



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Third County Assembly – Fourth Session

Tuesday 29th July 2025

The House met at 2.30 p.m.

[The Temporary Speaker (Hon. Anthony Gathumbi) in the Chair]

PRAYER

QUORUM

Hon. Temporary Speaker: Waheshimiwa, tukifuata Kanuni zetu za Bunge Nambari 37, hatuna idadi inayostahili kuendeleza mjadala. Kwa hivyo, naomba Kengele ipigwe kwa dakika kumi.

(Quorum Bell was rung)

Hon. Temporary Speaker: Waheshimiwa, hatujafikisha idadi inayohitajika kuendeleza mjadala. Kwa hivyo, naomba Kengele ipigwe kwa dakika zingine tano.

(Quorum Bell was rung)

Clerk, proceed.

PETITION

REVOCATION OF LEASE ON PUBLIC LAND IN EASTLEIGH NORTH WARD

Hon. Temporary Speaker: Hon. Members, there is a Petition before me from the Moi Air Base Ward residents on revocation of lease on public land in Nairobi City County. Is the MCA, Moi Air Base Ward around? Since he is not around, then I will go ahead and read it.

We, the undersigned citizens of Kenya, who are residents of Moi Air Base Ward within Nairobi City County, draw the attention of the County Assembly of Nairobi to the following: -

AWARE THAT Article 185 of the Constitution of Kenya, 2010 vests the legislative authority and oversight of the county government to the county assembly;

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THAT, Article 62 of the Constitution mandates the county government to hold in trust public land on behalf of the county residents;

THAT, the Kenya National Land Use Policy, 2017 recognizes the need for social development and takes cognizance of the provision of basic infrastructure and services;

THAT WHEREAS Section 5 (e) of the National Land Commission Act, 2012 requires the Commission to initiate investigations into present or historical land injustices and recommend appropriate redress;

THAT WHEREAS Section 116 of the County Government Act, 2012 imposes an obligation on the county government and its agenda to deliver services within its delegated areas of jurisdiction, and Section 117 (1) of the Act provides that the county government shall give priority to the basic needs of the public to ensure that all members of the public have access to basic services;

THAT, the Fifth Street Squatter Village is public land that squatters were allocated but never given allotment letters, as the officer who was responsible for the process retired and later died, and those who took over took advantage and allocated the land to themselves;

THAT, the land allocated in Eastleigh North, NAIROBI BLOCK 49/977, an approximate area of 0.3301 hectares, is public land, and that it has been invaded by a group of people for their own benefit;

THAT, part of the invaded land is inside the Maina Wanjigi Secondary School, which was previously fenced by the County Government and later fenced by the County Government again;

THAT, the invaded and grabbed land was meant for the construction of social hall and ICT hub intended to benefit Moi Air Base Residents and Nairobian at large to better their lives;

THAT, up to date, the said parcel of land remains invaded and illegally leased to Galole Village Association for a term of 99 years, leaving previously allocated Fifth Street Eastleigh squatters without a place to live in;

THAT WHEREAS petitioners confirm that efforts have been made to have the matter addressed by the relevant body, it failed to give a satisfactory response;

AND THAT, all matters in respect of which the petitioners raised are not pending before any court of law or constitutional body;

HEREFORE, your humble petitioners PRAY that the County Assembly of Nairobi City County intervenes and ensure that: -

- a) The National Land Commission and all the relevant bodies furnishes the Nairobi City County with the deed plans to facilitate and solve the dispute here in;
- b) The Nairobi City County Government, in conjunction with the relevant organs, proceed to revoke the lease of the said land;
- c) The land be surrendered back to the Nairobi City County Government and appropriate deed plan be processed in respect to the public utility land in issue herein; and

- d) The Nairobi City County Government to secure the said land and hold it in trust on behalf of the squatters, the Maina Wanjigi Secondary School and Nairobians at large

And your petitioner will forever pray.

Presented on behalf of Hon. Speaker, MCA, and on behalf of the residents of Moi Airbase, and by extension all residents of Nairobi.

This Petition is committed to the Committee of Lands and Planning. Thank you. Clerk!

QUESTIONS AND STATEMENTS

REQUEST FOR STATEMENT REGARDING COMPANY STAFF SACKED DUE TO FAKE ACADEMIC CERTIFICATES

Hon. Temporary Speaker: Hon. Redson Otieno, you have a Statement. Is he around?

