hon. (Ms.) B. Nzioki: Thank you, Mr. Speaker. Hon. Speaker, I stand here just to contribute on this issue about the Petition that has been brought in the Assembly. Hon. Speaker, I can say it is unfortunate and on a human background, it is ungodly if people can deliver services to our hospitals and they cannot be paid. Hon. Speaker, this is a cry that is going within our county not even Machakos Level V. Hon. Speaker, when the Petitioners wake up every morning coming to work, they clean up those hospitals, some things that are being done even some of the rooms that are being cleaned even as a human being you can be surprised you go there they don't have gloves, you go to the labor wards, nothing is happening and they are cleaning up the blood and unfortunately they are not paid. What are we doing as a county?

This is something I want to say to the Executive leave alone us who can take care of ourselves even as Hon. Members. When they wake up every morning going to work even to provide for their own families at the end of the month they are not getting anything, on a humanitarian grounds these people make our hospitals clean even the toilets themselves and sometimes you can go there and find pathetic things there but they normally do it because at the end of the day, they are giving service to our people but they are not being paid.

Hon. Speaker, this is my humble request to the Executive; if they have not paid the contractor, let them pay and I can remember very well when we were passing this financial year budget, we gave a lot of money to the health department so that they can cater for our people. It is the same cry that our CHVs up to now they are not paid and we are just still here saying that we don't have money, we have given the budget and still that is under health.

What are we doing as a County not as an Assembly? Hon. Speaker, for me I can say it is ungodly and one thing I believe in, the Bible says the measures that you normally give to a person will come back to you even more that the way you gave it to your partner. It is unfortunate and I want to support these Petitioners and it is good for the Governor to come out and hear the cry of these families and the cry of these people.

Other than anything else, let us have that humanitarian heart and that Godly thing because this is something that, I don't know even we are not supposed to be here discussing issues of Petitioners petitioning for being unpaid and to make the matters worse they are cleaners of the hospital. It is unfortunate!

So, Mr. Speaker, it is my humble request us as an Assembly, let us play our role, let us do what we are supposed to do and then the rest we leave it to the Executive, but this is the high time Mr. speaker we need to stand for our people, we need to give justice to our people. So, Hon. Speaker, let the committee do what is supposed to do and us as an Assembly and the Executive as well. The way Hon. Kamitu has said let him enquire and we know where the problem is because this is ungodly. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Betty, for that submission. This Petition is hereby committed to the committee on labour, ICT and public service. This committee has 60 calendar days to consider and table a report on the Petition to this House pursuant 201(2). Hon. Alex Kamitu you will work with this Committee the information you are seeking you will present it before the committee so that the committee can include your findings in their report before they bring it before the House.

One thing which I have observed personally from the comments made by Hon. Members, Hon. Kieti mentioned that as soon as these workers were stopped, Diana King Investment engaged casuals and started paying them. So I do not believe is an issue of money; if you find out that if he had money to pay the casuals, then definitely he should have had money to pay these workers who have been demanding.

(Applause)

If Diana King Investment has been consistent now maintaining casual workers in the hospital whereas he has a debt outstanding here of people who worked because I would like to imagine that these maybe the same people who are being deployed during the Covid time to clean areas like the stadiums and areas like that, and if these were the same people who were working there and you are not paid and the kind of exposure you are giving yourself and even exposing your family by going to clean in those areas; your family back home, you are risking contracting Covid and passing it over to your own family and at the end of the day you don't get your fair consideration of what you are doing.

That I think is something which needs to be looked at quite deeply and investigated and detailed report be brought before the House so that necessary actions can be taken. Thank you.

STATEMENTS SOUGHT

Hon. Deputy Speaker: Hon. Members, under this Order we have three Statements. The first one is to be moved by Hon. Moses Mitaa, the second one is going to be moved by Hon. Justus Katumo, and the third one is going to be moved by Hon. Antony Mulu, vice chairperson Trade Committee.

MANAGEMENT OF THE COUNTY HEALTH FACILITIES

Hon. Mitaa: Thank you, Hon. Speaker.

