



COUNTY GOVERNMENT OF MAKUENI

MAKUENI COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – Second Session

Wednesday, 7th March, 2018

(The House met at 9:30 a.m.)

[The Speaker (Hon. Douglas Mbilu) in the Chair]

PRAYERS

QUORUM

(The Division Bell was rung)

PAPERS LAID

The Speaker (Hon. Douglas Mbilu): Chairperson Committee on Health Services to table a Report on the site visit to the Sub-County hospitals, health centers and dispensaries.

COMMITTEE SITE VISIT

The Member for Kikumbulyu North Ward (Hon. Jackson Mbalu): Thank you Mr. Speaker sir, I beg to lay the following Paper on Table of the Assembly today Wednesday, 7th, March 2018 at 9:30 a.m.; The Report of the Committee on Health Services on the site visit to the Sub-County hospitals, health centers and dispensaries. Thank you.

(Paper laid)

The Speaker (Hon. Douglas Mbilu): Next Order.

NOTICE(S) OF MOTION

The Speaker (Hon. Douglas Mbilu): Chairperson Committee on Health Services to give a Notice of Motion for adoption on site visit.

The Member for Kikumbulyu North Ward (Hon. Jackson Mbalu): Thank you Mr. Speaker sir, I beg to give Notice of the following Motion:-

THAT, this Assembly adopts the Report of the Committee on Health Services on site visit to Sub-County hospitals, health centers and dispensaries laid on the Table of the Assembly today Wednesday, 7th March, 2018 at 9:30a.m.

Thank you.

The Speaker (Hon. Douglas Mbilu): Next Order.

STATEMENTS

The Speaker (Hon. Douglas Mbilu): Hon. Justus Mutua Masesi.

STATEMENT REQUEST – BEE KEEPING IN THE COUNTY

Hon. Justus Masesi: Thank you Mr. Speaker, pursuant to the provisions of Standing Order 50 of the Makueni County Assembly Standing Orders, I rise to request for a Statement from the Chairperson, Committee on Agriculture, Livestock and Food Security regarding beekeeping in the County. Makueni County lies under the arid and semi-arid land thus has a high potential in production of honey and apicultural activity due to the abundance of bee flora. The County Government through the Department of Agriculture, Livestock and Food Security has been allocating funds for promoting apiculture in its annual budgets. However, much has not been attained. To date, beekeeping in Makueni has not been fully established. The County ought to have mapped the potential production zones and created awareness to the residents.

Further, there should be established honey processing plants in the County which should process and package the honey for marketing in the national and external markets. Beekeeping requires minimal inputs and does not need much attention.

With proper mechanisms put in place including supporting youth groups in the activity, this can create more employment to the youth and the farmers at large.

The Chairperson should therefore clarify on the following:-

- a. What measures and programmes has the Department put in place to improve the sector?
- b. Whether there are any groups being funded by the County Government to enhance bee keeping and if yes, name them.
- c. Whether there is any plan to form a co-operative for the beekeepers.
- d. Whether there are plans to establish firms/factories dealing in apiculture.
- e. Whether the department has conducted baseline survey to establish both the value and potential value of the honey value chain.
- f. The impact of the last five years County expenditure on apiculture/honey value chain.
- g. The policies and interventions that the Department has formulated and implemented to support the sector.

Thank you Mr. Speaker.

The Speaker (Hon. Douglas Mbilu): Chairperson Committee on Agriculture Livestock and Livestock and Food Security.

The Member for Ukia Ward (Hon. Japheth Katumo): Thank you Mr. Speaker I do understand that beekeeping which is known as apiculture is one of the components of agriculture. Agriculture in Makueni is one of the viable enterprises that should be implemented by our farmers. However, the practice is not very predominant and I want to beg for around 21 days and then I will revert back with the response regarding the questions that the Hon. Masesi is asking. I want also to appreciate the Member, he is so passionate about issues of agriculture. Thank you.

The Speaker (Hon. Douglas Mbilu): Hon. Masesi.

Hon. Justus Masesi: Thank you Mr. Speaker. I want to thank the Chairperson who is very hardworking and competent in this Department but I would like to request humbly from the Chair to give me lesser days. The 21 days is a long time. If I can get at least fourteen days, which is two weeks, that will be better because we do not need any practical issues here to bring the Statement.

The Speaker (Hon. Douglas Mbilu): Chairperson.

