



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Second County Assembly – Sixth Session

#### SPECIAL SITTING

Wednesday 22<sup>nd</sup> June 2022

The House met at 9.30 a.m.

*[Hon. Speaker (Mr. Benson Mutura) in the Chair]*

PRAYER

**QUORUM**

**Hon Speaker:** Clerk, confirm if we have a quorum.

*(The Clerk confirmed there was quorum)*

I understand that we have a quorum. Proceed!

#### COMMUNICATION FROM THE CHAIR

##### ORDER OF THE SPECIAL SITTING

**Hon. Speaker:** Hon. Members, I have the following Communication to make. May I take this opportunity to welcome you to today's special sitting. I sincerely thank you for honouring my invitation to attend today's special sitting despite having been recalled at a short notice especial when a majority of you are in the middle of campaigns seeking for fresh mandate or higher leadership responsibilities.

Hon. Members, as you may recall and as noted in my Thursday guideline on Thursday 9<sup>th</sup> June 2022 while the County Assembly was adjoining sine die, I issued a communication to the effect that any urgent business particularly the budget estimate arising during the sine die during the recess period the County Assembly would reconvene for a special sitting and consider urgent matters.

In view of the above Hon. Members, the select Committee on Budget Finance and Appropriation retreated from 10<sup>th</sup> to 13<sup>th</sup> June 2022 to finalize the consideration of the budget estimate for the financial year 2022/23. In addition, my office received a supplementary estimate for the financial year 2021/2022. Further, on 9<sup>th</sup> June 2022 at the rise of the County Assembly, I received a message from Her Excellency the Governor

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Anne Kananu regarding, the nomination of Hon. Thomas Mweu Kasowa to the position of Chairperson Nairobi City County Public Service Board.

These three items formed the urgent business in terms of the formation of communication. Consequently, Hon. Members, pursuant to the provision of Standing order 30(3) of the Nairobi City County Assembly Standing Order, I approve the convening of today's Special Sitting on Wednesday 22<sup>nd</sup> June 2022 morning and afternoon session commencing 9.30 a.m. and 2.30 p.m. respectively to consider the urgent business.

Hon. Members, the Chair wishes to remind you of the provision of Standing Order 30(4) which provide that *"Whenever the County Assembly meets for a special sitting under paragraph (1), the Speaker shall specify the business to be transacted on the day or days appointed and the business so specified shall be the only business before the County Assembly during the special sitting, following which the County Assembly shall stand adjourned until the day appointed in the County Assembly calendar."*

Thus, Hon. Members, the business published in the gazette notice No.7289 dated 21 June 2022 shall be the only business transacted in today's two sittings and the business includes:

- (1) Consideration of the report of the Select Committee on Finance Budget and Appropriation of the Nairobi City County Budget Estimate for the financial year 2022/2023 and the Nairobi City County Supplementary Budget Estimate for the Financial year 2021/2022;
- (2) Consideration of the Nairobi City County Appropriation Bill 2022 and Nairobi City County Supplementary Appropriation Bill 2 of 2022;
- (3) Approval of the Nominee to the Chairperson of Nairobi City County Public Service Board.

Hon. Members, I will be giving further guidelines as we proceed with the sitting on how we shall dispense part of the scheduled business. In conclusion, Hon. Members, the sitting is happening at a time when there are cases of COVID19 in the City, this explains why the two sittings will be virtual and only Assembly leadership and Members leading transaction of the scheduled business are physically present in the plenary chambers.

In Addition, all the COVID19 containment protocols shall be applied to all the sittings, thank you.

### MESSAGES

#### THE NOMINATION OF MR. THOMAS MWEU KASOWA TO THE POSITION OF THE CHAIRPERSON OF THE NAIROBI CITY COUNTY PUBLIC SERVICE BOARD.

Hon. Members, I have a message from my Excellency the Governor. Hon. Members, Standing Order 43(1) relating to messages from the Governor provides that *"The Speaker shall read to the County Assembly any message from the Governor or the Senator of the County delivered to the Speaker for communication to the County Assembly"*. In this regard Hon. Members, I wish to report on 9<sup>th</sup> June 2022 at the rise of the County Assembly, I received a message from Her Excellency the Governor Anne Kananu Mwenda vide the letter Ref: NCC/GOV/2022/042 dated 13<sup>th</sup> May 2022.

