



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – Second Session

Tuesday 25th September, 2018

The House met at 2.30 p.m.

[Hon. Deputy Speaker (Mr. John Nyumu) in the Chair]

PRAYERS

Hon. Deputy Speaker: Clerk, proceed.

PAPER

Hon. Deputy Speaker: Chairperson Culture? Proceed, he is absent

NOTICE OF MOTION

Hon. Deputy Speaker: Chairperson is not in. Proceed.

STATEMENTS

Hon. Deputy Speaker: Chair on Tourism and Trade.

STATEMENT RESPONSE REGARDING THE ALLEGED PROSTITUTION ACTIVITIES AT CLUB 207 LOCATED IN LAVINGTON AREA

Hon. Charles Thuo: Thank you, Hon. Speaker. On Thursday 7th June, 2018 the Hon. James Kariuki, MCA, pursuant to Standing Order No.45 (2) (c) requested for a statement from the Chairperson of the Sectoral Committee on Trade, Tourism and Cooperatives regarding the alleged prostitution activities at Club 207 located in Lavington area. He further asked the Chairperson to inquire into and report on;

1. Activities carried out in the lodge club 207 in Lavington.

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2. Whether it is residential or commercial premises and if commercial, is it a brothel or a massage parlor?
3. Which office issued the license if any and who did the inspection?

Hon. Speaker, the issues raised by the Hon. Member were falling under the mandate of two sectoral committees which are Trade, Tourism and Cooperatives and Culture and Community Services.

Hon. Speaker, the Sectoral Committee on Trade, Tourism and Cooperatives was to answer two issues. That is, whether it is a residential or commercial premise and if commercial, is it a club, brothel or massage parlor and which office issued the license if any and who did the inspection.

The committee wrote to the County Executive on 18th June 2018 requesting the relevant office to attend a committee meeting on Tuesday 20th June, 2018 to furnish the Committee with a response to the issued raised by the Member pursuant to Standing Order No. 45 (2) (e). The Committee further invited the Hon. Member to attend the meeting as provided for in the Standing Orders through a letter dated 18th June, 2018.

Hon. Speaker, on the day of the meeting, the Hon. Member was unable to attend the meeting of the Committee. However, the relevant officers of the County Executive Committee attended the meeting. During the meeting with the County Executive officers, the committee was informed as follows;

- a. Whether it is residential or commercial premises and if commercial, is it a brothel or a massage parlor?

The Director informed that having sent his officers on the ground, it was found that the business name was 007 Lounge Bar and not Lounge Club 207 as stated in the statement. He further informed us that the business was situated along Abusani Road No. 300/2 in Kileleshwa Ward and that the business was a bar and restaurant located in the residential premises.

- b. With regard to the office that issued the license if any and who did the inspection?

The Director stated that the business was registered under the single business permit through an online platform on 12th March, 2018 and had paid Ksh.24, 500 for which Ksh.20, 000 was for provisional single business permit and Ksh.4, 500 was for the clearance certificate. The director further informed us that the business had not paid for liquor license, food, hygiene, medical and signage certificate. He stated that the business was inspected by Dagoretti North Liquor committee but had not paid for liquor licensing for 2018. The Committee undertook a site visit to the premises on Tuesday 17th July 2018 to ascertain the issues raised by the Member. During the meeting with the management of the premise, the Committee was informed as follows;

1. That the premise was a residential but was changed to a commercial building situated along Abusani Road in Kileleshwa Ward. The business had been operational since July 2017 and it sells alcoholic drinks and entertainment activities such as music and not prostitution activities as alleged.

During the site visit, the committee noted the following:

- That the club was registered as 007 Lodge Bar but it is still marked as 207 Lodge Bar;
- That the bar doubled up as a lodge with four executive rooms;

- That there are four extra rooms adjacent to the main house alleged to be staff's rooms; and
- That there is a strippers pole in the bar

The Committee could not ascertain whether prostitution activities are being carried out in the premises and in this regard, Hon. Speaker, I wish to report to the Assembly as follows;

- a. Whether it is residential or commercial premises and if commercial, is it a brothel or a massage parlor?