The Member for Ukia Ward (Hon. Japheth Katumo): Thank you Mr. Speaker. I still want to ask for the 21 days. I understand that this is not just beekeeping. Beekeeping also complements the crops that we plant. I understand that they are pollinators of crops and why I am asking for the 21 days is because I want to bring a report that is comprehensive. I also understand that they are indicators of pollution

in our environment and so as I ask for these days, I just want to add on some more things that can be useful to this House so I want to plead with the Member to give me 21 days and I will respond.

The Speaker (Hon. Douglas Mbilu): The Hon. Masesi.

Hon. Justus Masesi: Okay Mr. Speaker. I will listen to that and go with the 21 days but let it be 21 days because this is touching the environment as he has said, even pollination. As you know yesterday we really talked about tree cutting and charcoal burning and all that. When we start beekeeping in our County we will be protecting our environment and even ---

The Speaker (Hon. Douglas Mbilu): Hon. Masesi do not debate the Statement. It is a subject to be responded to.

Hon. Justus Masesi: Yes Mr. Speaker. Thank you for the guidance. I am just being so passionate about this thing because I am very sure that this is a sector that can really generate income to our youth and even our women and even our wives. Thank you.

The Speaker (Hon. Douglas Mbilu): Very well Chairperson Committee on Agriculture Livestock and Food Security. Respond to that Statement within 21 Days. Member for Mbitini Ward.

STATEMENT RESPONSE – UNCOMMISSIONED BOREHOLES

The Member for Mbitini Ward (Hon. Josphat Nzuki): Thank you Mr. Speaker. Actually, I rose to read a Statement on Water but unfortunately I may report to this House at the close of business yesterday this matter was resolved with the concerned ECM Water so thank you for this moment.

The Speaker (Hon. Douglas Mbilu): Member for Mbitini are you withdrawing the Statement?

The Member for Mbitini Ward (Hon. Josphat Nzuki): Yes Mr. Speaker.

The Speaker (Hon. Douglas Mbilu): Fair enough. Chairperson Committee on Transport and Infrastructure to respond to a Statement on maintenance of Syumile Itangini road in Nguumo Ward.

STATEMENT RESPONSE - REPAIR AND MAINTENANCE OF SYUMILE-ITANGINI ROAD

The Member for Mbooni Ward (Alexander Masila): Thank you Mr. Speaker. I hereby rise to give a response to the Statement regarding repair and maintenance of Syumile Itangini road in Nguumo Ward which was requested by the Hon. Alfred

Nyamai MCA Nguumo Ward on 18th October, 2017 and reintroduced on the 14th day of February this year. The Hon. Member sought clarification on the following. Whether the Department was aware that the repair of the said roads was not done--

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The Member for Thange Ward (Hon. Nicholas Maitha): On a Point of Order.

The Speaker (Hon. Douglas Mbilu): Member for Thange Ward.

The Member for Thange Ward (Hon. Nicholas Maitha): Thank you Mr. Speaker, I want to rise on a point of Order but I am happy that I can see the Member for Nguumo seated on the far end. Thank you.

The Speaker (Hon. Douglas Mbilu): Very well. Chairperson Committee on Transport and Infrastructure proceed.

The Member for Mbooni Ward (Alexander Masila): Thank you Mr. Speaker. The Hon. Member sought for clarification on the following;

1. Whether the Department was aware that the repairs of the said road were not done as had been planned.
2. The contractor who was awarded the tender.
3. Why the repairs of the sections of the road were abandoned even after repair materials had been delivered; and
4. The plans the Department has to ensure the sections of the road are repaired as had been planned in order to improve the status of the road.

The Committee sought for information on the issues raised from the Department of Roads, Transport and Infrastructure through letters dated 24th October, 2017 as attached in appendix 1 and 17th January, 2018 as attached. The Committee received response through correspondences dated 30th October, 2017 as attached and 22nd January, 2018 respectively. The information received by the Committee in response to the Statement was as follows;

The Department was not aware of the road by the name Syumile – Itangini in their records but had Syumile - Kalamba road which passes through Itangini. On whether the department was aware that the repairs of the said road were not done as had been planned, Syumile – Kalamba road was graded in accordance with the Bills of Quantities with the works approved for payment by the Ward Administrator, Sub-County Administrator and the Project Management Committee as attached in appendix five.