Hon. Members, the message regards the nomination of Mr. Thomas Mweu Kasowa to the position of the Chairperson of Nairobi City County Public Service Board.

Hon. Members, Standing Order 43(2) further provides that *"If a message is received from the Governor or the Senator of the County, at a time when the County Assembly is not in session, the Speaker*

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shall forthwith cause the message to be transmitted to every Member and shall report the message to the County Assembly on the day the County Assembly next sits”.

In this regard, I wish to confirm that this message was received when the Assembly was not in session having adjourned for the sine die recess. However, the electronic version of this message was circulated to all members prior to today’s sittings.

Accordingly, Hon. Members I wish to convene the following message: Nomination for the approval by the County Assembly of Mr. Thomas Mweu Kasowa to the position of the Chairperson of Nairobi City County Public Service Board, Pursuant to Article 235(1) of the Constitution section 57, 58 and 59 of the County Government Act and Standing Order No. 46.

Hon. Members, Her Excellency the Governor has nominated Mr. Thomas Mweu Kasowa to the position of Chairperson of Nairobi City County Public Service Board and has also forwarded the name of the same nominee to this Assembly for vetting and approval. Hon. Members, Standing Order 46 read together with section 7 of the Public Appointment County Assembly Approval Act 2017 provides that “*Upon reset of Notification of Nomination of appointment to an office, under the constitution or under any other legislation required to be approved by the County Assembly the nomination stand committed to the relevant sectorial Committee of the County Assembly for consideration*”.

Accordingly, Hon. Members, I now commit the nominee to the sectoral committee on Labour and Social Services and further direct the said committee to proceed to vet the nominee and table its report as soon as possible, I thank you.

#### PAPERS LAID

**Hon. Peter Wanyoike:** Thank you, Mr. Speaker, pursuant to section 135 of the Public Finance Management Act 2012, I beg to lay the following Paper on the Table of the Assembly today Wednesday 22<sup>nd</sup> June 2022: The Nairobi City County Executive and County Assembly Service Board Supplementary Budget Estimate for the Financial Year 2021/22, Mr. Speaker I beg to lay.

*(The Paper was laid on the Table of the Assembly)*

**Hon. Speaker:** Thank you. Do you have another document that you want to lay?

**Hon. Robert Mbatia:** Thank you, Hon. Speaker, pursuant to Standing Order 191(6) I beg to lay the following Paper on the Table of this Assembly today the 22<sup>nd</sup> of June 2022: The 39th report of the Select Committee on the County Finance Budget and Appropriation on the Budget Estimate of the Financial year 2022/2023 for the Nairobi City County Executive and County Assembly Service Board. I beg to lay.

*(The Paper was laid on the Table of the Assembly)*

#### NOTICE OF MOTION

**Hon. Robert Mbatia:** Thank you, Hon. Speaker, I beg to give Notice of the following Motion: That this Assembly adopts the 39th report of the Select Committee on the County Finance Budget and Appropriation of the Nairobi City County Executive and County Assembly Service Board for the year 2022/2023, laid on the table of the Assembly on Wednesday 22<sup>nd</sup> June 2022. Thank you.

**MOTION**

ADOPTION OF THE REPORT ON CONSIDERATION OF THE BUDGET ESTIMATES FOR THE NAIROBI CITY COUNTY GOVERNMENT, THE NAIROBI METROPOLITAN SERVICES AND THE COUNTY ASSEMBLY FOR THE FINANCIAL YEAR 2022-2023

**Hon. Robert Mbatia:** Thank you, Hon Speaker. I beg to move that this assembly adopts the report of the Finance, Budget and Appropriation Committee on consideration of the budget estimates for the Nairobi City County Government, the Nairobi Metropolitan Services and the County Assembly for the financial year 2022-2023.

Hon. Speaker, the litmus test on whether a government has shifted the parameters that matter to the populace between entry and exit from public office revolves around the improvement in quality and standards of living. It is not in doubt that the recent conclusion of the party primaries and the subsequent handover of nomination documents to the electoral commission is the penultimate proof that the lifespan of this Second Assembly has come to a full cycle. To safeguard the financial sanctity of the county government and ensure that the Third County Government sets off on the right financial footing, the county assembly is called upon to consider and give nod to these estimates of revenue and expenditure for the two arms of government i.e. the County Executive and the Nairobi Metropolitan Services and the County Assembly. This consideration would mark the tenth time that the county assembly has made a determination on revenues and expenditures within a period in which the assembly has voted to the tune of Kshs. 300 billion for the improvements of county fiscal and health infrastructure, payment of contractors, improvement of work environment among other core fundamental commitments.