That the premise was a residential place but was converted into a commercial entity and it is a bar and lodge and has paid a single business permit to the County.

- b. Which office issued the license if any and who did the inspection?

The business was registered under a single business permit through an on-line platform and inspected by Dagoretti North Liquor committee.

Hon. Speaker, I beg to lay this response. Thank you.

Hon. Charles Thuo: I also have another response.

Hon. Deputy Speaker: Proceed.

STATEMENT RESPONSE REGARDING BETTING AND GAMING CRAZE IN THE COUNTY

Hon. Charles Thuo: Hon. Speaker on Tuesday 24th July, 2018, Hon. Mwangi Njihia, MCA, pursuant to Standing Order No. 45 (2) (c) requested for a statement from the Chairperson of the Sectoral Committee on Trade, Tourism and Cooperatives regarding the betting and gaming craze in the County. He further asked the Chairperson to inquire into and report on;

- 1) Number of licensed betting companies and casinos per Ward;
- 2) The premise nature of gambling activities carried out in casinos and other betting establishments; and
- 3) Measures put in place by the County to regulate the casino premises in the County.

Hon. Speaker, the Committee wrote to the County Executive on 25th July, 2018 requesting that the relevant officers attend a meeting of the Committee on Tuesday 31st July, 2018 to furnish the Committee with a response to the issues raised by the Member pursuant to the provisions of Standing Order No. 45 (2) (e).

The Committee further invited the Hon. Member to attend the meeting as provided for in the Standing Orders through a letter dated 25th July, 2018. On the day of the meeting, the Hon. Member was unable to attend the said meeting, however, the relevant officers from the County Executive Committee did attend.

In this regard Hon. Speaker, I wish to report to the Assembly as follows;

That during the meeting with the County Executive Officer, the Committee was informed as follows;

- 1) On the number of licensed betting companies and casinos in the County per ward.

Hon. Member: Point of Order Mr. Speaker.

Hon. Deputy Speaker: Chairman on Trade, proceed.

Hon. Charles Thuo: Thank you, Mr. Speaker for recognizing that we cannot keep acknowledging every dog that barks on our way. I withdraw and apologize but the point is made.

From the County data, there are 23 licensed casinos in the County which are spread across the Wards which are Kilimani, Parklands, Highridge, Roysambu, Airbase, California, Viwandani, Nairobi Central, Kileleshwa and Kabiro Wards. The Committee was further informed that not all Wards have casinos. From preliminary report, the County Executive informed us that there are 35 licensed betting companies operating in the County. Attached here is a list of the companies.

2) The premise nature of gambling activities carried out in casinos and other betting establishments?

The County Executive informed the Committee that casino games include games of chance, American roulette, poker, blackjack, jambo poker, texas holdem and bingo. Games of skilled sport, betting at times has interactive game devices like machines. Betting is gambling where the individual predicts outcomes of events such as football, horse racing, dog racing, elections and athletics. In addition there is an automatic machine which registers bets and total amount bets amongst those who won. The machine is mainly found in these offices.

3) Measures put in place by the County to regulate the casino premises in the County.

Hon. Speaker, the County has developed the Nairobi City County betting, lotteries and gaming act 2014.

However, after the delineation of the functions, the Act seems inadequate to address the activities assigned to Betting and Gaming department. The County Executive has started the process of reviewing the Nairobi City County Betting, Lotteries and Gaming Act, 2014. The County has made proposals in the Finance Bill regarding various fees for the Betting and gaming premises and for prize competition, lotteries, pool tables and amusement machines within the County. Once the Finance Act is in place, the County will be able to control licensing on casinos and betting premises.

The Betting department was working with the ICT department to develop specific licenses for gaming and betting activities in the County. The process had been delayed due to issues between e-momentum, Jambo pay and the County Government. All licensed gaming premises (Casinos) are inspected by the County Gaming Inspectors who work on daily basis to ensure standards and norms, are complied with by the operators as well as generating the daily returns. The County Executive is committed to maintain vigilance to ensure that gambling takes place only in properly licensed premises in the County.

