



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – Third Session

Wednesday, 10th June, 2015

The House met at 2.30 p.m.

(Hon. Speaker in the Chair, Mr. Alex Ole Magelo)

PRAYERS

Hon. Speaker: Sergeant-At-Arms to ring the bell for ten minutes.

(Quorum bell rings)

Hon. Speaker: Sergeant-At-Arms, ring bell for the last five minutes.

Order Hon. Members! Maggie! Very well Hon. Members, let us start the business of the day.

COMMUNICATION FROM THE CHAIR

ASSEMBLY ATTENDANCE/ QUORUM

Hon. Speaker: Good afternoon Hon. Members once again. This is a communication in regards to the Assembly attendance/ quorum. As you are aware from two weeks ago we have been struggling to get a quorum. I want to take this moment to put the Chief Whips on notice.

(Applause)

That they have absconded their responsibility and it would have been very unfair for Members even if it is 30 Members who were here by 2:30pm to lose the day because the others have not come. Hon. Members, please let us take the business of the day seriously, otherwise if there are signs of strain and tiredness then we go to the Standing Orders and organize our recess with immediate effect until we are ready to work. Remember Nairobi's who brought you here and the political parties are watching and it is not a very healthy sign. Thank you, Hon. Members.

Hon. Member for Viwandani Ward (Mr. Samuel Nyang'wara): Point of Order 74, Mr. Speaker.

Hon. Speaker: What did you say? There is no Point of Order. Not now, you know the time to come in on that one

PAPERS

REPORT OF AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF THE NAIROBI CITY WATER AND SEWERAGE COMPANY FOR THE YEAR ENDED 30TH JUNE 2015

Hon. Speaker: Hon. Thuo, Chairperson PIC

Hon. Member for Dandora Area III Ward (Mr. Charles Thuo): Thank you, Mr. Speaker sir. Pursuant to Standing order 180 (6), I beg to lay the following papers on the table of the Assembly today, Wednesday 10th June 2015; the Report of the select Committee on Public Investments on the Report of Auditor General on the Financial Statements of the Nairobi City Water and Sewerage Company for the year ended 30th June 2013. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much Hon. Chairperson.

NOTICE OF MOTION

REPORT OF AUDITOR GENERAL ON THE FINANCIAL STATEMENTS OF THE NAIROBI CITY WATER AND SEWERAGE COMPANY FOR THE YEAR ENDED 30TH JUNE 2015

Hon. Speaker: The Hon. Chairperson of PIC.

Hon. Charles Thuo: Thank you Mr. Speaker sir. Hon. Speaker, I beg to give Notice of the following Motion; THAT, this Assembly adopts the Report of the Select Committee on Public Investment on the Report of the Auditor General on the Financial Statement of Nairobi City Water and Sewerage Company Limited for the year ended 30th June, 2013, laid on the table of the Assembly today, Wednesday 10th June, 2015. Thank you, Mr. Speaker.

Hon. Speaker: Very well. Thank you so much. You are a good citizen.

STATEMENTS

EVIDENCE OF RAMPANT CORRUPTION IN THE COUNTY

Hon. Speaker: Hon. Elkana.

Hon. Member for Kwa Ruben Ward (Mr. Elkana Mauti): Thank you, Mr. Speaker. I am standing on Standing Order no. 80 whereby, I am very much concerned about corruption in this County of Nairobi, which is so rampant. Mr. Speaker, I would like to request to be given a chance next week to table the evidence of the corruption which is rampant in this County. I will start from the County Assembly of Nairobi heading to the Executive side. Thank you, Mr. Speaker.

Hon. Speaker: There is a Point of Order.

Hon. Samuel Nyang'wara: Mr. Speaker, the Hon. Member who has just left here has made a very serious allegation against the Assembly. He is part and parcel of this Assembly and it could only be fair if he can be allowed to substantiate or else you rule him out of order.

Hon. Speaker: Hon. Members! Hon. Mauti, if you have evidence, we would like you to lay it on the floor of the House to substantiate your claims.

Hon. Elkana Mauti: I think I am a man of action. I don't talk a word of mouth. I am requesting to be given time on Tuesday so that I can lay the evidence on the floor of the House. So, if some people are involved, maybe they have started to shaking.

