



COUNTY GOVERNMENT OF NAIROBI CITY

FIRST ASSEMBLY – (SECOND SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, AUGUST 14, 2014

1. The House assembled at twenty two minutes past three O'clock.
2. The Proceedings were opened with a word of Prayer.

3. COMMUNICATION FROM THE CHAIR

The Speaker conveyed the following communication from the Chair: -

— **CONCLUSION OF PENDING STATEMENTS**

“Honorable Members,

As you are aware, on Tuesday 12th August, 2014, the Chair committed to deliver a communication on the status of all pending Statements requested during the Second Session.

I wish to note that the progress thus far has been good, and most committees are doing their best to provide responses as soon as the same is furnished from the County Government.

Honourable Members, after an audit of all statements to date, the Chair wishes to note that there are pending Statement responses for the last one month. In total in this Session, we have had 81 requests for Statements, of which 69 responses have been furnished to various Committees, out of which 37 have been conclusively responded to, 23 responses were recalled for further consideration by various committees and 12 Statements are pending responses.

I want to encourage Chairpersons of Committees with pending responses to table the same before next week Thursday, 21st August, 2014.

Honourable Members, Chairpersons who fail to observe the foregoing direction must report to the Speaker the reason for such failure three days before the date given above for tabling and conclusion of the said pending Statements.

It is so directed.

— **STATUS OF MOTIONS**

The status of the motions passed by the County Assembly is as follows:-

1. The total number of substantive motions passed is 20.
2. The Motions forwarded to the Executive and report has been received are 12 and the implementation of the motions is in progress.
3. The Motions forwarded to the Executive and report has not been received are 6.
4. 2 Motions passed this week forwarding letters were being processed.
5. 6 Motions have not yet matured.

Honourable Members, you can also access the status of the motions from the motion tracker on the County Assembly Website.

The Implementation Committee is in the process of preparing a comprehensive report on the implementation status of the motions for tabling in the Assembly before the recess commences.

Thank you.

— **ABUSE OF STANDING ORDER 41(2)(C)**

“Honourable Members,

The Chair wishes to note with great concern that an unfortunate habit is cropping up where Members are flagrantly abusing the provisions of the Standing Orders on Statements, and especially Standing Order 41(2)(c), on request for statement from Committee chairpersons relating to matters under the mandate of the Committee.

Honourable Members, lest we forget, a request for statement by intent and purpose is purely for obtaining information on various issues from the concerned Department of the County Government.

The practice is that once a Member makes a request for Statement, the response from the concerned Chairperson must be tabled within the time committed before the Assembly for providing the same by such Chairperson. Whether to extend such time for providing response to statement or not is the prerogative of the Chair, a discretion the Chair has used on some occasions.

Honourable Members, the Chair will not tolerate Members or Members of a Committee or a Committee who take advantage of Statements or such discretion on extension of time for providing response to statement by abusing the provisions of the Standing Orders to meet their own selfish interests.

I wish to remind you of the provisions of Section 24 of the National Assembly (Powers and Privileges) Act, which provides as follows:-

No member shall accept or receive either directly or indirectly any bribe, fee, compensation, gift or reward for or in respect of the promotion of or opposition to any Bill, resolution, matter or thing submitted or intended to be submitted for the consideration of the Assembly or any committee.

Any person who acts in contravention of this section shall be guilty of an offence and liable to imprisonment for a term not exceeding two years or to a fine not exceeding ten thousand shillings, or to both such imprisonment and fine, and every bribe, fee, compensation, gift or reward accepted or received by him shall be forfeited.

Honourable Members,

I now wish to direct as follows.

Statements, once approved, will only be given to the respective Member who sought such Statement for purposes of tabling. Any report prepared in response to such Statement must be tabled immediately the concerned committee finishes considering and preparing such report and the report signed by the respective Chairperson as per the Standing Orders, and within the timelines committed to by Chairperson of such committee during plenary.

Honourable Members,

The Chair will henceforth take drastic action against Members found culpable of abusing the provisions of the Standing Orders on Statements for their selfish financial gain. Such behavior is deplorable, unbecoming of an Honourable Member and unacceptable.

I further direct that the Chairperson, Sectoral Committee on Agriculture, Environment and Natural Resources table the response to the Statement by Hon. Oscar Lore, MCA, today, Thursday, August 14, 2014.

It is so guided.

Thank you.”

4. PAPERS: - *(Hon. The Leader of the Majority Party)*

TASKFORCE REPORT FOR THE EDUCATION SECTOR OF NAIROBI CITY COUNTY ON IMPROVEMENT OF PERFORMANCE OF PUBLIC PRIMARY SCHOOLS AND TRANSITION RATE FROM PRIMARY TO SECONDARY EDUCATION IN THE NAIROBI CITY COUNTY, JULY 2014.

5. STATEMENT PURSUANT TO STANDING ORDER 41(2)(C)

The following responses to statements were given:-

- a.) Response to Statement requested by Hon. Oscar Lore from the Chairperson of the Sectoral Committee on Agriculture, Environment and Natural Resources regarding the procurement of garbage trucks was tabled but the Speaker directed that it be re-tabled using its original copy.
- b.) Response to Statement requested by Hon. Martin Karanja from the Chairperson of the Sectoral Committee on Agriculture, Environment and Natural Resources regarding the dumping of garbage on residential land in Mutu-Ini Ward was tabled the Speaker directed that it be re-tabled using its original copy.
- c.) Response to Statement requested by Hon. Alexander Mulatya from the Chairperson of the Sectoral Committee on Health Services regarding prevention of Ebola in the County was tabled.

And the time being fourteen minutes past four O'clock, the speaker interrupted the proceedings due to lack of quorum and asked the Sergeant-at-arms to ring the bell for eight minutes.

After the eight minutes still there was no quorum and the Speaker adjourned the Assembly at eighteen minutes past four O'clock.

6. ASSEMBLY ROSE - at eighteen minutes past Three O'clock

MEMORANDUM

The Speaker will take the Chair on
Tuesday, August 19, 2014 at 2.30 p.m.

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