Syumile – Kalamba road which passes through Itangini was contracted to Mosmat General Contractors. The scope of works included, heavy grading with watering and processing to at least 100mm, formation of cut off drains, rock filling and other works as provided in the Bills of Quantities (BQs) as attached in appendix six. The contract sum as per the Mosmat General Merchants Co. Ltd BQs was Kshs.2,717,953. The payment schedules and vouchers provided indicated that Mosmat General Contractors had been paid a total of Kshs.2,194,550.00. Kenpaper Supplies was contracted to install 28 metres length of cross culverts 900mm diameter which was exclusive of backfilling. The culverts were installed with the remaining works being backfilling which was to be done by the County machines. The contracted sum as per the Kenpaper Supplies Bills of Quantities was Kshs.1,878,834.00 as attached in appendix six. Payment schedules and vouchers were also provided indicating that Kenpaper Supplies had been paid Kshs.1,703,635.60 as attached in appendix eight.

On why the repairs of the sections of the road were abandoned even after repair materials had been delivered, the road works contracted to Mosmat General Contractors were complete and in the defect liability period. The works contracted to Kenpaper suppliers were also complete with the remaining works being backfilling the culverts which was to be done by County machines.

The Speaker (Douglas Mbilu): Member for Nguumo Ward.

The Member for Nguumo Ward (Hon. Alfred Nyamai): Thank you Mr. Speaker sir. I would like first to thank the Committee through the leadership of the Chairman for the good work that they did. In fact, all the problems that were in that part of the road which was particularly on the culverts has been well addressed in their findings. The only question I am asking the Committee is that when are you trying to press the department to do what you found which was not done on the roads? We need a specification or a timeline on when the Department will act upon on the shoddy work done. Thank you.

The Speaker (Douglas Mbilu): Hon. Alexander.

The Member for Mbooni Ward (Hon. Alexander Masila): Thank you Mr. Speaker. As a Committee we will seek clarification and more information whether the repair works have been implemented then we will report to the Member. It is a continuous process. Even today I should seek information from the Department. Thank you Mr. Speaker.

The Speaker (Douglas Mbilu): Member for Nguumo.

The Member for Nguumo Ward (Hon. Alfred Nyamai): Thank you Chair. The information that I can bring to you right now is that no work has been done since you left from the ground. Therefore, do not let that Department cheat you that they have done anything. Therefore, they should tell you when they are going to commence that work. Thank you.

The Speaker (Douglas Mbilu): Chairperson.

The Member for Mbooni Ward (Hon. Alexander Masila): Thank you Mr. Speaker. As I have indicated, during the course of today I am going to visit the Department and find out what they are doing.

The Speaker (Douglas Mbilu): Chairperson was there a timeline within which the Department committed itself to execute the works?

The Member for Mbooni Ward (Hon. Alexander Masila): Mr. Speaker they did not give specific time.

The Speaker (Douglas Mbilu): You should have requested for a timeline as the Committee Chairperson, that is part of the responsibility of the Committee. Otherwise any kind of Report without timelines we cannot be able to monitor and oversee as an Assembly.

The Member for Mbooni Ward (Hon. Alexander Masila): Thank you Mr. Speaker. We are going to follow that and report immediately to this House. Thank you.

The Speaker (Douglas Mbilu): Member for Kikumbulyu North Ward.

The Member for Kikumbulyu North Ward (Hon. Jackson Mbalu): Mr. Speaker I wish to recommend on that report. From the report, what you have heard it is like we have no technical officers on the ground and if we are going to have shoddy works done and people have jobs and we say here they should be done and nothing is done, then we are going to be cycling in one spot. We wish to hear a more concrete point on what will be done on officers who should have directed the technical work and they did not because money is lost through such and if money is going to be lost and oversight is on our side, then we should be able to come up with a concrete plan and direction. I am requesting the Chairperson to give us a very concrete Report on that because shoddy work was done. Where were the technical staff who were supposed to do that to oversight also before we come in judging their work? Are they going to be left that way? There should be something to wake them up on their duty. Thank you Mr. Speaker.

The Speaker (Douglas Mbilu): Member for Kikumbulyu South.

The Member for Kikumbulyu South (Hon. Jades Kalunda): Thank you Hon. Speaker. I stand to give more insights because I am a Member of Committee on Transport and Infrastructure regarding the same because it is also serving the people of Kikumbulyu South. When you look at the works, the public works, they are the ones which have been poorly done. The culverts, the drifts and back filling and it is the order of the day when it comes to any service from this Department. We would wish even to make more recommendations that the County should only be planning ---

The Speaker (Hon. Douglas Mbilu): Member for Kikumbulyu South Ward you are a Member of that Committee so restrict yourself in responding to these questions not adding supplementary recommendations on the floor of the House. You had all the time and resources to visit the ground, you were paid for that.