Hon. Speaker: Hon. Member, order! Yes, Hon. K'Otieno.

Hon. Member for Sarang'ombe Ward (Mr. Pius Otieno): Thank you so much Mr. Speaker. While I want to say that Hon. Mauti has got every right to lay whichever document that he wants, he cannot purport to lay that document without first moving a Motion. The House must be addressed through whatever he wants to do through a Notice of Motion. It is then that you shall allocate time for the business that he wants to transact. That should be the procedure.

Hon. Speaker: Order Members! Hon. Members, the Member can lay his papers and evidence anytime he feels like. Order Hon. Nyang'wara! And for the benefit of Members, Hon. Mauti, for the benefit of this Assembly, and for the matter being a very serious matter, you asked to be given time. We will give you time for you to lay the papers on the floor. Hon. Members, the Member can lay his papers as he said, on Tuesday 2:30PM. Yes, Hon. Nyang'wara.

Hon. Samuel Nyang'wara: Mr. Speaker, the allegations against this Assembly in particular are very serious. Mr. Speaker, I have heard from your mouth saying that this is an Hon. House. The allegations he has labeled against this House can only be substantiated when he lays the evidence on the table. I want

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

to request you to rule from your Chair that the words he has uttered against this Assembly be expunged from the records till then, Mr. Speaker. . I do not think that these Hon. Members are corrupt.

(Loud consultations)

Hon. Speaker: Order Hon. Members! The Member did not say that Members are corrupt, he said there is corruption in the County Assembly. He did not utter the word Members and I have ruled that he brings his documents here and by that time is when, whoever will be on the Chair, will now rule whether they are in order or not. Let us hope it is not an incitement because he know the punishment that follow thereafter. Let us proceed. Hon. Warutere.

Hon. Member for Roysambu Ward (Mr. Peter Warutere): Thank you, Mr. Speaker. Pursuant to Standing Order number 41(2)(c) I wish to request for a statement from the Chairperson of the Select Committee on Budget & Appropriation regarding the contracting of Quids Enterprise Ltd as receiver managers by Nairobi County Government.

Hon. Speaker, the County Executive Committee Member for Finance & Economic Planning in a letter dated 3rd December, 2014 endorsed Quids Enterprise Ltd as the sole receiver managers for the County. The company soon began writing demand letters for payment of rates to land owners across the County. Hon. Speaker, in this regard, in my statement the Chairperson should enquire into and report on and not limited to;

1. Furnish the Assembly with the tender documents including minutes of the award of the said tender to Quids Enterprise Ltd as receiver managers;
2. Breakdown of amount of monies collected by the company to date;
3. Status of Jambo Pay Ltd payment module that was meant to immensely streamline payment for services, improve revenue collection, rent collection from Nairobi County estates and market stalls;
4. Provide the list of Directors, shareholders and all managers of Quid Enterprise Ltd.

Thank you.

Hon. Speaker: Hon. Chairperson, Budget and Appropriation Committee.

Hon. Member for Hospital Ward (Mr. George Ocholla): Thank you, Mr. Speaker. I beg to lay that statement next week on Thursday.

Hon. Speaker: Hon. Chairperson, will you be ready with all these documentation that is required? You know, we do not want you to go and do half-baked work because I know that the list of shareholders, you have to go to the Registrar of Companies. Will you do it in three days?

Hon. George Ocholla : Mr. Speaker, I think it is an issue which is very touchy and it needs a lot of speed so that the Hon. Member can ease himself from the heavy burden he is carrying.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

Hon. Speaker: Very well. Thursday at 2.30 p.m. Thank you.

Hon. George Ocholla: *(Inaudible)*

Hon. Speaker: Next week? Hon. Chairperson, did you speak about Thursday tomorrow or Thursday next week?

Hon. George Ocholla: Mr. Speaker, tomorrow is too soon, I am talking about Thursday of next week.

Hon. Speaker: Yes, Hon. Warutere.

Hon. Peter Warutere: That will be in order and I had forgotten something. I also want the registration date of the said company as well.

Hon. Speaker: Registration of the said Company, very well.