Hon. Speaker, Chapter six of the

Constitution of Kenya, 2010 provides for the guiding principles of leadership and integrity. Further Section 148(3) of the Public Finance Management Act, 2012 provides that a County Executive Committee member for Finance shall ensure that each County Government entity has an Accounting Officer in accordance with Article 226 of the Constitution. Section 149(1)(a)(b) further states that an Accounting Officer is accountable to the County Assembly for ensuring that the resources of the entity for which the Officer is designated are used in a way that is lawful and authorized, effective, efficient, economical and transparent.

Hon. Speaker, pursuant to Standing Order 41(2)(c) I wish to seek the following Statement:

1. How much funds the County Hospitals have received from the National Hospital Insurance Fund (NHIF) for the last three years and how the funds are utilize? The response should be accompanied by documentation.
2. This Hon. House enacted the Machakos County Health Services Act, 2019 which provides for a framework of ploughing back funds collected as user fee charges in Health facilities. Why is it that implementation of this Act has never been done because currently funds collected from these facilities are banked in the County Revenue Fund Account and never ploughed back to benefit the same facility?
3. Provision of grants received at Machakos Level V hospital for the last three years. The response should be accompanied by documentation.

Thank you, Hon. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Moses Mitaa. As is custom again I would like Members to comment; if there is any Member who wants to comment on this statement which is being sought? Anybody who has a comment on this or can I commit it to the committee? Hon. Kingori.

Hon. Kingori: Thank you Mr. Speaker, I want to thank the Member for seeking for that Statement because it is long overdue. I also want to add that we also need to know whether the CECM have already brought the Regulations to operationalize that Act because it seems that when we do Acts here, Regulations are not brought for implementation purposes. Thank you, Mr. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Kingori. Hon. Thomas Mutinda.

Hon. Mutinda: Thank you, Mr. Speaker. I thank the seeker of the Statement Hon. Mitaa for this good Statement and say that it is unfortunate that we are in this situation where such monies are banked in the County Revenue Fund because the moment you bank in the Revenue Fund, then automatically they will be transmitted to the Central Bank Nairobi. So it should be taken seriously that any Act approved by this House should be implemented.

If we have an Act to that effect and other Acts not only that one which are not being implemented, then I think this House has to move a notch higher and ensure that we implement these Acts because if we do not implement them then we can also term ourselves as also wasting public money if we are paid to implement this and we do not implement, so let us move with speed and make sure this people are helped.

Mr. Speaker, it is not only in this facility there even others down there, they borrow foods but they do not pay because the transmission of the funds it is like the facility has no control. During borrowing, the facility is in the face of the work but when the invoices are brought then they start chasing up such invoices. It also turns down our image because when we are here and these things start happening then as we walk you are asked; what are you doing on this. So, Mr. Speaker, I urge that we see to it that these things take place so that our people do not continue suffering.

These Level V grants and others should be here to complement whatever funds we have here and the system of accessing the funds should be easier because as it is today gloves are not available, it is Covid time and we are here. I think that it is important that Mr. Speaker, that the staff are helped and the people of Machakos benefit from these funds. Thank you, Hon. Speaker.

Hon. Deputy Speaker: Thank you very much, Hon. Members. Hon. Ndawa.

Hon. Ndawa: Thank you, Mr. Speaker, Sir. In supporting the statement I would request if we can also include in that Statement the issue of disbursement of monies to the facilities because when we passed the budget here we allocated Level IVs monies and also Level V. I remember very well Kangundo was given over Ksh. 12 million, Matuu was given over Ksh. 12 million, Kathiani and Mwala Level IVs.

Mr. Speaker, from the facility we are getting information that they only received money once, so I would request if we can also include in that Statement that they can also share information on how they are disbursing monies to those facilities because facilities are suffering and there is no need for facilities to lack equipment when we have funds. Thank you, Mr. Speaker, Sir.

Hon. Deputy Speaker: Thank you, Hon. Judas Ndawa. So this statement which is seeking the following:

1. NHIF funds and how they have been utilized with supporting documentation.
2. The enactment of the Machakos County Health Services Act 2019 which was done; whether it is being implemented and why the user fees are not being ploughed back into the facilities.
3. Grants which are received especially Machakos Level V receives over Ksh. 380 million every year for Level V support; how they are being utilized.

4. The amounts which are budgeted for in the various facilities; how are they being disbursed to the various facilities for utilization.