Hon. Redson Onyango: Thank you, Hon. Speaker. Pursuant to Standing Order No. 47 (2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Water and Sanitation regarding company staff who were sacked due to fake academic certificates.

Hon Speaker, the National Government is currently conducting an exercise to authenticate academic certificates for its workforce. This exercise has now been cascaded to county governments. In Nairobi County and the Nairobi City Water and Sewerage Company, such cases were reported and employment termination action was initiated early this year, 2025.

Hon Speaker, in the Statement, the Chairperson should inquire into and report on:

1. The number of staff who were sacked due to unauthentic academic certificates and the employment for the affected;
2. Reasons why the company failed to carry out due diligence through pre-employment verification of certificate provided by the affected staff;
3. Whether the company has repeated or as plans to recruit new officers to fill the vacant positions left by the affected officers given the immense expectation on the company to deliver services;
4. Measures that the company has put in place to prevent recruitment of persons with authentic certificates going forward; and
5. Number of officers in the company who are in acting capacity and for how long.

Hon. Temporary Speaker: Chairman, Sectoral Committee on Water and Sanitation?

Hon. Kennedy Oyugi: Thank you, Mr. Speaker. As per the tradition of the House, two weeks will be in order.

Hon. Temporary Speaker: Hon. Member?

Hon. Redson Onyango: Hon Speaker, the Hon. Member is telling us about the tradition of the House. What is the tradition?

Hon. Temporary Speaker: Hon. Chairman, are you giving us two weeks as per the tradition or by your own thinking that the two weeks are going to work?

Hon. Kennedy Oyugi: Mr. Speaker, two weeks will be sufficient for the Committee to give a sufficient response.

Hon. Temporary Speaker: Thank you very much. Member?

Hon. Redson Onyango: Hon. Speaker, I don't know if it is two weeks from today or from next week. Kindly be specific.

Hon. Temporary Speaker: No, let us not go there. Two weeks from today, just as he mentioned.

Hon. Redson Onyango: Well guided.

Hon. Temporary Speaker: We have another Statement from Hon. Kwenya. Hon. Member? He is not around. Clerk, we move to the next Order. Mheshimiwa Majority?

GENERAL STATEMENT BY THE LEADER OF MAJORITY

Hon. Peter Imwatok: Hon. Speaker, Hon. Dabar has confused me a bit. I was meant to present few statements on the Statement Hour, as the leader of this House.

First of all, Hon. Speaker, this House a week ago, had pronounced itself on the importance of absorbing around 4,000 'Green Army' to the permanent and pensionable employment. I want to report as a Leader of Government that, starting tomorrow, they will do a suitability test so that they will be confirmed. That is a plus to you as the Hon. Members.

(Applause)

We also give credit where it is due. After this House raised this concern, His Excellency the Governor took it seriously and constituted the Executive Cabinet meeting that approved the same. And thereafter, it was sent to the County Public Service Board last week on Thursday. Meaning, our ultimatum that on the 1st August that these contract staff be employed was adhered to by the members of the Executive. We must applaud the Governor for that opportunity he has given to these young people.

In the same breath, Hon. Speaker, some of the Green Army came running to our offices saying they were omitted from the list advertised yesterday. There is no way you can punish a member for an employment he does not have. I believe the Board and the entire Executive is hearing this; that all those young men and women who are on a payroll to date, must be absorbed.

(Applause)

Hon. Speaker, there are some hullabaloo taking place since the Board advertised these names. The Environment officers and the Chief Officer for Environment, who has never appeared before the Environment Committee, are busy meeting now at the hall, discussing how to do the employment from tomorrow. Let it be known that we want all, unless those who have exited the service and those who had misbehaved and were exterminated from the contract. But anyone who is on a payroll now should be absorbed as permanent employee.

Hon. speaker, let it also go on record that I am putting the Board on notice, because I personally talked to the Chair about the processes before the Committee on Labour and the processes he expects to undertake. And he said in simple words, that it will be just a procedural and suitability test. There was nothing called appraisals. These other games the Board is trying to introduce, I can assure them that before they finish the last letter, the entire Board will be at home.

