



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Third County Assembly – Second Session

SPECIAL SITTING

Thursday 18th May 2023

The House met at 2.30 p.m.

[The Speaker (Hon. Kennedy Ng'ondi) in the Chair]

PRAYER

QUORUM

Hon. Speaker: Hon. Members, the attention of the Chair has been brought that there is lack of quorum in the Assembly. Under Standing Order 37 (2), I direct the Serjeant-at-Arms to ring the bell for ten minutes.

(Quorum bell was rung)

Hon. Speaker: Hon. Members, we may proceed.

COMMUNICATION FROM THE CHAIR

APPROPRIATE DRESS CODE AND CONDUCT WITHIN ASSEMBLY PRECINCTS

Hon. Speaker: Hon. Members, you will allow me to raise a concern because that is my sole responsibility as the Speaker and this will act as a day to day reminder on the appropriate dress code and conduct within the Assembly precincts. This is the only way you will find yourself relevant and be respected as a Hon Member. It is therefore my responsibility to remind you and I hope that it will not be a bother to the House. So, take it kindly and positively.

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Hon Members, the Chair has on several occasions guided the House on the proper dress code to be donned by Hon. Members while in the County Assembly precincts, attending plenary sessions and committee meetings or attending such other activities as specified in the Speakers rules.

(Several Members stood at the Bar)

Member, you may proceed to the Chamber.

(The Members walked to the Chamber)

Serjeant-at-Arms, you will hold Members outside a bit.

For avoidance of doubt, the Speaker's Rules provide the following as the appropriate dress code for both Hon. Members, staff and visitors: -

a) Male:

- Long trousers
- Long sleeved shirt
- Tie
- Jacket
- Closed, polished leather shoes

b) Female

- Skirts of reasonable length (knee length or below the knees)
- Blouse
- Jacket
- Trouser suits
- Decent shoes
- Muslim lady Members may wear a purdah (Bui Bui) or Hijab
- Traditional wear

Despite the several reminders, my attention has been drawn to the continued breach of these rules by a number of Hon. Members who find their way within the precincts of the Assembly either in t-shirts, jeans trousers and open shoes. It should be noted that the prescription of Hon. Members' dress code was deliberately intended to preserve the honour and the dignity of the House.

In addition, Hon Members, the Chair is concerned with the uncontrolled access to the Assembly precincts, which is compromising the Security of Hon. Members and staff. The Speaker's Rules provide for the criteria for admittance of visitors to the Assembly precincts. In particular, the Speaker's rules on admittance of visitors provides as follows, and I quote: -

Rule No. 8: *"Hon. Members are responsible for the continued good conduct of any public, whom they bring on the Precincts, till the departure from the Precincts, of such public"*

Rule No. 11: *"Hon. Members should collect a card for entry to Precincts from Serjeant-at-Arms, sign and issue one to each public whom they wish to bring Precincts, which must bear the date of entry and be surrendered at the point of departure from the Precincts"*

Rule No. 12: “Hon. Members should ensure that the Public whom they bring to the precincts, leave the precincts by 18.00Hrs (6.00pm).”

Rule No. 13: “Hon Members should not seek to bring the public into the following areas of the precincts – Private rooms for use of Hon. Members, Lounge, Speaker’s gallery and committee rooms.”

In this regard, Hon Members, as the custodian of the Rules of decorum of the Assembly, I am going to firmly enforce these rules in order to guard the dignity of the Assembly as an August House and also to guarantee the security of Hon. Members while in the precincts. Accordingly, I direct as follows: -

- i) That every Member, staff and visitors, without exception, to at all times adhere to the dress code as provided for in the Speaker's Rules while in Plenary Chamber, Committee rooms, offices, lounges and during official functions;
- ii) That chairpersons of committees to enforce the Speaker's Rules in their respective committee meetings and activities, just as I would enforce them in the Chamber except in exceptional circumstances as shall be determined by the committee chair, without compromising the dress code rule;
- iii) That each Hon. Member to adhere to the Rules on admittance of visitors, and that each Hon. Member to at most admit two visitors at a time. All visitors and officers to publicly display their visitor's cards or staff identification cards.
- iv) That visitors and staff to use their designated entrances to the precincts for effective control.
- v) That the Clerk, through the office of the Director Security Services, to ensure enforcement of these Speakers' Rules and the directions given herein.