I commit this Statement to the committee on Health and Emergency Services and it should revert back to this Hon. House this being an Health matter within the next 30 days so that we can be able to get to a logical conclusion on most of these issues. I personally do not understand how you are in charge of something as delicate as an hospital and you are sitting in the head office in Level V or wherever you are and you have not disbursed funds for food or cleaning or anything to a facility like Matuu, a month goes, another month goes what do you expect them to be doing?

This things are being utilized, they are handling patients, there are people who are admitted there, they are eating there, they are eating food all this things which are being done how do you expect them to be happening if you are not dispersing funds ? This reminds me that when we are in the process of reviewing the budget, it is actually the Budget committee which returned back to them the budget they had brought because they had not allocated operative expenses for all the facilities, everything had been lamped in Machakos Level V hospital and all those Level IVs and Level IIIs had 0 in them.

We had to tell them to go and re-allocate those expenses again accordingly in the various departments. So there is something which needs to be done in as far as the accounting of these funds and as far as handling of health matters is concerned. The health committee needs to take charge of this Statement and ensure they bring back the Statement to this Hon. House. The next statement is by Hon. Justus Katumo.

DISBURSEMENT OF DEBT RELIEF WORTH KSH. 176
MILLION TO MACHAKOS CO-OPERATIVE UNION

Hon. Katumo: Thank you, Hon. Speaker. This is a statement of payment induced to farmers of Machakos Cooperative Union. Hon. Speaker, according to a newspaper dated 4th October, 2017, Machakos Cooperative Union was includeD in a debt relief to coffee farmers for outstanding loss amount in Ksh. 176,250,504 from the ministry of Industry, Trade and cooperatives. Guided by the ruling made by Justice Pauline Nyamweya on 3rd February, 2011 which directed the Ministry of Finance to avail the list of all farmers in Machakos District Cooperative Bank within 90 days and the amount withheld from Machakos farmers and aware that between 1993 and 2011, they disposed off property worth Ksh. 640,300,000.

Hon. Speaker, Pursuant to Standings Order 41, I wish to seek a Statement on the following; That the Machakos Cooperative Union provide the Assembly with documentation of information on how the above stated amount was disbursed to the Coffee farmers in Machakos County. Thank you, Hon. Speaker.

Hon. Deputy Speaker: Hon. Members I believe this issue we have exhaustively discussed in the morning and that is why it has been brought back as a Statement. It is seeking to find out what Machakos Cooperative Union did in reference to the amount of money Ksh. 176,250,504 which was given to the Ministry of Industry, Trade and cooperatives for outstanding loans as guided by the ruling by Justice Pauline Nyamweya of 3rd February, 2011.

It is noted that the Cooperative Union had earlier on in the 90s disposed off property worth over Ksh. 640 million which moneys was supposed to be used also in settling accounts for especially those farmers who had bank accounts with the defunct Cooperative Union and also

those who had outstanding dues from them and therefore this Statement, I commit it to the committee of Agriculture and Cooperatives so that they can be able to investigate these issues thoroughly and bring back a report to this House within the next 60 days.

Hon. Mitaa, I do believe that this falls under your docket. Please go ahead and find out and see whether our farmers can be able to get their fair share of these monies or what happened to the monies after they were disbursed. Thank you Hon. Mitaa. Hon. Antony Mulu.

EXTENSION OF TIME ON PETITION PROBE ON RESUMPTION
OF THE WHOLESALE MARKET TO MAVIVYE AREA

Hon. Mulu: Thank you, Hon. Speaker. It is a Statement on extension of time.

Aware that the committee on Trade, Economic Planning and Industrialization is established pursuant to the Standing Order 190 of the Second Schedule of Standing Orders which defines its mandate as follows; to deal with all matters related to the Economic Planning, Trade Development and regulations including the market trade licenses, excluding regulation of professionals, fair trading practices and statistics;

Aware that the County Assembly received a Petition of the Mavivye market by the Mumbuni location residents which seeks the resumption of the wholesale markets to Mavivye market. Noting that the Petition was committed to the committee on Trade, Economic Planning and Industrialization on the 16th August, 2021 for the investigation and eventually tabling before the House within 60 days which lapsed on 25th October, 2021;

Further aware that the committee is yet to undertake a site visit to the market to ascertain the availability of land for construction of a habitat exlaimed by the Petitioners and as well as visit the Machakos Marikiti market to observe the normal operations during market days, the committee also resolved to invite the Municipality Manager, municipality committee and wholesalers committee to hear their views.