Hon. Speaker, in line with the Deed of Transfer of functions, this marks the last time that the county assembly shall appropriate considerable amounts out of her kitty to fund the functions transferred to the National Government. On a positive note, the estimates for the financial year 2022-2023 have been considered at a time when the hot larva associated with the Coronavirus pandemic has considerably cooled down thereby leading to the return of almost normalcy in various aspects of the human life.

Hon. Speaker, the submitted budget estimates indicate that in the coming financial year which includes the end term period of the Second County Government and the Third County Government; the county government shall utilize not less than Kshs. 38.33 billion. In line with the county assembly-approved ceilings in the CFSP, the total resources to be channeled to the current programmes shall equal to Kshs. 26.98 billion while the capital projects are anticipated to consume Kshs. 11.35 billion.

Hon. Speaker, the tabled estimates for the financial year 2022-2023 has placed the allocation for transferred functions at Kshs.20 billion being in consonance with the approved CFSP for the financial year 2022. With these allocations, the amount for the transferred functions has been rationalized downwards by Kshs.138 million compared to the figures approved in the Supplementary Budget (1) for the financial year 2021-2022. The impending general elections scheduled for the 9<sup>th</sup> of August this year shall result in a new government which is poised to come up with development priorities and policies so divergent from the current government. In so doing, the county government shall gain comfort in the provisions of Section 102 subsection 2 of the PFM Act of 2012. The committee has therefore reviewed these estimates in the full glare of information on the likely scenarios post the general elections.

Hon. Speaker, the general county inflow for the financial year 2022-2023 are expected to be in tandem with the expenditure side of the budget of Kshs.38.33 billion consisting of Kshs. 19.25 billion as equitable share, Kshs.18.28 billion as locally mobilized revenues (OSR) and Kshs.800 million as projected cash balances carried forward from the financial year 2021-2022. A review of the available data indicates that the projected OSR is proposed to decrease by Kshs.1.4 billion compared to the amounts approved in the annual and revised estimates for the financial year 2021-2022.

Hon. Speaker, tiptoeing through the contemporary legal infrastructure inhabited in the Constitution, existing statutes and our Standing Orders, leads to the inescapable conclusion that the County Assembly has adequate ammunition necessary to discipline our budget processes. Doing parallels on the law on the budget estimates under consideration point to the fact that the tabled budget estimates have details of revenues and expenditure included. Expenditures are authorized for the financial year 2022-2023 only. The revenues and expenditures are balanced and there are no earmarked expenditures not backed by legislation.

Looking ahead, the action points for the Third County Government, Hon. Speaker, the hammer has fallen for this Second County Government at a time when there are many unresolved fiscal issues whose solutions must be found. An economy built to last must be devoid of challenges that plagued world economies during the transition from colonization to self-rule. It is not in doubt that the retiring Finance committee has done well in ensuring that the county government remains within the fiscal corners required of it by Chapter 12 of the Constitution. But that should not blind us to the challenges whose solutions remain yet to be found in the wilderness.

Hon. Speaker, the committee therefore transmits the following as the key issues that the next county government should and must eagerly nip in the bud to remain on the path of development and prosperity for *wanjiku*:

### **1. The pending debts and accounts receivables**

The Finance Committee reports that this Second County Government has not fully harvested the low-hanging fruits available to it which would have been helpful to effectively roll out the debt management strategies contained in the previously approved papers. Hon. Speaker, the Third County Government, therefore, has its work cut out in ensuring that the intentions of this term are turned into tangible realities.

### **2. The Conditional grant utilization**

The issues related to the proper response to audit queries, timely submission of reports, setting aside the required counterpart funding, proper accounting for fund utilization, and identification of projects are some of the reasons for failing to access the conditional grants. These are matters that are not beyond the reach of the County Government. Therefore, that remains an issue for pick up and solution to ensure that billions of shillings meant to revitalize the County Government are accessed and used for that particular purpose.

### **3. Absorption of the development budget and rollover of the projects**

The County Treasury and indeed all stakeholders in the budget implementation chain are continuously called upon to come up with robust strategies that would hasten the tiresome approval processes of development-related activities and solve the procurement bureaucracies in this county. This would ensure that some of the projects that have found their holding ground in the annual budget documents by being rolled over every year, are implemented and new ones initiated.