Hon Members, the Chair is afraid that this is the last time the House is being reminded the issue of dress code and admittance of visitors and the Chair will not hesitate to take firm action as provided for in the Rules and Standing Orders against any Member, officer or visitor who violates these Rules.

Hon. Members, before I conclude, I have further communication which shall be communicated in a short while, in regards to the conduct of Members within the Precincts of the Assembly, more so on the use of vulgar language and using unparliamentarily language and words towards other Hon Members.

The House is so guided. I thank you, Hon Members.

(Applause)

STATEMENT

FOLLOW UP ON THE DEMISE OF HON MOSES KITEMA’S WIFE

Hon. Peter Imwatok: Hon. Speaker---

Hon. Speaker: Majority Leader, kindly come forward before you proceed.

(Majority Leader consulted with the Chair)

Hon. Speaker: You may proceed.

Hon. Peter Imwatok: Thank you for understanding. I thank you all for the morning Session where we held our respects for our colleague's departed wife. The Whips have taken charge; we will be having a harambee this afternoon. We request, through the Speaker, that after the rise of the House, we can remain behind so that we give directions on the way forward.

PROCEDURAL MOTION

REDUCTION OF PUBLICATION PERIOD

Hon. Peter Imwatok: Hon. Speaker, allow me to move a Procedural Motion:

THAT, notwithstanding the provisions of Standing Order No. 131, this Assembly resolves to reduce the publication period of the Nairobi City County Supplementary Appropriation (NO.2) Bill, 2023 (Assembly Bill No. 2 of 2023) from seven (7) days to one (1) day.

I ask my counterpart to second the Procedural Motion, kindly.

Hon. Anthony Karanja: Thank you, Hon. Speaker. I would like to second and urge the County Assembly to support.

Hon. Speaker: Thank you.

(Question proposed)

Hon. Speaker: Majority Leader, please get seated. You have just moved the motion and I have several requests here. Hon. Kennedy Odhiambo Oyugi

Hon. Kennedy Oyugi: Thank you, Mr. Speaker. My request is on a different issue. The House is---

Hon. Speaker: I did not hear you correctly. We are at plenary considering Motion No.8

Hon. Kennedy Oyugi: Mr. Speaker, I am in support of the motion, but besides that, the House seems to be very unsafe health wise. Where I am seated, I have tried to assassinate about three to four mosquitos. I want to encourage you to fumigate the House.

(Applause)

Hon. Speaker: Thank you. Chair of Health will help us do an undertaking on the concerns of the Member.

Hon. Kennedy Oyugi: Mr. Speaker, I do not think that this lies with the Chair of Health. It is a question on the health of Members in the Assembly.

Hon. Speaker: The Chair of Health will do an undertaking.

Hon. Kennedy Oyugi: Mr. Speaker, I believe that as the Chair of the Board---

Hon. Speaker: This has nothing to do with the Board. Hon. Oyugi, please take your seat. Chair, please.

Hon. Maurice Onyango: Thank you, Mr. Speaker Sir and the Hon Member. As the Chair of Health, this is very important information are getting. We are going to take the Executive to task on why they are not fumigating the Assembly. Just to add on that, recently we had an issue on health and ---

Hon. Speaker: Hon. Member, you are out of Order!

Hon. Maurice Onyango: Okay. Thank you.

Hon. Speaker: It is the responsibility of the Clerk. The administration will take up the matter seriously. Thank you for the information, Hon. member. Hon. Moses Ogeto.

Hon. Moses Ogeto: Thank you, Hon. Speaker. I will have to go and protect Hon. Oyugi so that he stops assassinating the mosquitos in the House. I stand here to support this motion and thank the Majority and Minority Leader for bringing this motion on reduction of the publication period. This will give the Chair for Budget and the Executive time to ensure that the estimates that were tabled in the morning be fast-tracked so that the residents of Nairobi are able to access the facilities as was proposed in the morning. With those few remarks, I beg to support this motion.

Hon. Speaker: For records purposes, Majority Whip, the bill in question is the Appropriations Bill.

Hon. Moses Ogeto: Thank you, Hon. Speaker. Noted.

Hon. Speaker: Hon. Hashim Kamau.

Hon Hashim Kamau: Sorry, Hon Speaker, we have discussed this with you on Muslim men wearing kanzus. I support the motion by the Majority Leader, we have to finish this matter today. I need to be circulated with the Appropriation Bill.

Hon Speaker: The Clerk-at-the-Table, has the bill been circulated? Hon Peter Mwangi.