Hon. George Ocholla: Mr. Speaker that will force the Committee to go up to the Registrar of Business so that we can get more details in regards to the registration.

Hon. Speaker: I think the Procurement department, County Secretary and Chief Finance Officer are enough to give you those details so Thursday, 2.30 p.m. next week. Next Order?

The Nairobi City County Solid Waste Management Bill; Assembly Bill no. 03 of 2015; Second Reading

Hon. Speaker: Hon. Alexander Mulatya was on the floor. The Motion was moved but not seconded.

Hon. Alex Mulatya: Thank you, Mr. Speaker. Before interruption of business yesterday I was almost through moving this Bill. However, I wish to re-emphasize that going by the number and the substance of the proposed amendments – which are 15 proposed amendments – it is the opinion of the Committee that the Bill be put on hold for consensus building among all stakeholders before the Bill is passed. In the event that the Bill proceeds to the Committee of the Whole House, the Committee shall propose amendments in almost all the clauses because it involves Clause no. 1, 6, 7, 8, 9, 10, 11 and the rest.

Hon. Speaker: Hon. Chairperson, so what are you asking for now?

Hon. Alex Mulatya: I was just emphasizing before I call the Secunder.

Hon. Speaker: Okay.

Hon. Alex Mulatya: That it involves all the clauses which are 1, 6, 7, 8, 9, 11, 16, 18, 27, 28, 29, 30, 31, 36 and 38. Hon. Speaker, with those few remarks as I move I request Hon. Samuel Kagiri to second.

(Consultations between Hon. Kagiri and MCAs)

Hon. Speaker: Hon. Kagiri, what is happening?

Hon. Member: He is consulting.

Hon. Speaker: Then he is not ready. Can we get another Secunder?

(Loud consultations)

Hon. Speaker: Order, Hon. Karen.

Hon. Samuel Kagiri: Mr. Speaker, protect me from Karen.

Hon. Karen Wanjiku (Nominated Member): Point of Information.

Mr. Samuel Kagiri: I do not want to be informed. Mr. Speaker, the Committee critically went through the Bill of Solid Waste Management and we made our recommendations and I want to repeat a section of the recommendation that has been read by my Hon. Colleague. That going by the number and substance of the proposed---


Hon. Speaker: Order Hon. Kagiri! Are you seconding the Motion or you are---

Hon. Samuel Kagiri: Yes, I am seconding the Motion but I have to put some emphasis on the recommendations of the Committee if you allow me Mr. Speaker.

Hon. Speaker: Order, Hon Member! I am seeing signals of Members not ready for this Bill and let's not play candy. If you want time, ask for time but when you come seconding and then you want to debate, just shorten the time. Hon. Kagiri can you finish and then---

Hon. Samuel Kagiri: Mr. Speaker, I was just putting some emphasis on the opinion of the Committee and I was reading that, going by the number and substance of the proposed amendments it's in

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*



the opinion of the Committee that the Bill be put on hold for consensus building among all stakeholders before the Bill is passed. In the event that the Bill is passed, the Committee of the whole House shall propose amendments to the Bill in Clauses 1,6,7,8,9,11,16,18,27,28,30,31,36 and 38.

(Loud consultations)

Hon. Speaker: Go ahead, Hon. Kagiri!

Hon. Samuel Kagiri: There's a lot of interruption from Karen and the rest here. I don't know why they are disturbing me.

Hon. Speaker: Hon. Karen, There is a Point of Order!

Hon. Karen Wanjiku : Point of Order 74.

Hon. Speaker: Order! What's your Point of Order?

Hon. Karen Wanjiku: 74, Mr. Speaker, I want to address you and that's why I am looking at you. Hon. Mulatya has just come here and said they want to be given more time to look at the Bill because they will amend many clauses. What is being seconded there? Please, Mr. Speaker direct this House we are being misled, thank you.

Hon. Deputy Speaker (Mr. Kennedy Ngondi): Mr. Speaker, the Sanding Order Number 74 does not give a Member an opportunity to contribute on the floor of this House. It is used as a terms of reference on how a Member should address you, not how a Member should contribute on the floor of the House. So, let Members not abuse Standing Order number 74.