The Member for Kikumbulyu South Ward (Hon. Jades Kalunda): I know but it is very important to note what ---

The Speaker (Hon. Douglas Mbilu): The subject matter at hand is not recommendation, the subject at hand is when. During your engagement with the County Executive Committee Member in Charge of Transport and Infrastructure and particularly on (a) where there was an area near a river with black cotton soil that was not worked on and required gravelling. By when? All sections with cross culverts had not been backfilled as in the appendix since the BQ for the works did not include the gravelling and backfilling then the Department should do the above works using the County machinery since were not budgeted for and by when because these are open responses to the Statement therefore they do not meet the threshold of oversight.

The Member for Kikumbulyu South Ward (Hon. Jades Kalunda): That is why I am saying, it is very important to note that, when there is nothing which has been done on the black cotton soil we can still take advantage of the machinery for the County the ---

The Speaker (Hon. Douglas Mbilu): Member for Committee on Transport and Infrastructure the question is when. Yes, the recommendations are good, that the above works be done using County Government Machineries since they were not budgeted for so when? Do we leave it open?

The Member for Kikumbulyu South Ward (Hon. Jades Kalunda): No, I am not even on that point. I am on a different point that is why you are not getting me because I am trying ---

The Speaker (Hon. Douglas Mbilu): Because I have deterred you from making further recommendations without substantiating why your responses are unsatisfactory because they are open sentences. As a Committee executing oversight there should be timelines and commitment from Executive because Member for Nguumo Ward has a problem in his Ward as a County Assembly we should provide responses with timeline and action points.

The Member for Kikumbulyu South Ward (Hon. Jades Kalunda): I want also to communicate the same because the ECM said he is allocating days to the specific Wards. I think it was not in order because the machinery was even allocated to Nguumo Ward for even more than five days on the same and they should even have covered this. Therefore, it should not be a debate on when and where because the machinery is on the ground---

The Speaker (Hon. Douglas Mbilu): Under the circumstances you are Member of that Committee and you are not responding to the question as requested and the subject matter is that you had an engagement with the County Executive Committee Member up to this moment there are no timelines within which this is going to be done. It is simple as that and you cannot defend it.

The Member for Kikumbulyu South Ward (Hon. Jades Kalunda): No, I can report and defend because the ECM ---

The Speaker (Hon. Douglas Mbilu): Refer us to the report where it is indicated.

The Member for Kikumbulyu South Ward (Hon. Jades Kalunda): This is something which I am just exploring because he said---

The Speaker (Hon. Douglas Mbilu): Hon. Kalunda who had about fourteen days to explore this matter and get findings and document. Refer us to this Report and what you are referring to.

The Member for Kikumbulyu South Ward (Hon. Jades Kalunda): Just allow me to just sit down Hon. Speaker.

The Speaker (Hon. Douglas Mbilu): In other words I am telling that you are taking us out of context and therefore your contributions are not helping your Committee at the moment.

The Member for Kikumbulyu South Ward (Hon. Jades Kalunda): We want to commit fourteen days ---

The Speaker (Hon. Douglas Mbilu): You cannot commit fourteen days for yourself.

(Laughter)

The Speaker (Hon. Douglas Mbilu): Hon. Kalunda and Committee on Transport. The Member for Mavindini Ward.

The Majority Whip (Hon. Jonathan Kimongo): Thank you Mr. Speaker. The Hon. Member is passing a point only that it is not coming out clearly.

The Speaker (Hon. Douglas Mbilu): Member for Mavindini Ward execute your point and refer us to the content of the Report which was tabled before the House.

The Majority Whip (Hon. Jonathan Kimongo): Okay sir, my point is interrelated to his that is why I ---

The Speaker (Hon. Douglas Mbilu): Are you a Member of the Committee?

The Majority Whip (Hon. Jonathan Kimongo): Yes I am.

The Speaker (Hon. Douglas Mbilu): Proceed.

The Majority Whip (Hon. Jonathan Kimongo): Mr. Speaker, I will fetch it from a distance. When the Budget Committee and the Department of Finance and Economic Planning allocate money to Wards for some projects to be done, it is not the business of that Committee neither the Department of Finance to go do follow up on when that project will be done. It is the duty of the respective Member of County Assembly to make follow up, to knock doors and see that things are done. In the same breadth, once this Committee makes a recommendation that this must be done, it is not the duty of that Committee to go making follow up. It is the duty of the respective Member to go make follow up. Having made that recommendation----

(Hon. Nicholas Maitha interjects on a Point of Order)

The Speaker (Hon. Douglas Mbilu): Member for Thange Ward.