Hon Peter Mwangi: Thank you, Hon. Speaker. I want to support this motion and congratulate the Budget Committee and request them to come up with an Equalization Bill so that every Nairobi resident and every part of Nairobi is equally developed. Let every resident of Nairobi feel the warmth of the County. I know there are some wards that need to be developed, for example, in my ward---

Point of Order

Hon Speaker: Hon. Member, you may be seated. Hon. Hashim.

Hon Hashim Kamau: Hon Speaker, the issue on the floor is about the reduction of the publication period, not about our wards.

Hon Speaker: Hon. Member, stand guided, concentrate on the motion. Do you have the motion?

Hon Peter Mwangi: Yes.

Hon Speaker: Hon. Member, you are out of order on the relevance, you may be seated. Hon. Members, my screen is clear, an indication that we do not have any further requests. I request the mover to reply.

Hon Peter Imwatok: Hon Speaker, as I reply, thank you Hon. Members. Next time a junior Member should not be shut down while contributing by a senior member like Hon. Hashim. Let him learn on the way. We encourage every Member to speak his mind. It is only the Speaker who is supposed to correct a Member. Mheshimiwa, keep it up, we started that way. Hon. Speaker, I beg to reply.

(Applause)

Hon Speaker: Thank you.

(Question put and agreed to)

BILL

*First Reading*THE NAIROBI CITY COUNTY SUPPLEMENTARY APPROPRIATION (NO.2) BILL
(ASSEMBLY BILL NO. 2 OF 2023)*(Order for First Reading read accordingly)**Second Reading*THE NAIROBI CITY COUNTY SUPPLEMENTARY APPROPRIATION (NO.2) BILL
(ASSEMBLY BILL NO. 2 OF 2023)**Hon Speaker:** Chairperson, Budget.**Hon Wilfred Odalo:** Thank you, Mr. Speaker Sir. I beg to move:

THAT, the Nairobi City County Supplementary Appropriation (No.2) Bill (Assembly Bill No. 2 of 2023) be read a second time.

Mr. Speaker, in the morning sitting, the County Assembly adopted the 9th Report of The County Finance, Budget and Appropriation Committee on the consideration of the Second Supplementary Budget Estimates for the year 2022/2023. In the adopted report, the County Assembly has granted authority for additional Kshs.1 billion for recurrent of staff and absorption of staff who were previously performing functions at the defunct Nairobi Metropolitan Services and rollout of enhancing medical insurance for the staff of the Nairobi City County Government at about Kshs.1.3 billion, as well as continuous support to critical sectors like Mobility, Health and Education.

Under the Mobility Sector, the County Executive has been given the nod to purchase and pay for road maintenance materials at a cost of Kshs.400 million, while also spending about Kshs.100 million on public lighting. The Health Sector must move with speed and ensure that the Kshs.300 million allocated for pharmaceutical and non-pharmaceutical materials is spent so that the health facilities in our wards become the life saver they were meant to be.

On Ward Development Fund projects, the County Executive should ensure full expenditure of the allocated amount of Kshs.1.692 billion as that would have positive returns to the elected Members of the County Assembly seated here this afternoon.

Mr. Speaker, the approved budget is also meant to guarantee timely payment of salaries, retreats, efficient operations of the County Executive and adequate facilitation of the County Assembly to perform its functions. With this approval, the County Assembly expects nothing but services to the residents of this great city. The Finance Committee shall be on the look out to ensure that the budget approved is implemented without fail.

The provisions of the PFM regulation dictates that there shall be no commitment for the supply of goods and services beyond 31st May deadline. Therefore, we urge the accounting officers responsible for the implementation of the approved budget to ensure critical expenditures in areas that are of interest to the great people of the city and the Hon. Members are not affected by the cutoff date.

As they say; *‘The proof of a pudding is in the eating’*. We wait for the implementation of this budget to reap its intended benefits. Further, the Committee takes this early opportunity to urge the County Executive

Committee Member for Finance to ensure that the process of funds meant for Ward Development programs and all other areas are approved without any delays.

Mr. Speaker Sir, the County Assembly has undertaken its functions as anticipated in the provisions of Section 135 of the PFM Act and expect that the adjustment done will contribute positively towards making Nairobi work, as our Governor usually says. This Supplementary Appropriation Bill therefore aims to provide legal basis to utilization of funds approved by the County Assembly.