Hon. Speaker, I beg to lay this response. Thank you.

Hon. Deputy Speaker: Is the Member who requested this Statement around? Hon. Njihia, are you around? It seems he is absent.

The Chairperson Trade, response to a statement from MCA from Dandora, Hon. Thuo.

Hon. James Kiriba: Hon. Speaker, thank you.

Hon. Deputy Speaker: Hon. Kiriba, just a second I clear with the Chairman Trade please, you will have time, please sit down.

Hon. Charles Thuo: Hon. Speaker, I laid the report on the floor of the Assembly and I was waiting the Hon. Member to say whether he is okay with the response.

Hon. Deputy Speaker: Okay, thank you. But the Member is not there, they were two, the other one was for Hon. Kiriba. Are you the one who requested it?

Hon. James Kiriba: I have not registered acceptance of the report.

Hon. Deputy Speaker: The Chairperson has said nothing.

Hon. Kiriba: I am not satisfied with the report.

Hon. Deputy Speaker: But the Chairperson must respond before you comment, Hon. Kiriba.

Hon. James Kiriba: My question was not for the Chairperson, Hon. Mwangi, his question was the second one.

Hon. Deputy Speaker: I think there is a mix-up. Can you consult with the Clerk first? *Mheshimiwa Kathundo*, do you have any response for Hon. Kiriba?

Hon. Charles Thuo: Hon. Speaker, I had consulted with the Member and he is okay with it, thank you.

Hon. Deputy Speaker: He has accepted it is okay, thank you, Hon. Kathundo. Hon. Waithera what Point of Order do you have? Hon Mutheu, are you on a Point of Order? Say yes or no.

Hon. Members let us switch to Supplementary Order Paper. Serjeant-at-Arms, can you please give Hon. Members, Supplementary Order Paper.

(Supplementary Order Papers were supplied to Members)

COMMUNICATION FROM THE CHAIR

Hon. Deputy Speaker: Please let us be attentive. The House Business Committee met this morning and this item was slotted in. The communication that I have is that we have election for the Acting Speaker.

ELECTION OF ACTING SPEAKER

Hon. Members, as you are all aware, the County Assembly has in the past one month or so, experienced upheavals whose consequence has been in the absence of the Speaker of the County Assembly, amongst others. You will recall that on September 6th, 2018, the County Assembly, vide a Resolution Motion, voted by an overwhelming majority of 103 Members, against (two) 2 for the removal of the office of then Speaker, the Hon. Beatrice Elachi, pursuant to Section 11 of the County Governments Act 2012.

(Applause)

Hon. Members, Article 178 (1) of the Constitution provides that: *'each County Assembly shall have a Speaker elected by the County Assembly from among persons who are not Members of the Assembly.'* Further Article 178 (2) (b) provides that: *'in the absence of the Speaker, another Member of the Assembly elected by the Assembly shall preside over a sitting of the County Assembly.'*

In furtherance of the foregoing, the Second Schedule to the County Governments Act, 2012 provides for the office of the Chairperson of the Committee or a person to deputise the Speaker as provided for under Article 178 (2) (b), as amongst matters to be provided for the Standing Orders. That election was since undertaken, and I John Kamangu Nyumu elected as such.

However, Hon. Members, you will recall the decisions by Courts in the case of Nathanael Nganga Reuben vs Speaker, Machakos County Assembly in 2016, as well in two separate rulings of Deputy Speaker

of Muranga and Meru County Assemblies, whose net declarations and their consequences we are all aware of.

Hon. Members, in our practice and appropriately, the office of Chairperson of Committees is provided for under Part II of Nairobi City County Assembly Standing Orders.

Hon. Members, the absence of the Speaker occasioned by the matters affecting her which are currently before Court, having dispensed with then ourselves, creates a vacuum which the House cannot afford. Accordingly, in these circumstances, the House must proceed in ways that do not fall at fault of the law and court directions as far the position of the Deputy Speaker and occupancy of the substantive office is concerned where the Speaker is absent for reasons now detailed hereunder.