The Member for Thange Ward (Hon. Nicholas Maitha): Thank you Mr. Speaker. Is the Hon. Member for Mavindini Ward in order to mislead this House that it is not the work of the Committee to do follow up on the recommendations that they make when it has been passed on the floor of this House?

The Speaker (Hon. Douglas Mbilu): Member for Mavindini Ward.

The Majority Whip (Hon. Jonathan Kimongo): Mr. Speaker I can substantiate this a thousand times ---

The Speaker (Hon. Douglas Mbilu): Member for Mavindini Ward are you in order?

The Majority Whip (Hon. Jonathan Kimongo): I am either out of order or I substantiate and I am substantiating because I am in order.

(Laughter)

The Majority Whip (Hon. Jonathan Kimongo): If I was not in order I will not substantiate.

(Hon. Jackson Mbalu interjects on a Point of Order)

The Speaker (Hon. Douglas Mbilu): Member for Kikumbulyu North Ward.

The Member for Kikumbulyu North Ward (Hon. Jackson Mbalu): Mr. Speaker the Member for Mavindini Ward is not in order to actually mislead this House because he does not leave in a world of his own. If the Committee has been given a mandate by this House to do something it is the one which is supposed to press the ECM to give timelines for whatever is happening here. You cannot start passing that information to the Member from the area. You are not in order to do that. Thank you Mr. Speaker.

The Speaker (Hon. Douglas Mbilu): Under the circumstances Member for Mavindini Ward you are out of order. You cannot abdicate the responsibility of the Committee and refer it back to the requester of the Statement. Therefore, justify whether the Statement from your Committee is satisfactory or not and whether there are timelines within which. Justify the time you spent with the Executive Committee Member to resolve the question of oversight and time spent on Committee hours.

The Majority Whip (Hon. Jonathan Kimongo): Thank you Mr. Speaker. I will request the Member to be part of us as we look into the solution. Otherwise, let him not sit down and expect the Committee to do everything---

The Speaker (Hon. Douglas Mbilu): Order Member for Mavindini Ward! Refer us to your Report do not refer us to the Member for Nguumo Ward. Restrict yourself to the Report and refer us to the specific paragraph.

The Majority Whip (Hon. Jonathan Kimongo): We will look into it Mr. Speaker.

The Speaker (Hon. Douglas Mbilu): Time has expired for you to look at it; be informed. Member for Kilungu Ward.

The Member for Kilungu Ward (Hon. Patrick Mbevi): Thank you Mr. Speaker. First I want to sympathize with the Member for Nguumo Ward for what happened to the Ward. In fact, if the contractors which are given the works are working the way it was done Makueni will not move far with such contractors. I am the Vice Chairperson of the same Committee and when we met with the ECM on 23rd and on page six number (2) we agreed with ECM that the Department should engage the contractors as soon as possible even before the end of the defect liability period to repair and reconstruct the highlighted defects in the technical report. Last week is when we met with the ECM and I request, because we agreed that it will be repaired, if we can be given an extra fourteen days we confirm whether the work has been done. Thank you Mr. Speaker.

The Speaker (Hon. Douglas Mbilu): Member for Kilungu Ward and a Member of that Committee. You know this House operates on timelines and the Committee does not have the leisure of time to give open ended responses. Otherwise, there is no need to request for these Statements and that is the subject matter. If you look at (1) (b), all sections within the cross curvets had not been backfilled since the BQ for the works did not include the gravelling and backfilling then the Department should do the above works using the County government machinery since were not budgeted for. When? You had fourteen days, you ought to have sought timelines within which this work is going to be executed in the interest of people of Nguumo Ward.

The Member for Kilungu Ward (Hon. Patrick Mbevi): Thank you Mr. Speaker. It was an error to be indicated in the report because we agreed in number two that they are going to do follow up on the same immediately.

The Speaker (Hon. Douglas Mbilu): Member for Kilungu I wish to inform you that there are no errors in Reports that have been tabled unless you want to expunge that particular section (b) from your report. Is that what you are saying?