(Applause)

If the Board tries to joke with what the Governor directed and what this Assembly approved, they will be send home. They will be busy in courts. I have no problem. When this Assembly has told you we are not working along, you will continue being busy in court. I am told there is another one still in office pretending to be a chief officer. The sovereignty of the people is vested in this House. This House has said you cannot continue executing the duties of Executive. If you want to continue, you continue because you are waiting other procedures to follow.

This House did its part. We did a budget, spoke vehemently and authoritatively about what has to be done, and we called the Board before the Labour Committee. They attested that they were going to absorb them in entirety. Hon. Whip, you can remember, the Board said they were given 2,500 names, but we insisted as a House that we budgeted for 4,500 staff. And that is what the Governor has done. He has played this role, and we thank him for that. The Executive, through the CECM and the Chief Officer, have done their job, and we thank them for that. The ball remains with the Board. This must go to the Board, please do not try games on this. It will send you home so early, and I will be comfortable dealing with you when you are in court.

Hon. Speaker, secondly, there is another aspect we must champion as a House; the issue of bursaries.

(Applause)

This County, during the tenure of the defunct NMS, the Minority Whip you can attest since you were here, we did a memorandum between the National Government and the County Government to enshrine the NMS into a working relationship with the County Government of Nairobi. In this current dispensation, we have entered into an agreement under intergovernmental relations to feed primary schools, which is prima facie the role of the National Government. Illegally, the Executive did an agreement that was also adopted by the court, that any arm of the government can ask either arm to support a program. Now, we have a formidable working ‘Dishi na County’ program, which is a benevolent aspect of the Governor towards the primary school children. Under the Fourth Schedule, the role of primary school education is not our function, but because it was regularized through intergovernmental relations, now we have the ‘Dishi na County’ envisioned as a program in the County.

I want to give 14 days’ notice to the Committee of Education that they call the CEC Member of Finance, CEC Member of Education, the Chief Officer of Education, the County Secretary, and all other relevant Executive members to appear before the Committee to commence the process of intergovernmental relation between the County Government and National

Government on the transfer of function of bursaries. By the time we come back from recess, we want what we budgeted for bursaries, not less of that.

Why am I saying this, Hon. Speaker? There are those kids the Governor put them on the Governor's bursary program. These kids are now suffering. Also, there are those kids, especially orphans in our respective wards, who we used to give them Kshs. 20,000 or Kshs. 30,000 to continue with their education. Now, look what the National Government has done. Already, they have slashed the capitation from Kshs. 22,000 to Kshs. 16,000 per child. Who bridges that gap? Initially, the capitation was Kshs. 22,000, but still Hon. Members could give about Kshs. 10,000 to cushion the parent on where the capitation could not cover. Hon. CS Mbadi has reduced the capitation, albeit yesterday he withdrew. I believe the President has spoken, and now capitation is going back to Kshs. 22,000 or even more.

In the same breath, Hon. Speaker, in our small way as an Assembly, let us rally behind us on this. The Committee on Education has 14 days before we come back from recess. Hon. Minority Whip, you will assist me on this because you talk with the President every now and then. That we enter into intergovernmental relations quickly to give the County Government of Nairobi the right to give these kids bursaries. That is what Controller of Budget wants; an agreement between the National Government and the County Government that there is money allocated for the bursaries of our kids in high schools and tertiary colleges. I don't think it is too much to ask. If other counties are doing, why is Nairobi County not doing it? And if there are no expertise in the Executive to do this, can they borrow from other counties which are doing this. Maybe they are very busy *kuokota*. For us, we want our kids to go to school.

Hon Speaker, that is my statement for this afternoon. Are the Members of Education Committee present? Chairperson? Vice Chair is present; you have taken note that we need you to call the entire Executive on the issue of intergovernmental relations on how we are going to get the bursaries as soon as possible. With that, Hon. Speaker, I beg to sit.

Hon. Speaker: Thank you very much. I can see the Whip is standing. Carry on.

Hon. Mark Mugambi: Thank you, Hon Speaker. I wish to concur with the Majority Leader on the same. However, I have received several cases from my Members on the issue he has raised, on some of the Environment supervisors purporting to be appraising our casualties. Some even want to sleep with them, and some accuse them of laziness. We said all of them be absorbed. They cannot purport to appraise them as of now. Therefore, any Hon Member who has issues with their support staff not being shortlisted, should forward the names to us as the Whips by close of business today, so that we make sure that their names are also captured.