Hon. Members, section 9(4) of the County Government Act, 2012, provides as follows regarding the absence of the Speaker in matters affecting her or otherwise: *'At any time in the absence of the Speaker of the County Assembly or in matters that directly affect the speaker, the county assembly shall elect a member to act as speaker as contemplated under Article 178 (2) (b) of the Constitution.'*

Therefore, proceeding from the following, Order No. 8 of the Supplementary Order Paper will undertake the election of the Acting Speaker being from amongst its membership per section 9(4) of the County Governments Act, 2012 and as proposed, seconded by members present and as voted pursuant to the Standing Orders. In keeping with our practice, we will ensure there are office holders for both office of the Speaker in acting capacity as well as the Chairpersons of the Committee.

Hon. Members, we will therefore proceed to the Supplementary Order Paper No. 8. Thank you.

(Applause)

PROCEDURE FOR ELECTION OF ACTING SPEAKER

Hon. Members, as I had indicated that this morning we had a House Business Committee, this is the procedure for election of Acting Speaker. We are now dispensing with Order No. 8 of the Supplementary Order Paper. This is how we will proceed. Order, Hon. Ogeto!

Firstly, the election of the Acting Speaker is unlike the election of the Speaker or the Deputy Speaker for that matter. Accordingly, we will proceed on the basis of Section 9(4) of the County Governments Act, 2012 by which we will undertake an election of an Acting Speaker from amongst the Members of the House by the simple majority of the membership.

Secondly, I will invite Hon. Members to nominate persons from amongst the membership who wish to vie for the position of Acting Speaker. By virtue of powers in the presidium under Standing Order No.1, I direct that such member wishing to be nominated to vie as Acting Speaker must be proposed and seconded accordingly by other members and that such names as proposed and seconded shall be tabled before the Assembly for a vote by the agents of the nominees.

Thirdly, Hon. Members, I will then invite the House to--- I am giving the procedure--- member to the office of the Speaker of the Nairobi City County Assembly in acting capacity. It is so guided.

Hon. Members, I now invite you to propose and second names of persons from amongst the membership who wish to vie for the position of Acting Speaker pursuant to Section 9(2) of the County Governments Act, 2012. You have only five minutes to do so. Thank you.

Hon. Moses Ogeto: Hon. Speaker, with due respect, I want you to invoke Standing Order No. 78 which will guide us in your proposals of this Assembly. We don't want to see a mess which happened in the National Assembly where things can be computed electronically. Thank you.

Hon. Deputy Speaker: Thank you, the matter has been noted. We will have a roll call. I had given five minutes, I don't want to go beyond that. Can I have the names, please?

(Loud consultations)

Hon. Osman Adow: Mr. Speaker, some of us are in the dark, we didn't get any information---

(Loud consultations)

Hon. Deputy Speaker: Order! Hon. Gari, Order! I want members to have specific---

(Loud consultations)

Serjeant-at-Arms, could you please close the doors. No movement at all! If you have any Point of Order, please you must tell us exactly which Point of Order. I want you to propose the names and the seconds. I had given five minutes. Hon. Waithera.

Hon. Waithera Chege: Thank you, Mr. Speaker. Can you kindly bring order back to the House?

Hon. Deputy Speaker: I think it starts with you. Proceed.

(Laughter)

Hon. Waithera Chege: Thank you. I wish to propose a name. But before I do that, I want to confirm myself to Article 178(2) (b) of the Constitution that we are doing the right procedure. I also take you back to the County Governments Act Section 9 (4). As I do that, kindly allow me to refer to the rulings from the High Court Judges in Muranga, where we had Justice Kimondo, in Meru and in Machakos. Justice Kimondo in Muranga issued permanent injunction restraining any person from acting or representing himself as or purporting to act in the position of the Deputy Speaker of the three county assemblies.

In the unforeseen circumstances especially here in Nairobi, we are leaving our County Assembly exposed basically because we do not know what may come up in any other county. Therefore, before I propose a name, I want to confirm that what you have just taken us through especially Article 178(2) (b) of the Constitution of Kenya which gives the County Assembly the mandate in the absence of the Speaker to elect an Acting Member.