The Member for Kilungu Ward (Hon. Patrick Mbevi): No Mr. Speaker Sir. (B) says that all sections with cross culverts had been backfilled as per appendix nine. Since the bill of quantities did not include leveling and backfilling then the Department should do the above works using the County Government machinery since they were not budgeted for. That is the reason why we came to number two and we said it should be done immediately so that Nguumo people should appreciate. Thank you.

The Speaker (Hon. Douglas Mbilu): Member for Kilungu and Committee on Transport what is immediately? Could be ten years, could be one minute. There is no

given time that the Committees of this House have operated with immediately, urgent, shortest time, we always operate on timelines. To appreciate oversight and the seriousness of the Committee there must be timelines on the engagement and decision that you make with ourselves and the County Executive Committee Members.

The Member for Kilungu Ward (Hon. Patrick Mbevi): Mr. Speaker when I am saying immediately, I mean it was supposed to be done the same day and we got the report from the area MCA that it was not done and I will be back to confirm the same within seven days. Thank you.

The Speaker (Hon. Douglas Mbilu): How will you get there because the term and the mandate of the Committee has expired up to today unless Chairperson in his opinion finds it important to grant you more time.

The Member for Kilungu Ward (Hon. Patrick Mbevi): Mr. Speaker it is my prayer that you will give us seven days.

The Speaker (Hon. Douglas Mbilu): Member for Mulala/Emali.

The Member for Emali/Mulala Ward (Hon. Nicodemus Muthoka): Thank you Mr. Speaker. I just want to inform the Member and more or less echo what you say that their time has expired. It is now upon the work of Implementation Committee to get the report and go to the ground and see the works that are being done.

The Speaker (Hon. Douglas Mbilu): Member for Emali that is good information but may not be case. I am afraid the Implementation Committee does not supervise that which is not detailed and satisfactory before this House. Member for Mtito Andei.

The Member for Mtito Andei Ward (Hon. Francis Mwanja): Thank you Mr. Speaker sir. I wish to state here that the Committee had the time to do a good job but according to what they have reported, they are saying the works were approved by the Ward Administrator and Sub County Administrator who to me t are not technical people, that is one. I thought the Road Inspectors could have done that job. They again went further to state that Mosmat General Contractors works were complete and in the defect liability period and they have stated that works were proved to be paid by the Sub County administrator, the Ward Administrator and Project Management Committee. In your findings you further state that the road drainage were not done to the expectations of the Project Management Committee. That is page 4 ---

The Member for Kilungu Ward (Hon. Patrick Mbevi): On a Point of information.

The Speaker (Hon. Douglas Mbilu): Member for Kilungu.

The Member for Kilungu Ward (Hon. Patrick Mbevi): I want to inform Member for Mtito that that is the reason that we have recommended number three, that the contractor should be black listed immediately and investigations be done on the Sub County Administrators, supervisors and technical officers because they approved the payments and the work was incomplete. In fact, I have seen the same in my area. These people have been authorizing payments for incomplete work and we have recommended the same.

(Hon. Jackson Mbalu interjected)

The Speaker (Hon. Douglas Mbilu): What is it Member for Kikumbulyu North?

The Member for Kikumbulyu North Ward (Hon. Jackson Mbalu): The Member is saying they have said that the contractor should be blacklisted. This Statement reads the Department should blacklist all companies doing substandard work. This is not specific. I expect you to come out specifically with the specific company you are dealing with and say this company did a shoddy job. You do not give a vague statement. That is a vague statement.

The Speaker (Hon. Douglas Mbilu): Member for Kilungu on the Point of Order raised by Member for Kikumbulyu North.

The Member for Kilungu Ward (Hon. Patrick Mbevi): Mr. Speaker sir we were referring to all companies which are doing shoddy works including Mosmat which did very bad work---

The Speaker (Hon. Douglas Mbilu): Order Member for Kilungu. The Assembly did not instruct you to investigate all companies and all what is in this Republic of Kenya. The subject matter is a project in Nguumo Ward. Member for Mukaa are you a Member of that Committee?

The Deputy Majority Whip (Hon. Joseph Muema): Yes.

The Speaker (Hon. Douglas Mbilu): Proceed.