We also had cases where a few of them were absconding duties due to one or two reasons, and the cases were prolonged without being sorted. We also need to have the Executive sort those issues as soon as possible so that we don't leave anyone behind. The reason they are doing this is to find spaces to have their names or their people replaced. I therefore ask if we as leadership can have a meeting with the Director, Environment, the Chief Officer, and the Board Chair, so that we can be able to sort this. Let none of the 'Green Army' be left out in this process.

(Applause)

Two, for the bursaries, I think the Controller of Budget made a headway. I understand there was an intergovernmental agreement that was being done by the Council of Governors and the National Government. We also need to know how far it went and how far we as Nairobi County are. I think we should go back to giving these bursaries once a year.

(Applause)

We should be given forms for the entire allocation, we issue them once, *na tumalizane nayo*. We have seen that giving them thrice or twice, is a bullet we could be shooting on our legs, because processing and releasing of the cheques takes time. So far we have lost like two financial years of bursaries, and we cannot afford to lose more. Even if we get the cheques that we issued that we issued more than one year ago, you will find that students in four would have already left. Let us have a way of issuing these bursary forms once. Kshs. 300 million for bursaries is not too much to ask for in a quarter.

Finally, the Majority Leader had concerns with the empowerment program by the President. My apologies, Majority Leader, that day I couldn't be here because I was still held in the State House. As the broker of the State House in this House (*Laughter*), I can confidently confirm to you that the empowerment program is taking shape well. We have noted all the groups across 85 wards, and not limited to the nominated members that gave us their groups. This function, I can confidently confirm as a State House representative, that it shall take place on 9th August.

(Applause)

We are on process of purchasing whatever your youth groups asked for. We have already paid deposits for the car wash machines, tents and chairs. For those that asked for tents and chairs, we shall be giving you 100-seater tent and 100 seats. For those that requested for car wash machines, we are giving you a 5,000-liter tank with two high-pressure machines for the same. For those that requested for public address equipment, we are giving you a whole complete set, from speakers, microphones to amplifiers. We are not giving you anything substandard. The minimum cost of the items is not anything less than Kshs. 100,000, because we had a markup of Kshs. 150,000 per group. We have 1,150 groups across Nairobi County.

Hon Speaker, and Majority Leader, on that material day, we shall be empowering almost 12,000 Nairobians. We shall also be sorting your logistics on how you shall get the equipment from State House to your respective areas. You shall also give us ten names for ten groups for purposes of security clearance. And all those ten people shall be given Kshs. 2,000 each for logistics. *Yao ya fare na tunawapea chakula huko pia*. So, we are planning something very big.

(Applause)

Anyone that had misinformation or didn't know how this program is going, it is going well. I think I deserve a pat at the back because I was able to negotiate the highest slots to the Members of County Assembly, because out of the ten, the MCA gets four groups per ward. The MPs get three groups. The Governor gets two groups. And the Women Rep gets one group. Were it not for me in that Committee, we would have been shortchanged by the Members of Parliament. The empowerment program being done across the other counties does not involve the MCAs. Also, this program did not have an official way of handling or coming up with. Since it is a program, I requested the President while we were attending a church service at Mheshimiwa Mbatia's Uhuru Estate. Thanks to him, he accepted. Therefore, any worries that might have sufficed along the way, kindly shelve them. Wait for that material day, and I shall be vindicated.

As I wind up, it is on a sad note that I convey the message on the demise of the father of our Minority Leader, Hon Anthony Kiragu. He lost his dad on Sunday morning. The burial arrangements have already begun. There are meetings at their home in Waithaka, starting from yesterday. This afternoon, there is a church service that is going on. But the committee sits down every day from 6 p.m. same place in Waithaka. Kindly find time to pass by and condole with the family. We are also doing the contributions and channeling them to my deputy, the HonJoyce Kamau.

Hon Petit here is telling me to confirm to you that the H.E. that is saved in my phone is not Fazul. In the last regime, I understand we faced that issue of people saving other characters as the President to sell us fear. I can confirm to you that indeed the H.E is my friend. Thank you.

(Loud consultations)

Hon. Temporary Speaker: Okay, let that pass.

(Hon. Peter Imwatok spoke off the record)

Hon. Temporary Speaker: Majority Leader, let us move on.