I therefore proceed to propose Chege Mwaura as the Acting Speaker.

(Applause)

This is a gentleman I have worked with in the past even before I came into this Assembly. I have worked with him for the last 10 years and I know his capacity and capabilities in delivering. This House also needs a firm leader who will be able to take this Assembly forward looking at the activities that have been seen here in the past. Therefore, Hon. Chairperson, allow me to propose Hon. Chege Mwaura.

Hon. Deputy Speaker: A seconder.

Hon. Wilson Ocholla: Looking at the mood of the House, I second Chege Mwaura to be the Acting Speaker.

Hon. Deputy Speaker: Hon. Imwatok.

Hon. Peter Imwatok: Chair, I am honoured and privileged as a man who believes in women, allow me to propose a great woman whom I have served with in the civil society before becoming a Member of this County Assembly. She is a teacher by profession, a woman of etiquette, a woman of integrity who stands firmly the same way I stand firm on issues. May I propose Mary Ariviza to be the Acting Speaker? I propose for the sake of women. I repeat my words for the Fourth Estate to record. I have served with Mary Ariviza in the civil society, she is a teacher of repute, she has a stand and I stand by her today by proposing her to be the Acting Speaker of the County Assembly. I beg to propose.

Hon. Deputy Speaker: Mary Ariviza is seconded by? Members, Order! Let us do things procedurally. Mary has already been proposed and we need a seconder.

(Point of Order)

Hon. Deputy Speaker: Can you request, Hon. Ogeto?

Hon. Moses Ogeto: Hon. Speaker, I am on Point of Order No. 240(5) which says that a member who has been proposed should stand up before this House so that we can see them before we move to your direction, Hon. Speaker.

Hon. Deputy Speaker: I do not think it is necessary. We know them by their names, so I do not think any other proposal--- We have Mary and we have Chege, any other proposal?

Hon. Millicent Mugadi: Thank you, Mr. Speaker. Before I propose, as you have seen it is a battle of the genders and since all this has been brought through gender issues, I would like to propose someone that I really admire for her courage and her strength and has shown so much zeal that is necessary to lead this Nairobi County and fight for Nairobians. Therefore, I would like to ask my fellow women to help me support Njambi *mafirifiri* for the post of the Speaker.

(Loud consultations)

Hon. Deputy Speaker: Order! I have only one minute. Secunder for Njambi? The third candidate is Hon Njambi to be the Speaker of Nairobi County Assembly. Who is the seconder? Please, Serjeant-at-Arms we said no one should go out, we are going for division and you should not let anybody go out please. Who is the seconder for Hon. Njambi?

Hon. Juliet Ndegwa: Mr. Speaker, reading the mood of the House I beg the Mover to proceed.

Hon. Deputy Speaker: I am talking about the seconder for Njambi. *(Loud consultations)* Hon. Juliet, we needed a seconder for Njambi then we proceed. Are you seconding Njambi? Let us clear with Njambi matters first. *(Loud consultations)* I had directed for five minutes and it is over. I think we start the procedures. We have Njambi and we have Mary, is that right? We have three candidates.

Hon. Members, the names of the following have been proposed and seconded. One, we have Hon. Chege Mwaura, Member of the County Assembly, two, we have Hon. Mary Ariviza, nominated Member of the County Assembly and three, we have Hon. Njambi, un-seconded.

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Hon. Members, let me direct that we have three members who seriously want to become the Speaker of this House. Could any one of them stand and of course we know them, we know them by their names and even their sizes, we know them. So, any of the members who have been nominated here, can they stand and declare whether they are interested or not and if you are interested you walk out of the Assembly. Njambi proceed.

Hon. Mary Njambi: Mr. Speaker sir, I decline and support Chege.

Hon. Deputy Speaker: Hon. Members, Njambi has withdrawn. Thank you Hon. Njambi. Do we have Mary Ariviza here? Is she around? Is Chege around? Now that Chege is around I do not think it is important for me to chase him out of the Assembly. Let us go straight to the vote and this time round we said as we did the other time Hon. Members, nobody is going to be forced, you are free to do whatever you want to do. You can decline, you can abstain and you can say yes. *Tuko pamoja?* The procedure is very clear. Chege Mwaura, since your name has been proposed you should walk out of the House and Ariviza too if you are here. We do not want to know whether one voted for you or not. Chege Mwaura could you please walk out of the Assembly? Yes, Elias Otieno?