Hon. Speaker, the next office holders must pick up the button and ensure that nothing slams the brakes on the development budget utilization.

#### **4. Wage Bill**

The committee submits that the county cannot continue skirting away around issues related to the cost of the wage bill and solutions must now be found on how to return the county to the wage cap required by law and the regulations.

#### **5. Implementation of the Ward Development Fund projects**

The Ward Development Fund Act was enacted in 2014 as the real antibodies that would cure the perennial injustices that have so far been associated with malapportionment of county resources based on subject parameters like; party affiliations, loyalty amongst others. The next implementers of the WDF Act must go back to the drawing board with only one objective – of striking a balance and coming up with a beneficial trade-off that would ensure that the ward-based projects are implemented unperturbed.

#### **6. Assignment of accounting functions**

Hon. Speaker, full compliance with Section 148 of the PFM Act of 2012 in letter and spirit should be a top priority for the next County Executive Committee Member for Finance and the Finance Committee.

#### **7. Revenue Collection and Management**

Despite these far-reaching reforms, revenue outturn remains poor and changing this scenario is proposed to be top in the interests of the next administration as revenue collection is the real panacea for the growth and sorting out most of the challenges pointed out.

Hon. Speaker, in conclusion, as I request the Minority Whip to second me, I want to make the following recommendations which we have made as a committee:

- A. That, during the fiscal transition from the Second to the Third County Government, the Nairobi City County Government and the Nairobi Metropolitan Services shall prepare and make available a compendium of all projects; both complete and ongoing.
- B. That, during the fiscal transition from Second to the Third County Government, the Nairobi City County Government and the Nairobi Metropolitan Services shall prepare and make available a compendium of all pending bills.
- C. That, the Nairobi City County Government and the Nairobi Metropolitan Services implement and finalizes the previously budgeted projects before initiating any new ones.
- D. That, any undone projects contained in the County Integrated Development Plan (CIDP) for the years 2017-2022 be the first priority projects for inclusion in the County Integrated Development Plan (CIDP) of the year 2023-2027.
- E. That, the project's implementation be done in line with the approved county plans as aligned to the Kenya Vision 2030, Medium-Term Plans, Budget Policy Statement and the Big Four Agenda.
- F. That the revenue-raising measures are implemented in the financial year 2022-2023 be discussed and modalities of operation are agreed upon between the Nairobi City County Government and the Kenya Revenue Authority in line with the Deed of Transfer of Functions.



- G. That during the fiscal transition from the Second to the Third government, the Kenya Revenue Authority shall prepare and make available a compendium of all revenue streams and their respective collection methods, revenue collection platforms, revenue bank accounts and collection figures during the transfer period.
- H. That during the fiscal transition from Second to the Third government, the Kenya Revenue Authority shall prepare and make available a report of the weaknesses, strengths, challenges, opportunities and risks to the County Revenue Collection Methods and accountability mechanisms; and that in addition to the requirements of the PFM Act of 2012, the revenue-raising measures be undertaken within the framework of approved county legislation, that is the Nairobi City County Revenue Act, 2015 as amended through the Nairobi City County Finance Act, 2022, the Nairobi City County Revenue Administration Act, 2021 and the Nairobi City County Trade Licensing Act, 2019.

Hon. Speaker, further, the committee noted various critical issues during the consideration of the estimates which it would like to address. In addition to the proposals contained in the other parts of the report, the Committee proposes that the Assembly resolves as follows:-

That the Nairobi Metropolitan Services (NMS) and the County Treasury pursue measures to ensure the full realization of the full amounts due to the Nairobi City County Government as an equitable share for the financial year 2021-2022.

That the Nairobi Metropolitan Services and the County Treasury pursue measures to ensure full disbursements of amounts due to the Nairobi City County Government as conditional grants in the financial year 2021-2022 and arrears from the previous financial years.