Hon. Speaker: Very well, further to that, this Bill was moved yesterday. Maybe most Members were not in, so the Bill is already rolling just awaiting a seconder and we continue. The Bill was moved but not seconded because of time yesterday, and that's what Hon. Mulatya did. Hon. Kagiri, can you continue with your secondment?

Ward, (Mr. Samuel Kagiri): Mr. Speaker, I was saying that this Bill has a lot of issues which are in disagreement with the stakeholders of solid waste field and it was the opinion of the Committee that the Bill--- Mr. Speaker I was saying---There is a lot of interruption that is why I am not able to finish what I am doing.

Hon. Speaker: Go ahead.

Hon. Samuel Kagiri: I am saying that the Bill has a lot of issues that are in disagreement with the stakeholders and if we pass the Bill the way it is, a lot of people are going to be denied opportunity to work and do their daily business. So we sought for more consultation with all the people who are involved in this activity. So we request the Members to kindly please, let us adhere to the opinion of the Committee of Environment and the Bill be put on hold as per now. Thank you, Mr. Speaker.

(Loud consultations)

Hon. Speaker: Hon. Members, we go to the next Order pending some technical realignment, next Order.

MOTION

REPORT OF COMMITTEE ON AGRICULTURE, ENVIRONMENT AND NATURAL RESOURCES ON STUDY VISIT TO SOUTH AFRICA

Hon. Member for Upper Savannah Ward (Mr. Benson Amutavi): Mr. Speaker sir, I wish to move the following Motion: THAT, this Assembly adopts the Report of the Sectoral Committee on Agriculture, Environment and Natural Resources study visit to the Republic of South Africa, West Cape Province laid on the table of the Assembly on Wednesday, 15th October, 2014.

Mr. Speaker sir, five Members of the Committee visited Cape Town as from Friday 23rd to Saturday 31st May 2014 to learn on waste management programs and how the City of Cape Town has managed to be cleanest City in Africa.

The delegation was warmly welcomed by officials of the Western Cape Province, provincial Government and also held meetings with officials of the Department of Environment Affairs and Development Planning, civic leaders and officials of the City Council of Cape Town.

The delegation also had an opportunity to visit Crofortein waste management facility which is the best waste management facility in Africa. In addition the delegation toured City environs which included the Green Park, Cape Town, Table Mountain areas and the FIFA Cape Town stadium.

Mr. Speaker sir the delegation learned the following:

1. Environmental conservation and waste management is a function that shared by all levels of Government in the Republic of South Africa although much of it is performed by the Local Government.
2. The City of Cape Town has invested a lot in waste management, investments including human resource both skills and non-skilled, infrastructure and community awareness of waste and environmental conservation.
3. Residents of the City of Cape Town have included a culture of environmental protection especially responsible waste disposal.
4. Authorities' emphasis on recycling rather than disposal as a form of waste disposal. This has minimized the amount of waste in the City and also created employment for purposes working in recycle plants
5. Provincial Governments have well organized departments with qualified staff.

Disclaimer: *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

In view of the mentioned lessons learned the Committee recommended that this House resolves as follows:

1. The County Government should adopt modern methods of waste disposal such as recycling as practiced in the City of Cape Town.
2. Enactment and enforcement of a proper solid waste management Act providing for integrated solid waste management and responsibilities of waste generators.
3. Nairobi City County should inculcate a culture of environmental protection through proper waste disposal. More funds should be channeled towards environmental management although accountability should be emphasized.

Mr. Speaker sir I urge Members to support this report. Mr. Speaker sir I beg to move and call upon Hon. Hellen Katangie to second.

Hon. Hellen Katangie (Nominated Member): Thank you Mr. Speaker sir, I rise up here to support the Motion and the report from the Chairman and I must say that it was an exposure. We studied so much and if only it can be implemented practically in Nairobi especially about agriculture it can be of a lot of use.

Mr. Speaker sir I also want to emphasize that so many people travel a lot but nothing is ever practiced in this County and we feel the money is being wasted because like agriculture we learnt about fishing, we learnt about environment and it was an eye opener. And with those few remarks I second the Motion, thank you Mr. Speaker sir.