Hon. Elias Otieno: Mr. Speaker, I think we are taking this thing to far because I think the other candidate called Mary Ariviza is not in the House and we do not know whether she will accept or decline. So, Mr. Speaker, is it possible to elect somebody who is not around?

Hon. Moses Ogeto: Point of Information, Hon. Speaker.

Hon. Elias Otieno: Do I need information really? I do not want any information.

Hon. Deputy Speaker: Hon. Ogeto, the leader is standing please.

Hon. Elias Otieno: In fact I do not want information. Mr. Speaker, just give us direction if we can elect somebody who is not in and also we do not know whether they sent the person who proposed her. So, Mr. Speaker, let Hon. Imwatok tell us whether Mary Ariviza sent him to propose her name.

Hon. Peter Imwatok: Mr. Speaker, as you know by my history, I am not a male chauvinist and I believe in women very much and so dearly.

I was with Ariviza outside and I intimated that we are going to do a very important issue in the Assembly and to my understanding I believed she would be there. But going by the absentia, allow me to withdraw my proposal on her, with all due respect.

Hon. Deputy Speaker: Hon. Mary Ariviza, the proposer has withdrawn, and we go by that. Can we proceed with votes?

Hon. Moses Ogeto: Hon. Speaker, it may be that Hon. Ariviza went to the toilet. We can't assume that. She is a Member of this House. With or without her, she must be voted in even if the proposer has withdrawn. Her name is already in the *HANSARD* that she was among the members who were contesting. Hon. Speaker, we want to align ourselves with the Constitution of this country. There is a Member of Parliament who was voted when he had died. Hon. Speaker, we can't run away from that.

(Loud consultations)

Hon. Deputy Speaker: Hon. Members, can we respect the Hon. Member's views? I think it is important to give somebody a chance.

Hon. Peter Imwatok: Hon. Speaker, as you are aware, there was a Supplementary Order Paper which was circulated before the Assembly and your directive was that every Member of the County Assembly, out of 122, to propose a Member they think fits the position of being the Acting Speaker. I say this without consultation with Mary Ariviza because I was with her outside. I must have a person from my side to compete for this position. Therefore, on the powers bestowed upon me, as the Minority Chief Whip, and as an MCA, I withdraw my proposal of Ariviza.

Hon. Deputy Speaker: Thank you very much. I think we should proceed with the elections.

(Hon. Speaker consulted with the Clerk)

Hon. Members, from the mood of the House, Hon. Chege Mwaura has been elected unanimously by all the Members. I therefore, now declare Chege Mwaura the Acting Speaker of Nairobi County Assembly.

(Applause)

Hon. Members, I now order the Serjeant-at-Arms to look for Hon. Mwaura---

(Loud consultations)

Hon. Abdi Hassan: Hon. Speaker sir, with all due respect, this is House of rules and procedures. We must follow and adhere to our rules to the fullest. If you read section 9 (4), it says "at any time, in the absence of the Speaker of the County Assembly, or in the matter that directly affects the Speaker, the county assembly shall elect---" The word here is 'shall elect'. The moment we engage in unprocedural way of doing things, we are setting a very dangerous precedent. Mr. Speaker sir, I will ask you humbly, because you have already pronounced yourself, to rescind your decision and follow what the law says and let the Members vote either by roll call or using electronic device. Thank you Mr. Speaker sir.

Hon. Peter Imwatok: I think the Constitution envisaged the presiding/returning officer of this election under Section 9 (4) of the County Governments Act and that is you. In all procedures and precedence of election, if there is more than candidate, that is the time when we can take a vote, but if we have only one candidate, it means the returning officer has to make a pronouncement that there is only one candidate for this position. I wonder how we vote for one candidate.