The Budget Committee has scrutinized the submitted bill and confirmed that it is consistent with the figures approved in the Supplementary Estimates Report. The recommendations have been incorporated as resolved by this Assembly.

Mr. Speaker Sir, I urge Members to support this bill and give the County the go ahead to utilize the funds for completion of the development projects and other lines of expenditures outlined in before the end of the current financial year. I call upon Hon. Minority Whip to second the motion.

Hon Mark Mugambi: Thank you, Hon. Speaker. I beg to second.

Hon Speaker: Thank you, Hon. Chairperson of the Budget Committee.

(Question proposed)

Hon Speaker: Hon. Members, it is clear that no Member wishes to contribute to the motion. I call the mover to reply.

Hon Wilfred Odalo: Thank you, Mr. Speaker. First, let me thank the secretariat and Members of my Committee, more so the Whip of the Budget Committee for taking care of the Chair. I beg to reply. Thank you.

(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the Whole House by the leave of the House)

COMMITTEE OF THE WHOLE ASSEMBLY

(Order for Committee read)

(Mr. Speaker left chair)

IN THE COMMITTEE

[Hon. Chairman (Mr. Paul Kados) took the Chair]

THE NAIROBI CITY COUNTY SUPPLEMENTARY APPROPRIATION (NO.2) BILL (ASSEMBLY BILL NO. 2 OF 2023)

Hon. Chairman: Thank you, Hon. Members. We are now in the Committee of the Whole Assembly to consider the Nairobi City County Supplementary Appropriations (No. 2) Bill (Assembly Bill No. 2 of 2023). We shall start with Clause 2.

Clause 2

(Hon. Kashim Kamau spoke off the record)

Hon. Chairman: You are out of order, Hon. Hashim! You are a senior Member of this Assembly, it has not been proposed and seconded and you are interrupting.

(Question that Clause 2 be part of the bill)

Hon. Chairman: Can somebody give Hon. Hashim a copy of the bill? This was tabled in the morning.

Hon. Hashim Kamau: I have been given, thank you.

(Question put and agreed to)

Clause 3

(Question that Clause 3 be part of the bill)

(Question put and agreed to)

First Schedule

(Question that First Schedule be part of the bill)

Hon. Chairman: Any debate? Since there is no debate, I will put the question.

(Question put and agreed to)

Second Schedule

(Question that Second Schedule be part of the bill)

Hon. Chairman: Any debate?

(Question put and agreed to)

Title

(Question that Title be part of the Bill)

(Question put and agreed to)

Clause 1

(Question that Clause 1 part of the Bill)

(Question put and agreed to)

Hon. Chairman: Mover.

Hon. Wilfred Odalo: Hon. Chair, I beg to move that the Committee do report to the Assembly its consideration of the Nairobi City County Supplementary Appropriations (No. 2) Bill (Assembly Bill No. 2 of 2023) and its approval thereof without amendments.

(Question proposed)

(Question put and agreed to)

Hon. Chairman: Thank you, Hon. Members.

(The House resumed)

[Hon Speaker (Mr. Kennedy Ng'ondi) in the Chair]

REPORT

Hon. Speaker: Hon. Members, we may be seated.

Hon. Paul Kados: Thank you, Hon. Speaker. I beg to report:

THAT, the Committee of the Whole House has considered the Nairobi City County Supplementary Appropriations (No. 2) Bill (Assembly Bill No. 2 of 2023) and approved the same without amendments.

Hon. Wilfred Odalo: Hon. Speaker, I beg to move that the Assembly do agree with the Committee in the said report.

Hon. Speaker: Order, Hon. Catherine! Order! I hope you are following the proceedings.

(Question proposed)

Hon. Members, any debate attracted out of the motion? Hon. Moses Ogeto, please.

Hon. Moses Ogeto: Hon. Speaker, I stand to support the motion. I believe moving forward, more bills should come to this Assembly so that we get to learn because some of us we have forgotten how bills are being moved before this House.

Hon. Speaker, the Supplementary Appropriations (No. 2) Bill has captured the aspirations of Nairobians. I hope that this House finds it fit to approve so that subsequently it becomes an act. If the Governor appends it today, it becomes an act. This will enable us access some funds. This bill will ensure that the amounts which have been proposed by the Executive and the amounts which have been approved by this House will be utilized.

Hon. Speaker, with those few remarks, I support what has been discussed in the Committee of Whole House and also support the Chair of Budget for ensuring that it has brought this to speed. Thank you.