Hon. Peter Imwatok: Whip in your absence, I raised some fundamental issues. You have given figures in millions, that is contradictory. There are 85 wards and each ward has ten; three for the MPs, two for the Governor, one the women representative, and four for MCA. In these ten, when you average Kshs. 100,000, that is about Kshs.850 million

Hon. Mark Mugambi: It is a Kshs.200 million project.

Hon. Peter Imwatok: It is allowed. But the issue is that, from the onset, we are not against what you are doing with the State House brokers, as you said. What we are saying is that as Azimio, we have a leadership, and before such takes place, the leadership of this side must know about it, and what extent is given. There could be a possibility where we all arrive at the State House and all motorbikes are going to Umoja II. I am not saying it will happen, but there is a possibility. I am happy that my Whip was added to the group, chaired by Hon. Oluoch. So, we want to be briefed on what exactly is happening because we are also leading a party and we have powers that be.

In the history of this Parliament, the Majority side has a say while the Minority side has their way. Until you as the broker of State House sits the leadership of this end to demystify the facts and question we are asking about empowerment program, I, Peter Imwatok, will not communicate to my people about that empowering project.

(Applause)

State House has my Whip's phone number; they can call him on behalf of Azimio Coalition, and ask him what we will present and on which date. I said this in your absence, Hon. Roro, that it is unfortunate that in Nairobi, the President has been taken over by brokers like you. But I know you are not one of them, I know who I was referring to. MPs have become brokers for the President in this City.

(Applause)

Thank God you were there. You did not go by yourself, you went for others. These MPs do not have heart of the Members of the County Assembly. Nowadays, we have MPs who sit every day waiting for the President to appear on Sunday in Nairobi and follow him until night to State House to receive Kshs. 100,000. *Ni masangwenya*. What I am saying, Hon. Members, is that I am happy when a ward receives something from the Presidency. Please, Hon. Roro, tell those concerned that we have concerns that must be addressed. You are the one who told me that there is a list that is going to Fazul, and I told you that he is a youth leader in Sakaja's government, hence how can he be holding very important information.

Politically, Nairobi is divided into two, the UDA and Azimio. Today, you ask us to give you ten groups with full contacts, ID, names, and where they live, so that you develop a political bank on our own strongholds. When we need them *mmeshawachukua na kuenda nao*. We are also cautious of the political repercussions. Hon. Roro, respectively, on the next meeting you attend, know that my Whip has my blessings to attend and ask all the tangible questions on behalf of Azimio Coalition. After all is clarified, I will not do in isolation, I will raise my party system and inform them that on the 9th of this date, we have an empowerment that involves the 66 members of Azimio, and the benefits we are getting. That is how our party is led. *Unajua UDA kidogo hamna party, ¾ ni DCP. Ama bado mko?*

(Loud consultations)

Hon. Temporary Speaker: Majority Leader, you are out of order! Please, we cannot continue debating this. Following Standing Order 47, I allowed the leaders to speak. It reads;

“47 (2) (b) The Leader of the Majority Party, or the Leader of the Minority Party as the case may be, or their designees may make a statement relating to their responsibilities in the County Assembly or the activities of a committee

That is why I allowed them. Let us move on

(Loud consultations)

Hon. Temporary Speaker: Let me allow...

(Loud consultations)

Point of Clarification

It is a Point of Clarification. It is allowed.

Hon. Mark Mugambi: Thank you, Hon. Speaker. I needed to clarify on something. The Majority Leader needs to withdraw the statement that the UDA headquarters are at DCP because we are the ruling party and none of us has committed, changed or pledged allegiance...

Hon. Temporary Speaker: Mheshimiwa, I have just read out the...

Hon. Mark Mugambi: My clarification to the Majority Leader and the Majority Party is, I have been with your leaders. For instance, we had an informal meeting on Thursday and Hon. Stazo was in that meeting. Today, I was with my counterpart at the State House on the same. He will confirm to you. I have been in consistent communication with your leadership. I am not doing this in isolation but for the benefit of...

Hon. Temporary Speaker: Thank you, Mheshimiwa.

Hon. Mark Mugambi: As I finish, we risk losing your groups to those MPs that we are complaining of because they were waiting for an opportunity for you not to submit the names and run with those slots. Therefore, I deserve a very big clap for this, Hon. Speaker.