That the Nairobi City County Assembly fast tracks the preparation and rolling out of its strategic plan;

That the Nairobi City County Government fast tracks the preparation and rolling out of the Spatial and Sectoral plans;

That the Public Service Management and the County Public Service Board initiate measures to roll out the voluntary early retirement program including the submission of attendant regulations to the County Assembly for approval before the amounts allocated are utilized;

That the Public Service Management and the County Public Service Board develop a relevant regulation on the Car Loan and Mortgage Scheme and ensure that the same are approved before the amounts allocated are utilized;

That any amounts set aside for rolling out of small and medium enterprises revolving fund be utilized subject to enactment of an appropriate policy and framework;

That the Nairobi Metropolitan Services (NMS) and the County Treasury, in collaboration with the Kenya Revenue Authority ensure the timely roll-out of the new Valuation Roll;

That the County Government ensures full implementation of the provisions of the Nairobi City County Finance Act, 2022 with information on such implementation submitted to the County Assembly on a quarterly basis.

On the expenditure adjustments, Hon. Speaker, the Nairobi City County Assembly Service Board, in line with the approval in the County Allocation Revenue Bill, 2022, the budget for the Nairobi City County Assembly be approved as follows:-

Recurrent      Kshs.1.447 billion  
Development    Kshs.1.861 billion

That in line with Number one above, the itemized and project-based budgets for the County Assembly Service Board be amended accordingly to reflect the change.

Hon. Speaker, on NMS, that in line with the submission by NMS, the individual budgets for the transferred functions be approved.

The Nairobi City County Government, that the budget for the Agriculture Sector be increased by Kshs.105million for the ADSP Program.

Hon. Speaker, that the budget for the disaster sub-sector is increased by Kshs.100 million to take care of disaster-related issues.

That the budget for the PSM Sector be increased by Kshs.90 million for the WIBA and the GPA programs;

That the budget for the Finance Sector is increased by Kshs.100 million for payments of pending bills.

Hon. Speaker, as I prepare for the Hon. Minority Whip, I can say on behalf of my Committee and proudly, in ensuring the words of 2 Timothy 4:7 that we have fought the good fight, we have finished the race, and we have kept the faith. Therefore, in conclusion and pursuant to the provisions of Section 131(1) of the PFM Act 2012, Standing Order 222(6), the Select Committee on the County Finance Budget and Appropriation recommends that this County Assembly adopts the report for the Finance, Budget committee

*(Interruption)*

Hon. Speaker, kindly protect me from these disruptions here.

**Hon. Speaker:** Hon. Ronaldo, Order! Proceed Chair.

**Hon. Robert Mbatia:** Hon. Speaker, this County Assembly adopts the report of the Finance, Budget and Appropriation Committee on Consideration of the Budget Estimates for the Nairobi City County Government, the Nairobi Metropolitan Services and the County Assembly for the financial year 2022-2023. As I beg to move, I request Hon. Imwatok to second me. Thank you, Hon. Speaker.

**Hon. Speaker:** Secunder; although I am not quite sure whether you are conversant with the budget figures.

**Hon. Peter Imwatok:** Hon. Speaker, thank you Chair. Just for purposes of information, Hon. Speaker, I sat in the Budget Committee for two years and also served with the Chair in the PAC Committee for five good years, though I was impeached midway in the last term. *(Laughter)*

So Hon. Speaker, may I stand to second the proposed budget for the County and as I second this, let me highlight a few issues.

First, is to thank the Chair of the Budget and Appropriation Committee and the entire Committee, it is not an easy task to comb through all the votes, all the enabling Acts, and all the practices in parliaments to ensure that we have a very valid budget before you, Hon. Speaker.

I am very grateful to the Chair to identify that on my side of the coalition government then there were very sharp brains that assisted him throughout. One of them is Emily Oduor, when you do budgets in this



County, no one can ignore the name of Emily Oduor, no one can ignore Okeyo, and no one can ignore Otada Ogada, they have been very instrumental in assisting the government of the day in the budget preparation, Ogada having had a very good experience as the Chair too in Budget lines.

Hon. Speaker, thirdly, let me echo also what the Chair has said, this money as we are allocating to this County Government and the NMS, must be put into proper prudent use. Let no one take advantage and say that because we are in a transition period now, they can just plunder the money that we have allocated to NMS or the County Government the way they feel. Because history teaches that at any given time there is a transition, there is a lot of plundering of public funds, but the beauty about all this is that there are checks and balances, because the incoming government, whether the Igate government or Sakaja government; though I pray the Igate government will come into play because am in Azimio, he will have to align the budget to the aspirations of the government.