Hon. Anthony Karanja: Thank you, Hon. Speaker. I would like to congratulate the House for ensuring that the bill has reached this stage. I would also wish to confirm that we have allocated money to the Health Sector. There was a looming strike on the 30th of this month, but we have allocated about Kshs.610 million to make sure that we avert the strike of the Health Sector; the doctors and all medical personnel. There is also no excuse now before the financial year ends that our allowances and per diems and those of the staff of the Executive wing of the County will be paid. We have allocated more than a Kshs.1 billion shillings for that.

Hon. Speaker, I have also seen that we have added Kshs.100 million for lighting. I remember elected Members were worried about the lack of bulbs, igniters and capacity for this County to repair lighting. I hope now the Transport Committee and all Members of this Assembly will have a reason to oversight and make sure that the Executive does what they have promised to do. Thank you.

(Applause)

Hon. Perpetua Mponjiwa: Thank you, Hon. Speaker, I rise to support what has been discussed in the Committee of the Whole House. I am quite thrilled that whatever I have seen in the Supplementary Appropriation Bill is quite exciting because it touches mostly on what the Governor had promised the Nairobians in his manifesto, from Health Sector, Education, to Roads and many others. For this, I rise to support. I would not sit down without mentioning the Chairperson of Finance Budget and Appropriations Committee for his good work, the entire team of the Budget Committee and of course the whole House. May God bless you.

(Applause)

Hon. Kamau Fiunifiu: Thank you, Hon. Speaker, I also rise to support this bill, in particular, the appropriation of Kshs.70 million that will go towards supporting the UN Habitant Assembly that will be happening from 5th to 9th of next month. As a nation and Nairobi as the capital city of Kenya, we are honored to have all the delegations coming to visit our country and also to discuss issues to do with urban planning and green open spaces in Africa and the world at large. I support.

Hon. Samson Ooko: Thank you, Hon. Speaker. I equally rise to support this wonderful bill. Before that, let me thank the Chairman for Budget and his Committee for doing a commendable job which everyone has supported.

Hon. Speaker, I am delighted that the Committee of Culture, under disaster management has been able to get Kshs.250 million. As a Member coming from a slum where disasters are numerous, I am happy. Just the other day there was fire in Mugumoini and the amount of money we received was meagre.

Also, Agriculture Sector has been allocated Kshs.20 million. I thank this Committee once again and pray that next time when you think about agriculture, look at it with big eyes because we want to do a lot in Nairobi. Thank you so much, Mr. Speaker.

(Applause)

Hon. Eric Murigu: Thank you so much, Mr. Speaker, I rise to support this motion. As young man of this House---

Hon. Speaker: Order, Member! You are not a young man but a young Hon. Member.

Hon. Eric Murigu: Yes, I am a young Hon. Member and a new Member of this House. I rise to support this motion request the leadership of this House make sure that the Executive pays us in advance because---

Hon. Speaker: Hon. Dan Oria, your microphone is on, please attend to it before you leave the Assembly. Order, Hon. Member! Can you switch off your microphone! Hon. Member, please be orderly. You may proceed.

Hon. Eric Murigu: Mr. Speaker, what I was saying is that, the leadership of this House has always held our hands. I have noted that whenever the Executive wants us to pass a budget, they must be owing us a debt. There are Hon. Members here who are asking the Executive to pay them a debt that amounts to almost a half a million. It is like we are being dubbed so that we can accept to pass a budget. So, as we pass the budget, let them pay us our debt. Mr. Speaker plus the leadership of this House, request them to always

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be paying us so that when we are passing a budget, let them not be owing us a debt. I don't even see the need---

Hon. Speaker: Have you concluded?

Hon. Member: Not yet, Mr. Speaker. What I just wanted to say---

(A Hon. Member spoke off the record)

Hon. Speaker: You are protected, you may proceed.

Hon. Eric Murigu: Thank you, Mr. Speaker. In this House, I think I have so many followers across the board, and as soon as I finish to speak, I know they will support me. Mr. Speaker, I read a book by Chinua Achebe; it says, "When the alligator comes out of water and tells you that the crocodile is sick---". Will you doubt the story? So, we can't doubt the story of the leadership of this House. We as the newcomers appreciate what they are doing. I think I will probably be the last to speak, so move forward, Mr. Speaker. In this Assembly, you know we have the grand imperialists and the deputy imperialists, they have supported the bill. So, let us move forward. Thank you, Mr. Speaker.