(Applause)

Hon. Temporary Speaker: Thank you, thank you. Clerk

MOTION

**REPORT OF AUDITOR GENERAL ON RECEIVER OF REVENUE FOR
COUNTY GOVERNMENT OF NAIROBI FOR YEAR ENDED 30TH JUNE 2022**

(Resumption of debate interrupted on Tuesday 15th July 2025)

Hon. Temporary Speaker: Members, I will go ahead and propose

(Question proposed)

Hon. Temporary Speaker: Members? Majority, you remember you are the one who interrupted,

Hon. Peter Imwatok: Having looked at this report, Hon. Speaker, I stand to oppose. This report is giving a bill of health to the Government of the day on everything that was raised by the Auditor General. They have given a clean bill of health on issues revenue, when we know very well that the County Government of Nairobi is not at par as far as revenue collection is concerned.

Hon. Speaker, the issues that we raised with my colleagues then, this is what is happening now. The Sergeant-at-Arms are now distributing copies. I cannot comprehend if it is the same

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report we were given last. It is good that you give clarity if indeed it is the same report or it has been doctored on the way, because what I read is not what is in this report. Can I get a clarification if it is the same report?

Hon. Temporary Speaker: Vice Chair. Public Accounts Committee, can you clarify on that?

Hon. Emmy Isalambo: Thank you, Hon. Speaker. I want to assure the Hon. Majority Leader that we have resumed the debate that was interrupted on 15th July 2025. We gave out the report, and I think the Clerk distributed the reports. For those who didn't have, it was posted on the website of the County Assembly of Nairobi. It is still on the website; they haven't pulled it down. So, Hon. Majority Leader, I think it is the same report. Thank you.

Hon. Peter Imwatok: There is a precedent we have set in this House that every report adopted must be attached with the Members of the Committee who adopted that report. Hon. Speaker, on this report, I am not seeing it. Can you show me, Hon. Vice Chair, where the Members of this Committee adopted the report? Even herself, where is her signature?

Hon. Temporary Speaker: Vice Chair?

Hon. Emmy Isalambo: Hon. Speaker, I want to correct that I am not the Vice Chair of the Committee. Hon. Speaker, thank you for acknowledging that, maybe on the changes to come, I might be. At the moment, I am a Member.

I think the original report that was distributed or the one that is on the website, has the attachment of all the Members and their signatures. Thank you, Hon. Speaker.

Hon. Peter Imwatok: The Standing Order the Clerk is showing you that the chair shall sign the report, is not the precedent set before this Parliament. I know what the Clerk is showing you. He is trying to say that the Chair can sign on behalf. That is not a precedent set by this House on all the reports that come. The Standing Orders provides that at least two thirds of the Members of the Committee should adopt the report. Hon. Speaker, you don't need to read that Standing Order that Clerk is showing you. I know what it says. So, this report is not accompanied by the signatures of Members of PAC who adopted it.

The Chairman of PAC has never been absent in this House when he is presenting those reports that are okay. This report is not right for this County. That is why even last week he was not there. The Vice Chair is even not here. The ordinary Member is presenting us a report that takes this County to the dog. Hon. Speaker, I beg this report to be removed before this House.

Hon. Temporary Speaker: Order! Let me read this Standing Order.

"196 (4) A select committee shall adopt its report in a meeting attended by a majority of its members."

That means if there are minutes showing that the majority of Members attended, then the signatures don't have to be there.

(Loud consultations)

I am going by the Standing Order. Do we go by the precedent set or by the Standing Order? Which precedes the other?

Hon. Peter Imwatok: Hon. Speaker, allow us to talk.

Hon. Temporary Speaker: Okay, continue then.

Hon. Peter Imwatok: Hon. Speaker, what we are saying, we are not going to reinvent the wheel. This House has always adopted a precedent that every report presented before this House must be adopted by the majority of the Members before the chair signs it off.

Hon. Speaker, the question I am asking, last week, the report before us had signatures. Today, this report has no signatures. Are we dealing with an authentic report? The honourable thing, Hon. Speaker, you can do is to recall this report and verify the report for last week versus this report, whether it is a true copy of the record that is before this House.

Hon. Temporary Speaker: Let us hear from the Whip.