The Deputy Majority Whip (Hon. Joseph Muema): Thank you Mr. Speaker. I want to give one or two contributions regarding this Committee. I am a Member of the Transport and Infrastructure Committee, it is true as a Committee we went to the ground and it is good for us to understand that as a Committee we did agree that the

contractor or the contractors did bad work. From the culvert installation and as indicated in the report the truth of the matter is that the contractors did the work poorly. It was poorly done and the Member for Nguumo Ward agrees that the work was poorly done, the Committee agrees the work was poorly done and because I have heard the point of contention is when, but before we go to when and the timelines, I want to react to number three that has been pointed as a point of order by the Member for Kikumbulyu. It is good for the Members to note that there were two companies involved in this contract therefore all includes the above mentioned companies that are on top there therefore for this case I wish for the understanding of the House that all means the two companies are mentioned above there. Therefore ---

(Laughter)

The Member for Kikumbulyu North Ward (Hon. Jackson Mbalu): On a Point of Order.

The Speaker (Hon. Douglas Mbilu): Member for Kikumbulyu North.

The Member for Kikumbulyu North Ward (Hon. Jackson Mbalu): Mr. Speaker this Statement is very clear. It says the Department should blacklist all companies doing substandard work. Doing, I mean we are specific on a specific road. Why wouldn't you say company a and b. He is saying companies doing.

The Majority Whip (Hon. Jonathan Kimongo): On a Point of Information.

The Member for Kikumbulyu North Ward (Hon. Jackson Mbalu): I do not want to be informed Mr. Speaker Sir. I refuse that information.

(Laughter)

The Majority Whip (Hon. Jonathan Kimongo): Point of correction.

The Speaker (Hon. Douglas Mbilu): There is no point of correction Member for Mavindini.

(Laughter)

The Speaker (Hon. Douglas Mbilu): And the Member is out of the microphone so you cannot inform him further. Member for Thange.

The Member for Thange Ward (Hon. Nicholas Maitha): Thank you Mr. Speaker. On number three, we all understand English because I am sure most of us went to school. This Statement here Mr. Speaker actually talks about all companies and not the two that this Committee wants to try to tell us. I think it is also very

important when we are dealing with this very important issues that we do not waste a lot of time here just arguing for nothing. It is important that this Committee understands that they did a mistake ---

The Member for Kikumbulyu North Ward (Hon. Jackson Mbalu): On a Point of Order.

The Speaker (Hon. Douglas Mbilu): Member for Thange is on a Point of Information informing the House. Hold your horses Member for Kikumbulyu North.

The Member for Thange Ward (Hon. Nicholas Maitha): Thank you Mr. Speaker for the protection. It is my humble request that because of the time that we have and the number of business that we have in the House sometimes we do not waste a lot of time just arguing on something that is a fact ---

The Speaker (Hon. Douglas Mbilu): Member for Thange are you trying to evaluate the debate as informing the House?

The Member for Thange Ward (Hon. Nicholas Maitha): Mr. Speaker I was only trying to give some information on point number three ---

The Speaker (Hon. Douglas Mbilu): You gave information and you went further to evaluate and qualify the debate before the House. Is that part of what you were informing the House?

The Member for Thange Ward (Hon. Nicholas Maitha): It is not part of what I was informing the House ---

The Speaker (Hon. Douglas Mbilu): Restrict yourself to the Point of Information. Do not take advantage of the privilege ---

The Member for Thange Ward (Hon. Nicholas Maitha): Thank you Mr. Speaker.

The Speaker (Hon. Douglas Mbilu): To pass other Statements that are not limited to the information.

The Member for Thange Ward (Hon. Nicholas Maitha): Thank you Mr. Speaker.

The Speaker (Hon. Douglas Mbilu): Member for Kikumbulyu North.

The Member for Kikumbulyu North (Hon. Jackson Mbalu): Mr. Speaker I was just saying it is not fair to say Members are wasting time. Hon. Members do not waste

time. We come here to debate issues and expunge issues which are contentious. It is being low to play Members to that level because ---

The Speaker (Hon. Douglas Mbilu): Member for Kikumbulyu North is that a debate, a contribution or a Point of Order?

The Member for Kikumbulyu North Ward (Hon. Jackson Mbalu): I had asked for a Point of Order because I wanted to correct ---

The Speaker (Hon. Douglas Mbilu): You are now a seasoned enough Member. You should have executed it in the proper way. Is Member for Thange in Order to, then you proceed.

The Member for Kikumbulyu North Ward (Hon. Jackson Mbalu): Mr. Speaker we all stand to be guided and for that matter I put it that way. Is the Member for Thange in Order to belittle Hon. Members that they are wasting their time here in whatever they are saying? Thank you Mr. Speaker.

The Speaker (Hon. Douglas Mbilu): Member for Thange, restrict yourself to the Point of Order that has been raised against you.