(Laughter)

Hon. Speaker: Thank you. Hon. Catherine. Oh, Hon. Majority Leader is on the floor, please, Hon. Catherine, take your seat.

Hon. Peter Imwatok: Hon. Catherine, I may donate to you because of seniority. Can I?

Hon. Catherine Opiyo: Yes.

Hon. Peter Imwatok: Please, proceed, Hon. Catherine.

Hon. Catherine Opiyo: Thank you, Majority Leader. Asante sana, Bwana Spika kwa kunipa hii ruhusa ili kunena na wenzangu. Kwanza, nimesimama kuunga mkono mswada wa leo.

(Majadiliano kwa sauti)

Bwana Spika tumefurahi sana leo kwa sababu umetupatia pesa. Unajua sisi hatuna wadi lakini umetenga pesa hapa---

Point of Order

Hon. Speaker: Order, Hon. Catherine! Hon. Member what is the issue? Order! I have given Hon. Petit an opportunity. Your microphone is on, Hon. Member.

Hon. Paul Ndung'u: Mr. Speaker, can the Member withdraw and apologize?

(Loud consultations)

Hon. Speaker: Order, Ochieng Jera! You have not been given an opportunity. Order, Hon. Member, please can you be seated! Order, Hon. Perpetua! Please respect the House. Hon. Catherine, can you be orderly as you contribute and remain relevant to the motion.

Hon. Catherine Opiyo: Bwana Spika nimesema, nimeshukuru---

Hon. Speaker: Order! Hon. Catherine, please confine yourself with the motion. Don't bring sideshows.

Hon. Catherine Opiyo: Bwana Spika nashukuru viongozi wa hii nchi wakiongozwa na Raila Amolo Odinga kwa kunileta hapa.

(Majadiliano kwa sauti)

Mr. Speaker, can you protect me?

Hon. Speaker: Can you proceed, Hon. Catherine. Please, respect the rules of the House.

Hon. Catherine Opiyo: Bwana Spika, narurudishia viongozi wote wa nchi shukrani, sana sana Raila Amolo Odinga kwa kunileta hapa. *(Makofi)* Nikajipata nikiwa kwa Kamati ya Bajeti.

Point of Order

Hon. Speaker: Point of Order granted.

Hon. Mark Mugambi: Thank you, Hon. Speaker. I thank Hon. Catherine for recognizing her Party Leader, but this is not the right time to do that. I suggest, in the interest of time, let us stick to the matter at hand. Using your wisdom, you should allocate Hon. Catherine time to make her maiden speech.

(Loud consultations)

Hon. Speaker: Order, Hon. Members! Order, Hon. Ogeto! Order! Order, Hon. Catherine! Time out! Hon. Catherine, please be seated. Hon. Swaka, take your seat! You are out of order, Hon. Member, please can you sit.

(Hon. Moses Ogeto spoke off the record)

Hon. Minority Whip, get seated! We may proceed. Hon Shadrack Namunyu Machanje, please you may contribute.

Hon. Shadrack Machanje: Thank you, Hon. Speaker.

(Loud consultations)

Hon. Speaker: Hon Catherine, you are out of Order! You may be seated. Hon. Shadrack, proceed.

Hon. Shadrack Machanje: Thank you, Hon. Speaker. Just to rise on a point of Order, we need to protect Mheshimiwa---

Hon. Speaker: Hon Member, you are not on a point of Order! You are out of Order!

Hon Shadrack Machanje: Okay, let me contribute.

Hon. Speaker: Hon Shadrack, can you sit down! I direct the mover of the motion to reply.

(Applause)

(Loud consultations)

Order, Hon Imwato! I am on the floor.

(Question put and agreed to)

THIRD READING

Hon. Speaker: Hon Odalo, you may proceed.

Hon. Wilfred Odalo: Now that I will not come again, let me take this opportunity to thank all Members for attending this important occasion, more so my Members of Budget Committee and the secretariat.

Hon Speaker, I beg to move:

THAT, the Nairobi City County Supplementary Appropriation (No.2) Bill, 2023 (Assembly Bill No. 2 of 2023) be now read the Third Time. Thank you, Mr. Speaker.

(Question proposed)

Hon. Speaker: Any debate arising from this, Hon. Members? Majority Leader, you may proceed.