Hon. Moses Ogeto: Hon. Speaker, thank you so much for your guidance under Standing Order No. 197(2), which is very clear. I usually don't want to contradict my Majority Leader, but for the purpose of law and under Standing Order No. 1, what protects us in this House is the Standing Orders. Anything that is not expressed in the Standing Orders, Standing Order No.1 gives you a leeway to make a ruling and a judgement over the same. I call upon you to make a determination over the same. Thank you.

Hon. Temporary Speaker: Can I hear from Mheshimiwa Silas.

Hon. Kennedy Oyugi: Hon. Speaker, already my mic is on.

Hon. Temporary Speaker: Mheshimiwa Silas.

Hon. Silas Matara: Hon. Speaker, I just want to inform the House that procedures are made to address a particular concern. It is good that Hon. Whip has given you a purview or a leeway to dispense with this. To add weight to the concern of the Majority Leader, when that Standing Order was being passed, it was not just a meeting of Members to pass a resolution.

For us to have a meaningful interaction with a document, it therefore calls that we need to find out as an Assembly whether the majority at that sitting agreed with the document. If a question is raised pertaining to a particular document, then how are we as an Assembly able to meaningfully interact and scrutinize a document before us when there is a question raised in terms of whether the Committee was in agreement with the import of that report? It is important that maybe it will inform the Rules and Procedures Committee to amend that Standing Order to address this concern. It beats logic that we can have a report whereby we do not know the people who support it. In that regard, I beg that you follow the direction of the Whip and give direction that we defer this report until the questions raised under it are addressed.

Hon. Temporary Speaker: Hon Oyugi.

Hon. Kennedy Oyugi: Thank you, Hon. Speaker. On the concern raised by the Hon. Majority Leader about the Standing Order which allows the Chairman to sign on behalf of the Members, initially, before the review of the Standing Orders, it used to be at least three quarters of the Members were to sign a report on behalf of the committee.

With humility, Majority Leader, allow me to remind you that the Rules and Procedures Committee is the committee that is charged with the review of the Standing Orders, where you sit. You reviewed the Standing Orders recently. Before this, I was consulting with the Whip. I also

had similar concerns. But after going through the reviewed Standing Orders, the report is properly before the House. The only thing that I would love to hear from the Majority Leader, because I can see he is in catch-22 because he also leads the Loans Committee. Which particular clauses or area he has a problem with? Instead of dismissing the entire report, he needs to be clear. Because you cannot just dismiss the entire report. There must be specific areas that he has concerns.

Hon. Temporary Speaker: Thank you very much, I will respond. Let us have Mheshimiwa Majiwa speak.

Hon. Geophrey Majiwa: Hon. Speaker, I am completely lost, the Standing Order that you have read has clearly stated the English word, 'shall.' Adoption is not just an act in futility, there has to be an evidence of adoption. That evidence of adoption has always been demonstrated in this House by way of signatures. That Standing Order has given birth to a precedent, which has been demonstrated in this House by way of signatures. Why are we interpreting this English wrongly, and allowing the Clerk to mislead you?

Hon. Temporary Speaker: Thank you, thank you very much. I will make a ruling. Hon. Majority Leader.

Hon. Peter Imwatok: Hon. Speaker, with your indulgence, I agree with Hon. Majiwa that precedent that is set, we cannot just erase. To add to it, even if you don't have signatures, where are the minutes of adoption of this report? In the paper you have, where is it showing these Members present if the signatures are not there? There is only one road for the Speaker; to determine whether this an authentic document before this House? The one on the website or the one that was served to us last Thursday? It is upon you to judge. History, Hon Speaker, will put you squarely on the rocks how you lead this particular question today. How do you adopt a report without the minutes or adoption signatures?

Hon. Temporary Speaker: Thank you, Majority Leader. Mheshimiwa Oyugi, the Speaker is upstanding.

Hon. Members, in regards to the matter that you have just spoken on the question of adopting this report, it is clear that the report does not have the minutes to show us that there are signatures that ought to be. So, in the absence of the minutes, I regret that we cannot continue. We shall postpone this matter up to – and we are going to do this to the rest of the Auditor General's reports.

(Motion deferred)

ADJOURNMENT

Hon. Temporary Speaker: I adjourn the House until tomorrow, Wednesday 30th July 2025 at 2.30p.m. I ask the House Business Committee to meet after this sitting. Thank you, and God bless you.

The House rose at 4.10 p.m.