Hon. Speaker: Thank you Hon. Katangie Hellen. Hon. Members, I now propose the question that,

(Question proposed)

Hon. Member for Kahawa West Ward (Mr. Patrick Ngaruiya Chege): Mr. Speaker, first of all I rise to support what has been presented here by the Chairman of Agriculture and Environment but I'm really disturbed by what they went to learn in South Africa. I think this is misuse of taxpayers' money because you cannot go to South Africa to study fishing and fishing is plenty in Kisumu and so many other parts of Kenya. If that is what they went to do in South Africa they should refund that money because it was not put to good use.

Kindly, Mr. Speaker, what I'm trying to say is that we have enough institutions which train fishing. They would have gone to Egerton University. We have Jomo Kenyatta University of Agriculture where they are dealing with these issues without looking or leaving anything unattended. So, Mr. Speaker on issues to do with environmental management, I support and I wish we do something because waste in this country is going to a level we cannot even control and I would urge this Assembly that we support this particular document so that at least we can see whether we can clean up this particular City.

The Executive came with a very good vision; that 'my waste my responsibility'. We need to go back there, let us sensitize *wananchi* on issues to do with waste management because *if* it is not controlled now and Nairobi and this Country is developing at a very fast rate, we are courting disaster. We have to do something to ensure that at least we manage our waste. Thank you.

Hon. Speaker: Very well. Hon. Alexina.

Hon. Alexina Mudi (Nominated Member): Thank you Mr. Speaker I am keeping quiet because I need your attention before I go ahead.

Hon. Speaker: Go ahead.

Hon. Alexina Mudi: Thank you Mr. Speaker sir, as far as I stand to support the report from South Africa. We are talking about environment being inclusive and when we talk about environment being inclusive Hon. Members; let us talk about all around inclusive. The other day we were watching one of our Executive Minister who was actually being questioned when we had a downpour in Nairobi, and it was a bit embarrassing to hear that it is only empty plastic bottles that are actually causing the damage of drainage in this City.

Mr. Speaker sir, as much as I stand here to support the report, let us have it clear in this Assembly on behalf of Nairobians that environment is all round inclusive. Maybe someone can actually talk about the polythene, the papers and all the stuff on how we can actually take care of that, so that at least it is not leading to blockage of the sewerage system in this County. Thank you, Mr. Speaker.

Hon. Speaker: The Hon. Elkana.

Hon. Elkana Mauti: Thank you Mr. Speaker sir, as I stand to support this report, I think we want to actualize what we have been told. However, we are hearing it like history. Some of us Members, this is like history to us. Can the Committee arrange for the whole Assembly to go to South Africa and see it practically? Because we don't want to see it like history, a story; it is like story telling which we don't see.

Yes, Mr. Speaker, before we go to South Africa to see it practically all of us Members because we don't want to support a story, let us have a workshop which will be arranged by this Environment Committee so that they can teach us what they saw. Mr. Speaker, we want them to teach us what they saw so that we will have that intention---

Mr. Speaker, I was requesting the Committee of Environment to arrange for a workshop so that we go and be taught what they saw and how it is working. Two, also we make a trip to South Africa, so that we

see what is happening. So can we go and see because this is like story telling so that when we come back, we can tell our people what we have seen.

Hon. Speaker: There is a Point of Order from the Hon. Deputy Speaker.

Hon. Deputy Speaker: (*Laughs*) Mr. Speaker, this is very funny, but you see Mr. Speaker, a Committee represents the whole Assembly so when the Committee on Agriculture went for a trip to South Africa, they represented the Committee and the entire County. So I don't see any need Hon. Speaker and it would really look awkward and even shameful to this Hon. House to terminate the services of this House and see or benchmark what is happening in South Africa, surely. Let the Members not consume our valuable time for no apparent reason. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Akuk.

Hon. Member for Nyayo High-rise Ward (Mr. Maurice Akuk): Thank you Mr. Speaker. Indeed it is very sad though I support this report and it is very sad for a Member to actually stand before this House and mention such a thing. Because Mr. Speaker sir, I believe Hon. Ngaruiya must really not understand the word benchmarking and I believe that Hon. Mauti indeed does not understand why we have various Sectoral Committees. And if they could understand this Mr. Speaker sir, they will actually be able to distinguish between the purpose of benchmarking and sending a Sectoral Committee to a certain area and they will also understand that when it comes to issues environmental, it is this Sectoral Committee that sits with the Environment Department and when policies are being formulated, when the frame works are being created, it is through this benchmarking and it is through this understanding with another City that probably performs the same ideas, that they will be able to give ideas in policy formulation for this sector, Mr. Speaker sir.