Hon. Peter Imwatok: Hon Speaker, as I stand to support this motion, I have two issues: One, on the Speaker's Rules, every Member is entitled to be listened in silence, whether you agree with me or not. The Constitution envisions that you walk inside this red carpet, to listen to me and to disagree when I am done talking. Therefore, Hon Speaker, it is time we enforce the rule. The Speaker is on his feet yet every Member is shouting without his authority. This not a goat selling marketplace; it is a parliament.

Hon Speaker, having say that, I like my counterpart, he has been so quiet. The only people who are allowed authoritatively to speak on behalf of the parties here are four; the Minority Leader, the Majority Leader and the two Whips. Kindly, let us not turn Assembly into another circus.

(Applause)

Hon Speaker, this Bill that we have passed today, I must mention one or two issues: number one, I have never seen a cohesive committee like the Budget and Appropriations Committee. I was looking at the report, all the 23 Members across the political divide have signed the report. I don't know whether there is a lot of compliance in this committee or it is very busy. If it is so---

Hon. Wilfred Odalo: Point of Order, Mr. Speaker.

Hon. Speaker: The seat of the Majority Leader is protected.

(Laughter)

Hon. Peter Imwatok: Yes. It cannot be challenged by a cabinet minister. Let me remind the Chair of Budget that he is a cabinet minister under my government. Therefore, I task the two groups to get into the nitty gritty of this committee, whether it is cohesiveness or it is too busy doing justice to the County Government of Nairobi. Number two, Hon Members, it is not about just passing this paper but about our wards and our welfare. This is a directive to the cabinet in charge of Finance here, that at any given time, this Assembly has a duty executed in conjunction with the Executive. The Executive must play its part. Most Members have gone for trips, and Chair you must undertake this, but they cannot even account whether they have been a paid or not.

Likewise, we must also congratulate the County Executive in a way. After this Assembly stamped its authority, at least our exchequer release is coming to Assembly. I believe by 30th June, no Member should have a pending bill in terms of allowances.

(Applause)

The Chair of Budget Committee, as competent as you are, kindly be also competent to the welfare of the Members who have done a duty to the Executive. That means our allowances must be paid.

Lastly, Hon Speaker, thank you for your guidance, you have guided this House, and I am very proud that from recess, the Assembly can be full. We can execute massive things if we have a peaceful and cohesive Assembly. Thank you and God bless you.

Hon. Speaker: Thank you, Hon Majority Leader.

(Question put and agreed to)

(The Bill was accordingly read the Third Time and passed)

COMMUNICATION FROM THE CHAIR

CONDUCT OF MEMBERS WITHIN THE ASSEMBLY PRECINCTS

Hon. Speaker: Hon. Members, Standing Order No. 43 (2) allows the Chair to dispose business in such other sequence as he may. As earlier communicated, I had a further communication to make, and you will allow me to proceed. This is in general conduct of the Hon Members of the Nairobi City County Assembly.

Hon Members, further to my earlier communication on the conduct of Hon. Members within the Assembly precincts, I have noted with great concern the un-becoming conduct by Hon. Members towards each other or the House Leadership. In particular, I have noted the increased hurling of abuses and use of unparliamentarily and not limited to vulgar language among Hon. Members and towards the House Leadership, while in plenary, committee rooms, offices and other Assembly activities. This is a vice that the Chair condemns in the strongest terms possible.

The Chair wishes to remind the House that, as State Officers, our conduct is governed by the objects and principles of good governance as contained in the Constitution, the Leadership and Integrity Act, 2011 and the Leadership and Integrity Code for State Officers.

Further, Standing Order 116, Hon. members, I want you to mark this down, on gross disorderly conduct, prohibits the use of unparliamentarily language by Hon. Members under whatever circumstances. The very Standing Order provides for the sanctions that can be taken against a Member whose conduct is gross disorderly.

In this regard, the Chair advises all Hon. Members to avoid this unbecoming conduct and uphold the highest standards of respect towards each other. However, should such behavior persist, the Chair will have no option but to sanction such Members. And at any given opportunity and time, the Serjeant-at-Arms are so directed that they should reprimand the said Member and usher them out of the Assembly precincts.

The House is so guided. Thank you, Hon Members.

ADJOURNMENT

Hon. Speaker: The Assembly stands adjourned to 6th June 2023. As earlier requested by the Hon. Majority Leader, I expect the Hon. Members to remain behind. Thank you.

The House rose at 10:50 a.m.