

REPUBLIC OF KENYA



FIRST ASSEMBLY – FOURTH SESSION

MAKUENI COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, 10TH FEBRUARY, 2016 (9.30 AM)

1. The Assembly assembled at thirty minutes past nine O'clock
2. The Proceedings were opened with Prayer.
3. **PRESIDING:** – Hon. Julius Mwalali.

4. **PAPERS:-**

Tabling of the following Paper was deferred:-

- i. The Report on County Public Service Board compliance with the values and principles in Articles 10 and 232 of the Constitution of Kenya.

5. **NOTICES OF MOTION**

The following Notices of Motion were given:-

- i. **THAT**, aware that, every person has the right to administrative action that is expeditious, efficient, lawful, reasonable and procedurally fair in accordance with Article 47(1) of the Constitution of Kenya; aware that Sections 116, 117, 118, 119 and 120 of the County Governments Act, 2012 provides the principles of delivery of public service; Noting that each County Government has an obligation to deliver services within its designated area of jurisdiction; Cognizant of the fact that effective

service delivery is susceptible to slow down by unscrupulous public Servants engaged in corruption and political patronage, unnecessary delays, bureaucratic structures, wastage of public resources, discrimination, unresponsiveness, imprudent use of public resources, among others; Concerned that the people of Makueni County are experiencing various development challenges among them being the scarcity of water, poor state of roads, inadequate social infrastructure, among others, which demand significant intervention and commitment by the County Government; this COUNTY ASSEMBLY urges the County Government of Makueni to develop a legislation to guide and promote efficient, effective, expeditious, reasonable and high quality service delivery and develop citizens grievance addressing mechanisms in order to ensure justice is upheld in service delivery and to further strengthen the spirit and purpose of devolved system of governance in the County,

(Chairperson, Justice and Legal Affairs Committee)

- ii. **THAT**, this County Assembly adopts the Report of the Makueni County Assembly Members on the educational tour to the United Arab Emirates (Dubai) conducted from 14th to 19th April, 2014,

(Hon. Cosmas Kaleli, Member of the delegation)

- iii. **THAT**, aware that article 53 (d) of the Constitution of Kenya, 2010 provide for Children to be protected from abuse, neglect, harmful cultural practices, all forms of violence, inhuman treatment and punishment and hazardous or exploitative labor; AWARE that Sexual Offences Act, 2006 and Children's Act of Kenya criminalizes sex with children under the age of 18; FURTHER aware cases on sexual abuse of school going children and those below 18 years have been common and that, factors like child labor, poverty

levels and school dropout contribute to the escalating cases significantly; NOTING that the effect of defilement and sexual abuse has negative effects on the victim's life including school drop-out, contraction of Sexually Transmitted Infections (STIs), early motherhood and mental and psychological torture; CONCERNED that, many cases of children sexual abuse and exploitation have gone unreported and that, the perpetrators negotiate with parents of the victims, the police and other traditional resolution mechanisms hence denying justice to the victims, THIS COUNTY ASSEMBLY URGES the County Government of Makueni to allocate funds in the 2016/2017 Financial Year Budget to support capacity building, preventive education, awareness and advocacy activities and partnerships to establish and strengthen Community based mechanisms for detecting, monitoring and reporting child sexual abuse, exploitations and any other cases related to child sexual abuse in order to ensure our children are safe, fair justice is accorded to the victims and subsequently child abuse cases are minimized.

(Chairperson, Justice and Legal Affairs Committee)

The following Notice of Motion was deferred:-

- i. **THAT**, aware that the promulgation of the Constitution of Kenya, 2010, ushered in Devolution in Kenya; aware that Fourth Schedule of the Constitution expressly distributes functions between the National Government and the County Governments; further aware that there are various projects, previously initiated by the defunct Local Authorities as well as the Constituency Development Fund (CDF) in the County but were never completed and have since stalled, following the transfer of functions from the National Government to the Counties; noting that public funds were already spent in the stalled projects; concerned that the funds already

used in the stalled projects will translate into waste if the projects are not completed for use by the community; this County Assembly urges the County Government of Makueni to make an inventory of all such projects that fall within the mandate of the County Government and plan for their completion in the subsequent Financial Years.

- 6. ASSEMBLY ROSE** – at five minutes to ten O'clock.

MEMORANDUM

The Speaker will take the Chair on
Wednesday, 10th February, 2016 at 2.30 p.m.

---X---