So, for a Member to understand to stand before us and rubbish the work of this Assembly, the work of these Sectoral Committees, it is quite painful and I believe it is disrespectful to you, Mr. Speaker sir, it is disrespectful to you because it actually means and I am sure these two Members have visited other areas in the world and we sent them to benchmark and some of them have never even brought up a report. This report is quite detailed I have been trying to go through it, they have even indicated pictures of how they sort their garbage back in Cape Town, and I believe that the Hon. Chairman of this Sectoral Committee if given an opportunity to give his input in this particular department, he will give comparison from what he learnt, from what he studied and I believe Nairobians will benefit to know that their *Mheshimiwa* has a different idea, has a different input to see how it is actually done on the other end.

Mr. Speaker I stand to support and disagree with my fellow *Waheshimiwa* and to try and tell them there is no need to stand on the floor of his House and rubbish a report of a Sectoral Committee when you are aware that probably you will be sent by this particular House to go and benchmark for us and we cannot all go to South Africa, Mr. Speaker sir. So please let us all respect your seat and understand why you send us abroad to bring back these reports. Thank you Mr. Speaker sir.

Hon. Speaker: Hon. Kagiri, you know you just contributed to it. Yes Hon. Kagiri!

Hon. Samuel Kagiri: Mr. Speaker, I sit in the Committee of Environment and Natural Resources and as I stand I want to first of all support this report of our Committee and I also want to say that we learn most of the things through how other people do, and that is why you see some of Cities have changed by copying others what they do. I therefore don't see any problem when our people go to visit South Africa and come with a positive report that we cannot also implement in this City and change it to look like their Cities.

Mr. Speaker, Environment talks everything about a person or it's everything. The President of the United States of America Obama is coming to this County in July and all you will find around is a lot of cleaning that is going around in our major roads to ensure that our environment looks smart. We are doing it because in the United States the Environment is quite smart, but I would like to request that if this activity would be on going every now and then but not just to please the leaders who come from outside and when they return back, we leave our environment in a very bad state.

Mr. Speaker, I would urge the Executive to ensure that, our environment is kept clean. It is also the duty of the residents of Nairobi to ensure that they don't throw waste anyhow as one of my colleagues as just said. Why we have a lot of floods in this City in the recent few days it's because of blockages in our drainage system and this has been contributed almost 100% by the residents of this City and I wish the residents would stop throwing garbage anyhow and also the County Government to play its role well in maintaining our garbage and also to come up with ways they can do the recycling of garbage to ensure our City and our environment is clean. I support the report.

Hon. Speaker: Hon. Karen Wanjiku!

Hon. Karen Wanjiku: Thank you Mr. Speaker sir, I want to support this report indeed this Committee has done a good job, going to South Africa is justifiable, it's not like the way the Media says that we waste Public money. We are seeing the recommendation they have come up with and I will talk about particularly the third recommendation that the City County Government should adopt the modern methods of waste disposal, such as recycling as practiced in the City of Cape Town.

It is very important for Nairobians to know how to manage our waste because we have seen Lorries carrying waste all the way to Dandora, but what are we going to do because that waste is wasted and we should be using it. It can be recycled to make plastics cups. It can be used to make tissues, cartoons and what have you.

So it is very good the Implementation Committee should follow up on this. This good report should not go down to waste. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much Hon. Karen Wanjiku and I think what Karen is saying and Hon. Member Kagiri it is up to you as the Assembly to come now with laws to control this rampant dumping of garbage and come up with laws here and I think even you are late in substituting with the laws the laws of the defunct County Council. Hon. Manayala.

Hon. Member for Kayole South Ward (Ms. Elizabeth Manyala): Thank you Mr. Speaker sir, indeed the report is well done and we want to echo our sentiment to the Committee as Hon. Akuk had said that a sample is always a miniature of the whole population, as a Sectoral Committee they represented the whole Assembly in benchmarking and they have come up with a very good report which we are seeing.

