



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Second County Assembly – Second Session

Wednesday 13<sup>th</sup> June, 2018

The House met at 2.30 p.m.

*(Hon. Speaker (Ms. Beatrice Elachi) in the Chair)*

#### PRAYERS

#### QUORUM

**Hon. Speaker:** Serjeant-at-Arms, ring the bell for five minutes.

*(Quorum bell was rang)*

#### PAPERS

The following Papers were laid on the Table:

Report of the Sectoral Committee on Trade Tourism and Cooperatives on the training workshop on Strategic Planning and Work Plan held from 8<sup>th</sup> to 11 March, 2018 at Imperial Hotel, Kisumu County.

Second Report of the Sectoral Committee on Trade Tourism and Cooperatives on induction workshop of Members and capacity building with the County Executive sector on Commerce, Tourism and Cooperatives held on 24<sup>th</sup> to 27<sup>th</sup> January, 2018 at Sai Rock Hotel, Mombasa County.

*(By the Chairman of the Trade Tourism and Cooperatives Committee)*

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

Since Hon. Wahinya is not in the House, do we have any member of the Delegated Committee who was given the task to lay their report? Okay, next order.

### POINT OF ORDER

**Hon. Maurice Gari:** Point of Order.

**Hon. Speaker:** What is your Point of Order, Hon. Maurice? Do you have a statement?

**Hon. Maurice Gari:** Madam Speaker, I rise on a Point of Order No. 187 which says that '*A member may attend and participate in the meeting of any committee of the County Assembly of which he or she is not a member but such member will not be entitled to vote on any matter before the Committee*'.

Madam Speaker, I have raised this Standing Order because I wanted to attend to a matter of great concern which was in the print media in the Star Newspaper which indicated our clerk Mr. Jacob Ngwele. When I went there, the Searjant-at-Arms were ordered not to allow any Member to go in and listen to the conversation between the members of the Public Accounts Committee and the public.

Madam Speaker, I was so disturbed because I did not know what was going on there but through a print media, I learnt that there were DCI officers investigating the Assembly budget and usage of money. *(Applause)* Assembly Committee is an extension of the House and any member of the public or a member who is elected or special elect has a mandate to attend to listen and not to vote. So, when I went to enquire, we were told that we cannot attend the Committee, I wonder why.

Before you rule on this, for the last two weeks you have seen the president fighting and he does not condone corruption. We cannot fight corruption when we don't want to sit, attend and listen to the witnesses who have been accused of wrong doing so that we can listen and give our input.

Madam Speaker, again if this thing which is in print media, is true as indicated and vindicated, he should step aside for investigation.

*(Applause)*

You cannot hold a public office when you are being investigated. This should go down to Finance Department so that we can know the truth in this Assembly. We cannot come here to pass budget for people to eat our money.

**Hon. Speaker:** Order, Hon. Gari!

**Hon. Maurice Gari:** So, Madam Speaker, I need your ruling and your wisdom on this. If somebody is a thief, he should step aside.

**Hon. Speaker:** Order, Hon. Gari!

**Hon. Maurice Gari:** Thank you so much.

**Hon. Speaker:** Hon. Gari, I have listened and I will need to answer this next week on Tuesday because you have said you went to the Committee to attend and participate according to Standing Order No. 187. I will get to understand why it was a closed door meeting. I know also Standing Order that gives a right for the public to enter into all or any committee but I know the Chair can advise whether it was. But I don't think he will advise on the Hon. Members, he can only advise on the public if they wanted it to be a closed door meeting.

I will look at what was the issue, if it was a public issue that is already in the public purview and sometimes it is very difficult to make it a closed door meeting but I will give a deliberation and a communication on the same next Tuesday. Is that okay Hon. Gari?

**Hon. Maurice Gari:** I am satisfied, Madam Speaker. You must investigate and see why it happened and we want clear information both in the print media and why we were not allowed to access the Committee. Thank you.

*(Applause)*

## BILL

First Reading

### OUTDOOR ADVERTISING AND SIGNAGE CONTROL AND REGULATION BILL (NO. 3 OF 2018)

A BILL FOR AN ACT OF NAIROBI CITY COUNTY ASSEMBLY TO PROVIDE FOR THE REGULATION OF OUTDOOR ADVERTISEMENT AND SIGNAGE WITHIN THE NAIROBI CITY COUNTY AND FOR CONNECTED PURPOSES

## MOTION

**Hon. Speaker:** Is Hon. Silas Matara in the House? Majority Whip, advice the House as the leadership.

**Hon. Chege Mwaure:** Madam Speaker, aware that Hon. Matara is a Member of Public Investment Committee, there is a possibility he could be out for a committee meeting. I therefore would kindly request the Motion be pushed to the last one that comes on Tuesday and one for tomorrow's Order Paper be brought today because I don't have clear instructions to move on his behalf.

**Hon. Speaker:** The challenge is that Hon. Peter Imwatok is also not in the House.

*(Motion dropped)*

## ADJOURNMENT

**Hon. Speaker:** Hon. Members, since we don't have the Member we will adjourn but I will humbly request you Hon. Members that lets try to be in the House early enough tomorrow. I hope somebody will inform Hon. Imwatok to be in the House so that we don't lack business.

There being no any other business we adjourn to tomorrow Thursday 14<sup>th</sup> June 2018.

*(The House rose at 3:00 p.m.)*