This means in the next Assembly - the first order of the day - will be to bring a supplementary paper to supplement the budget. But Hon. Speaker, that will also take into consideration the current government, which had about two months to go, did they use the budget right? Because Speaker, it is funny, in this County, I don't know whether it still exists in treasury offices, maybe Chair for Budget will tell us, I am told it is being conducted in a very good way, just to say.

Hon. Speaker, as a County Government and more importantly as an opposition then, now the government, because us and Jubilee we are now one team, I believe that as we come back to this Assembly next session, the same Members who are here will have to check this budget whether it was used as per what we approved. If not, it will be a challenge. We are also praying for you, that you come back as the Speaker so that you assist us to check what we passed here, if it was practical, or if it was done according to the way we passed.

As we leave this Assembly am honoured that we started in good faith as the Chair said, we fought a good fight, and we have differed on many occasions on the issue of budgets, but ultimately we have made the County run. And more importantly, when the issue of NMS came into play, it was a very big challenge for the County Government and the Budget Committee, even this Assembly, to identify which votes, I remember Chair we had a very lengthy discussion, about which votes will go to NMS and which one will remain with the County Government.

But Hon. Speaker, through your guidance, and the office of the Clerk and the entire Budget Committee, we have played our part. History will always be written and it will be remembered that there was a parliament which was chaired by Speaker Benson Kangara Mutura, which enabled Nairobi City CBD to have cabro for the first time in history.

It will be remembered there was a Chair for Budget who made sure that at least Makongeni Ward had four boreholes through NMS, these will be remembered. It will be remembered Mugabe was here, he made sure wherever he takes his call he will run to pick a very important call and that call will always dictate how this Assembly will run, history will be there. It will also be spoken of a man who was very rebellious but very stingy in his words, Bishop, that something has to be done the right way.

Speaker, this Assembly will be remembered. When Majiwa came in to be Deputy Speaker, we became a team and made sure everything that the government wants, especially after the handshake, no

one can say ODM didn't play its part in the handshake inside this parliament. I believe after the handshake we have never fought over issues.

When Speaker Bena came, it was not about Jubilee, he made sure this House became Azimio, a handshake House. Though times change, it's also allowed, and let's respect each other's freedom of speech and freedom of democracy, because, at the end of the day, we remain brothers and sisters. Even those who did not succeed in the nomination of Hon. Speaker, I believe they know they have a chance in this government, they have a chance in this House, they have a chance in this Chamber.

Therefore, Speaker, without wasting more time, let me appreciate all the ladies in the Budget Committee, led by Catherine, who's been a Budget Committee Member for the last five years, I am grateful for all those ladies who have shown that they can lead in this House. They can participate in proper procedural proceedings of every committee. I am grateful and happy, and I wish that you support this budget we write the last history of this Assembly on a positive note. I beg to support, Hon. Speaker.

*(Question proposed)*

**Hon. Speaker:** Hon. Mark Mugambi.

**Hon. Mark Mugambi:** Thank you, Hon. Speaker. First and foremost, I take this chance to thank the Chairman of the Budget Committee and his entire team for this supplementary budget. However, as the Minority Whip was showering praises on how the NMS has been a blessing in disguise in his own words, personally, I stand to lament because the NMS in Umoja 1 Ward became a curse in disguise. As you give them the said monies for development, all the development projects that I had before the NMS came on board, none of them has ever been completed. All of them stalled. These same officers we are granting monies----

**Hon. Speaker:** Hon. Mark, I might be forced to rule you out of order because you are discussing on the budget estimates. Align yourself on the agenda.

**Hon. Mark Mugambi:** That was where I was heading to, Hon. Speaker. As I represent the interests of more than a hundred thousand residents of Umoja, they would want to get value for their monies. We are giving the NMS this budget ----

*(Point of Order)*

**Hon. Speaker:** Yes, Chair?

**Hon. Robert Mbatia:** Hon. Speaker, I request that Hon. Mugambi be given a report to go through it. This is a 2022/2023 budget estimate, but he is talking about the previous one. So, kindly let him be given so that we all don't get confused.

**Hon. Speaker:** Thank you, Chair for the guidance. I take latitude that people are on campaign mood, so, he may have gotten some things out of context. Hon. Mugambi, it is about budget estimates for financial year 2022/2023.

**Hon. Mark Mugambi:** Thank you, Mr. Speaker, I apologize. I will go through it. I heard the NMS being mentioned, personally, I know their tenure in office ends this coming election, so, I don't understand why they will be given extra finances. Let me go through it and then I will request again.