Hon. Speaker, I wish to seek extension of time to enable the committee complete the above tasks. Thank you, Hon. Speaker.

Hon. Deputy Speaker: Thank you, Hon. Mulu. I think this is a straight forward item where they are seeking for extension of time, mine is just to note that from 16th of August, 2021, you are seeking for extension of time in December and I urge this Committee and its Members to take committee work seriously because if an item was committed to a committee on the 16th of August, 2021 and we are now closing the year and it has not yet been actioned, then there is some failure on the part of the committee.

I therefore direct that this committee looks at this item and brings back a detailed report to this House. Whatever needs to be done let it be done but I would request the house to get a report on the second week after we report back; what dates are those? So if it means working over the long holidays or early in January, do your site visits then do it and ensure that we have a report on or before the 1st of February, 2021 because we are resuming on 25th January, 2021.

So let me say the first week of February, we need to be able to get a report before this House on this specific item. I have seen the committees everywhere take a site visit to the market to ascertain availability of land for construction of an abattoir and I think the most important thing for this committee to be going to ascertain..... this comes from my area and that is why I

have information on it; is to go and ascertain the facility which is in place in Mavivye already in existence which has been constructed by money from European Union, a huge facility which is sitting there un-utilized.

The second issue is the construction of an abattoir in the area and where the land has been provided for that and then you have talked about looking at Marikiti and how the place is normally crowded especially during market days. Hon. Members, I wish we could be able to visit Mavivye; it is not very far; the committee should go and visit and see it is a huge facility where the European Union spend more than Ksh. 30 million in constructing it, putting hotel facilities there and everything in place to facilitate it to be a market place.

The market had been moved there only to be relocated back again to Machakos town for reasons which only the Executive can be able to explain. It will be important for the committee to handle this with the urgency it requires because people and business have suffered and people have gone through loses as a result of that relocation of the market. I therefore order that we offer this extension to 1st of February, 2022. Thank you very much.

MOTION

ADJOURNMENT FOR LONG RECESS FROM 23RD
DECEMBER, 2021 TO 25TH JANUARY, 2022

Hon. Deputy Speaker: Hon. Members, under this we have one business which is going to be moved by Hon. Alex Kamitu on behalf of the Majority Leader.

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

Hon. Speaker, that aware that pursuant to Standing Order 25(1), the Assembly approved an Assembly calendar on 10th March, 2021 and amended it on 26th May, 2021 and further amended it on 30th November, 2021;

Aware that the calendar provides for the sittings and recess for the House;

Noting that the fifth session of this Second Assembly began on 9th February, 2021;

Aware that crucial business has been transacted during this session including consideration of the Machakos County Environment Management Bill 2020, the Machakos County Abattoirs Bill 2020, the Machakos County ECDE Policy; among others;

Aware that Standing Order 25(3) provides that on a day when the Assembly is scheduled to adjourn to a day other than the next normal sitting day in accordance with the Assembly Calendar, the Leader of the Majority party or Minority party or any member of the House Business Committee shall move a motion of adjournment which shall be debated for not more than three hours after which the Assembly shall adjourn without question put;

Hon. Speaker, I wish to move the motion THAT pursuant to Standing Order 25(3), the

House adjourns for the long recess from Thursday, 23rd December, 2021 and resume its sittings on Tuesday, 25th January, 2022 as per the Assembly calendar.

I call Hon. Moses Mitaa, the Majority Whip to second the motion.

Hon. Deputy Speaker: Thank you, Hon. Kamitu. Hon. Moses.

Hon. Mitaa: Thank you, Hon. Speaker. I want to second the motion and take the opportunity to give my input; that it is important we take the recess. Hon. Speaker, as you have noted, we were supposed to go on recess on 8th December and today is 22nd of December and we have delayed due to backlog of work which we have cleared and we will be away for only a week because we have a very important business ahead of us of SEKEB.

Hon. Speaker I am aware that from 4th January, 2022, we will again go for public participation for a week and we will have another week to do reporting and then the following week we will be back. In fact, it is not a recess; it is a working recess because we will only rest for one week. I also want to take the opportunity to wish my colleagues Merry Christmas and a Happy New Year and we take care and observe Covid rules. Thank you, Hon. Speaker.