Hon. Moses Ogeto: Hon. Speaker, I want to second my Leader of Majority. What is important is that Hon. Njambi has declined before this House but Hon. Ariviza didn't do that. Hon. Speaker, we have two candidates. Hon. Ariviza has not declined. Hon. Imwatok has said that he had consulted with Hon. Ariviza and it was seconded by a member in this House, Hon. Ochola. Unless she withdraws in written submission her candidature---

(Hon. Mary Ariviza protested her candidature)

(Loud consultations)

Hon. Deputy Speaker: Serjeant-at-Arms, please escort Hon. Mary out of the Assembly.

(Loud consultations)

Serjeant-at-Arms, please escort her out! Let her out!

(Loud consultations)

Serjeant-at-Arms, please make sure Mary is out of the Assembly.

(Loud consultations)

Order please! Clerk, can we proceed. Hon. Members, I want all of us to go to Standing Order No. 12 where a single dully nominated candidate issues are raised. Hon. Members; *“Despite the provisions of this Part; if there is only one candidate who has been dully nominated for election as the Speaker on the expiry of the nomination period, that candidate shall be declared forthwith to have been elected the Speaker without any ballot or vote being required.”*

Therefore Hon. Members now that Hon. Ariviza has declined her nomination, this leaves us with only one candidate, Hon. Chege Mwaura as the only nominated candidate.

Therefore, Hon. Members, a vote can be unanimous or which case, all those present are presumed to have voted for the candidate seemingly as there is only one nominee unless there are any other objections the House might proceed on that basis.

I therefore declare Hon. Mwaura Chege as dully elected Acting Speaker with 84 votes being for those who are present.

(Hon. Chege Mwaura elected as Acting Speaker)

(Point of Order)

Hon. Deputy Speaker: Which Point of Order are you standing on? I now order Serjeant-at-Arms to go out and look for Hon. Chege Mwaura and in the meantime, I refer Hon. Mary Ariviza to Powers and Privileges Committee because of of her misbehavior in this House. Thank you.

Has Hon. Mwaura been found? Hon. Mwaura, please proceed and come forward. You can be escorted by your friends.

(Applause)

Please could you give Hon. Mwaura a chance, be silent Hon. Members.

(Hon. Mwaura Chege was sworn in as the Acting Speaker)

(Applause)

Hon. Deputy Speaker: We shall work together and give you all the support that you need. I want now to leave the Chair and take the position as the Speaker and I wish you all the best. May God bless you so much.

(Applause)

(Hon. Deputy Speaker left the Chair)

(Hon. Acting Speaker took the Chair)

Hon. Acting Speaker: Hon. Members allow me to thank you most profoundly for having seen it wise to elect me in this humbling position of being able to act in the Office of the Speaker. I know it is not that I

am better than any one of you; I am just one of you. I think the voice that was clear when it comes to the acting position, you wanted one of you and I take it with outmost humility. I want also want to assure you that the Office of the Acting Speaker shall serve in a very open and friendly manner on the 'open door policy'.

(Applause)

I also wish to request for your support because it is not that I have been a Speaker before, it is a position that we must all together agree that we want to take Nairobi forward. Of course it is in the public domain everything that has happened before, it is now our time to take Nairobi where it is supposed to be and I think everyone is up to the task, everyone is willing to take us through that direction. As I will expect support from you and I beg for friendliness, I also want to assure you that firmness also will be the name of the game. The ones who shall have a Minority side, they will have their way, and the ones who of course are many shall have their way.

With that Hon. Members, I call on your support, prayers, and ideas for us to be able to take this County forward and to be able to be the representatives that we were called to be, the legislatures that we were elected to be and the overnighnters that we are expected to be. Thank you very much and I hope that moving forward from today the agenda shall be Nairobi.

May God bless you and God bless the work that He has given you to do in Nairobi and God bless the good people of Nairobi. I thank you.

(Applause)

ADJOURNMENT

Hon. Members, having looked at the business that has gone on, I therefore proceed to adjourn the House until tomorrow Wednesday 26th September, 2018 at 2.30 p.m.

The House rose at 4.07 p.m.