**Hon. Speaker:** Thank you. Hon. Bishop, you made a request?

**Hon. Anthony Karanja:** Thank you, Mr. Speaker. I would like to congratulate the Chair of Budget Committee for the budget. I would also want to apologize on behalf of Hon. Ronaldo for wasting our time.

**Hon. Speaker:** Hon. Member, you are out of order! You have to address this House with decorum. Withdraw!

**Hon. Anthony Karanja:** I withdraw. Hon. Speaker, I think it is important that the County continues running. However, I would like to refer the Chair and this Assembly to Article 186 and 187 of the Constitution about the Transfer of Functions. It is an open secret that this Assembly did not approve the extension of the NMS by Hon. Anne Kananu.

*(Applause)*

Hon. Speaker, we may be appropriating money to an illegal entity. We need, just like we did last time, to approve and do a public participation on the NMS---

**Hon. Speaker:** Hon. Bishop, I rule you out of order. If you have another issue, you can bring it as a substantive motion. But on this one, we are dealing on figures only.

**Hon. Anthony Karanja:** Noted, Mr. Speaker. I am now heading to court to make sure that the money doesn't go to the NMS. Thank you.

*(Laughter)*

*(Hon. Anthony Karanja left the House)*

**Hon. Speaker:** Hon. Members, there being no any other request, I call the mover to reply.

*(Point of order)*

**Hon. Speaker:** What is the point of order?

**Hon. Peter Imwatok:** Hon. Speaker, it is not anchoring well when a senior member like my brother to walk out before he even sits down after speaking in a derogatory manner. This is not a House to report to when you want to go to court. If the Assembly would still be going on, I would have named him. This is a show to the public that you can speak and before the Speaker gives a ruling, you walk out. It is not right---

**Hon. Speaker:** I had already ruled him out of order, so, we don't have to belabor much on it. Mover to reply.

**Hon. Robert Mbatia:** Thank you, Hon. Speaker for indulging on the matter because we were actually confused because of the many rumours that were being brought on this floor.

Hon. Speaker, I wish to thank this Hon. Assembly. I want to thank the Office of the Speaker for allowing us to have this document in place, especially during this time. I want to mention our secretariat, the Budget Office, which has worked tirelessly during this period. I also want to thank the Executive for facilitating the meetings that we held and also on the public participations that were held to have this document in place despite the many challenges.

Hon. Speaker, I also want to echo what my colleague, Hon. Imwatok has indicated about the wonderful work that the NMS has done. On this particular document, this is a transition. That is what my colleagues need to know. We were only indicating that they need to give the documents so that we can transition to the next government. That said, I wouldn't shy off commending them. They were hard times after the COVID 19 hit and the world economy slumped. We have seen tremendous effort towards the right direction. As much as we are not yet there, we need to appreciate the direction that the NMS has brought

and faced. I believe that we have faced the right direction, we are two or three steps moving, but we need to move with speed in the next government. That is why this Budget Committee made some recommendations so that when the functions get back to the County Government, then we shall be able to move with speed and achieve all that this House intended to.

Hon. Speaker, I also want to thank the Hon. Members of my Budget Committee who worked tirelessly during these very tough times. I still want to end with the words that I indicated earlier. That this Assembly has fought a good fight, has finished the race, and has kept the faith. I reply. Thank you

*(Question put and agreed to)*

**Hon. Speaker:** Hon. Members, there are some members who had made a request to make closing remarks because this is almost the last session. I can give two or three people. Hon. Mugambi.

**Hon. Mark Mugambi:** Thank you once more, Hon. Speaker. I think I am now allowed to ventilate on the issue of the NMS. Hon. Speaker, protect me from Mheshimiwa Mbatia because he is among the beneficiaries of this NMS. The NMS has been the greatest injustice to the people of Umoja 1 Ward. We have been giving them money but we have not received any development. I am not sure if it is because of my political support or alienation, but the NMS has not done a single project in my ward. I will join Hon. Kiragu in going to court to stop them from getting this budget. Thank. You.

*(Several Members stood at the aisle)*

**Hon. Speaker:** Hon. Members who are on the aisle, can you be seated!

*(The Members took their seats)*

#### ADJOURNMENT

**Hon. Speaker:** Hon Members, there being no any other business, the House stands adjourned to today 2.30 p.m. Thank you.

**The House rose at 11.05 a.m.**