But in one of its recommendations which has triggered something I heard yesterday on the floor of this House, the same Committee is giving its recommendation that Nairobi City County Government should fast track the enactment of a Solid Waste Management Act providing for an integrated solid waste management and responsibility of waste generators. I think it is the same Committee that is mandated to come up with a Bill instead of--- yesterday they were running away from this responsibility of solid waste saying that it belongs to the Sectoral Committee of Health.

Today they are again giving recommendation and it is under their docket. Does it mean that this Committee even when they were benchmarking they didn't know that solid waste fall squarely under their docket, that even within the report they would have told us what they intend or technical knowhow or what they have learnt that they would want to come and tell the Assembly or the County Government to adopt to the good practices that we are able to duplicate without much ado, I want to tell them that they need to reconsider that whatever they saw, so that they come up with a Bill, that will ensure that the solid waste management is brought into this House for quick implementation. Thank you, Mr. Speaker.

Hon. Speaker: Thank you very much and I now call the mover of the Motion to reply. Where is the Chairman?

Hon. Benson Amutavi: Mr. Speaker sir, I thank you all Members for supporting these Motion and I beg that you move the Motion.

Hon. Speaker: Very well, thank you. No we understand what he meant. Yes, Hon. Members I now put the question that,

(Question put and agreed to)

Hon. Speaker: Next Order. Hon. Members we now go back to Order number 8 and Hon. Kagiri. Hon. Kagiri.

Hon. Samuel Kagiri: Mr. Speaker sorry for the delay. We were doing some consultations. Pursuant to Standing Order 122(2) Mr. Speaker that the Motion for the second reading be amended by deleting the words now and inserting at the end of the Motion the words on Tuesday 17th November, 2015. This is to allow for more consultation and to address these issues that I had stated earlier that the Bill imposes a lot of charges and environmental levies without the approval of the Assembly and the Assembly needs some time to go through it. It is also leaving at the discretion of the determining mechanisms of waste collection and guidelines of waste recycling to the Executive particularly zones and franchising system. Another reason is that there are harsh penalties that especially are being handled by the urban poor in Nairobi. Finally there is formulation of regulations without the approval of the County Assembly.

Mr. Speaker, bearing in mind all these reasons, we request the Bill to be read for the second time on Tuesday 17th November, 2015. Thank you Mr. Speaker.

Hon. Speaker: Hon. Kagiri you have not called for a seconder. No, no, this amendment.

Hon. Samuel Kagiri: Mr. Speaker, I want to call Hon. Mulatya to second me.

Hon. Speaker: Very well.

Hon. Member for Kwa Njenga Ward (Mr. Alexander Mulatya): Mr. Speaker, as far as Nairobians are concerned we actually need a Bill which is inclusive of each and every person in this County. It is said in that Bill we need further interrogation with the stakeholders of the Nairobi County. Bearing in mind that in Nairobi County we have 85 Wards, we have to consult extensively with the Representatives of specific Wards within the County. I'll also come up with a good Bill, a better Bill than what we were going through. A Bill which will cater for all the income margins such that whoever will be given the chance, will have the capability of performing the function of garbage collection and solid waste management.

In addition, we need to have zoning which must be included in the Bill. We can have at least 17 zones within the County to represent Sub Counties of the whole Nairobi to make sure that actually garbage is well collected, thank you Mr. Speaker.

Hon. Speaker: Hon. Members, I propose the question that,

(Question proposed)

Hon. Speaker: Hon. Members. Hon. Karen Wanjiku.

Hon. Karen Wanjiku: I support the amendment.

Hon. Speaker: Hon. Members I call the mover of the Motion to reply.

Hon. Samuel Kagiri: Mr. Speaker, I wish to thank all the Members for agreeing to our request. Let us be given some more time to look at the Bill and I appreciate, thank you.

Hon. Speaker: Hon. Members, I now put the question that,

(Question put and agreed to)

ADJOURMENT

Hon. Speaker: Next Order, Hon. Members, the House is adjourned until tomorrow 2.30 p.m. I thank you.

(The House rose at 4.10 p.m.)