Hon. Deputy Speaker: The Hon. Member, has commented before I proposed the question and because he was so passionate, I took it as part of the seconding.

(Question proposed)

Hon. Members, you may comment on the motion. Hon. Justus Katumo.

Hon. Katumo: Thank you, Hon. Speaker. I want to say that I really agree that it time we take this break; it has been a long year, we have done a lot and it reaches a time we need to rest and be together with residents and families. This might be the last long recess and it is good to go and reflect and live well with our electorates and see what they are saying. I think it will be a good moment for us to reflect and also think through what did Jesus Christ did during these festive of season and if we have done a lot of sins we really need to look at ourselves and make sure before we jump into 2022 and as we come back we are refreshed for yet a new session that we are going because I know next year will be a lot.

I also want to take this opportunity to thank Members in this Hon. House; we really did a lot and it is always good for us to look back and reflect like I have said. We need to reconcile ourselves to the fact that as we do have our business in this House, there are many challenges that we might come across and it is good as we go out there and reflect to forgive one another, pray for each other and wish for each one of us so that as we come back we are reading from the same page. Therefore I support this recess; it is long overdue and we deserve it as Members. Thank you, Hon. Speaker.

Hon. Deputy Speaker: Thank you. Hon. Judas Ndawa.

Hon. Ndawa: Thank you, Mr. Speaker. Again I want to air my views on the motion before the House and say I am supporting the motion 100 per cent. I want to say Machakos County Assembly is the only committed Assembly within the Republic of Kenya. Why? All the 46 counties are at home for the last two weeks. The National Assembly was summoned today to come and deliberate on an issue but because Machakos MCAs are very committed, we have offered our time to continue serving our electorates.

So I would like to thank my colleagues and the entire administration for being committed and passionate to ensure that the most sensitive businesses are handled before we go home. I want to request, now as we are in the final stages; I would request my colleagues together with the electorates and Executive, from January to December; those are 12 months, can we evaluate

ourselves. What have I done to assist myself, what have I done to assist my family, what have I done to assist the electorate, what have I done for the county or the nation?

Mr. Speaker, we may find that one is free and he has done nothing but somebody who is in jail who has been convicted for a certain offence and that person has been given a bigger task of crashing ballast and at the end of the year, he or she is given at least Ksh. 200 to go home with. Other people are free here they have not done anything so it is better for the person who was in jail and has earned Ksh. 200 and you who is free and has not done anything.

So, Mr. Speaker, as we come to finalize our last part of this Session let us come back focussed, in good faith and as Hon. Members, during our service as we try to execute our mandate. If we went wrong somewhere, we want to take this opportunity to apologize. We don't want Jesus Christ to be born when we have issues. In case we have wronged anyone, we are sorry and forgive us. Thank you very much, Hon. Speaker.

Hon. Deputy Speaker: Thank you very much, Hon. Ndawa. We have come to the end of this session; personally on behalf of the Chair, Madam Speaker, I would like to thank you all for the contributions you have made during the past one year the Fourth Session of this Assembly. You have achieved a lot in terms of House business we have been able to enact laws, pass motions, and handle Statements and Petitions, which have been brought to this House as per the mandate given to this House by the Constitution of this country.

I would like to thank each one of you again for your active participation, collaboration and constructive criticism which have been going on in this House. What I have seen personally is objectivity in everything you have done and therefore would like to urge you to continue with the same spirit even as we come to open the new and final Session next year. You have achieved a lot as a person; first and foremost being able to go through the year and coming to the end, we have a lot to thank God for and a House and as a person.

I wish all of you a Merry Christmas and a prosperous new year full of God's blessings. Enjoy your holidays with your families, rest, eat, make merry; it is time to do that so that by the time we start again next year, we are all refreshed and recharged ready for the long haul of what awaits the country and each one of us and I believe the Lord will be with us. Thank you, so much and say a big hallo to your families.

ADJOURNMENT

Hon. Deputy Speaker: With that, the House adjourns to resume on Tuesday, 25th January, 2022 at 10.00 a.m. Enjoy your holidays.

The House rose at 3.52 p.m.