The Member for Thange Ward (Hon. Nicholas Maitha): Thank you Mr. Speaker. Hon. Mbalu from Kikumbulyu North is a very good friend of mine and at times he wants to push me very hard on the wall. However, I wish to withdraw that statement but it was just on a light note. I did not actually intend to hurt anyone. Thank you Mr. Speaker.

The Speaker (Hon. Douglas Mbilu): Fair enough. Hon. Elizabeth Mutindi.

Hon. Elizabeth Mutindi: Thank you Mr. Speaker. I wish to give a small contribution but before I do so I also want to inform the Member for Thange that he has indicated that most of us went to school. I want to inform him here every one here has been to school. Thank you Mr. Speaker. Looking at the answers in the ---

The Speaker (Hon. Douglas Mbilu): Hon. Elizabeth are you a Member of that Committee? Proceed.

Hon. Elizabeth Mutindi: I am not a Member of this Committee and I am not happy with the Committee because everybody is waking up and defending. These responses are unsatisfactory and the Speaker has already indicated the same. Therefore, I do not why everybody is acting as the Chairman, giving us timelines ---

The Speaker (Hon. Douglas Mbilu): Hon. Elizabeth I have not ruled that this Statement is unsatisfactory.

Hon. Elizabeth Mutindi: I think some answers are unsatisfactory ---

The Speaker (Hon. Douglas Mbilu): Yes. In your opinion.

Hon. Elizabeth Mutindi: Yes in my opinion. Therefore, on top of what everyone has said, there is a question that the ECM answered to provide the Committee with payment schedules and attach payment vouchers for all payments done to the companies. We cannot rely on this schedule. It is not authentic; we cannot know if somebody went and made the table in a computer and just printed it. We do not know how authentic this is. If these were the amounts that were paid we need to see something more authentic. Even on part c when the project will be completed, the answer is the contract period expired and the projects were closed after the works were paid as per measured quantities on the ground. The question has not been answered by the ECM.

The Speaker (Hon. Douglas Mbilu): Which question are you referring to?

Hon. Elizabeth Mutindi: There is a letter by the ECM dated 22nd of January 2018 and it was responding to questions answered by the Committee. Therefore, the Committee had raised part c on when the project will be completed. There is no answer given to that question because the ECM says the contract period expired and the projects were closed after the works were paid. Therefore, we do not see any commitment to date and when the Department plans to complete the work and I am not very happy with the Committee. Thank you Mr. Speaker.

The Speaker (Hon. Douglas Mbilu): Chairperson Committee on Infrastructure or Members on the issues raised by the Hon. Elizabeth Mutindi. Member for Mavindini.

The Majority Whip (Hon. Jonathan Kimongo): Mr. Speaker I can hear Members behind me saying I am not the Chairperson. This is not a matter of the Chairperson alone. In this Committee we take corporate responsibility. We all defend our Report and we must do it ---

The Speaker (Hon. Douglas Mbilu): Proceed and respond to the issues raised by Hon. Elizabeth Mutindi.

The Majority Whip (Hon. Jonathan Kimongo): One that issue that I have an issue with is that she should state whether she is not happy with the Committee or with the Report? ---

The Speaker (Hon. Douglas Mbilu): Member for Mavindini you are running away from the subject matter ---

The Majority Whip (Hon. Jonathan Kimongo): I am coming there Mr. Speaker

The Speaker (Hon. Douglas Mbilu): Order Member for Mavindini. We cannot have an Assembly where we are elusive. Respond to the subject matter.

The Majority Whip (Hon. Jonathan Kimongo): Okay. Mr. Speaker the Member has alluded to the issue of the project not being finished and the Committee seeking answers from the ECM was not conclusively answered by the ECM. From the Report, it states clearly that work done was not completed was not part of the contractor but it is work that the Department had undertaken to complete with her machinery. There is a recommendation that, that work must be completed and that is it.

The Speaker (Hon. Douglas Mbilu): And you go back to where we were?

The Majority Whip (Hon. Jonathan Kimongo): Yes because that is where we are.

The Speaker (Hon. Douglas Mbilu): When?

The Majority Whip (Hon. Jonathan Kimongo): That work will be completed with the County machinery immediately.

(Laughter)

The Speaker (Hon. Douglas Mbilu): Hon. Members I wish to state as follows. It is the responsibility of the Committee to enquire, investigate and substantiate questions raised to be considered at Committee level. I do not think and I cannot believe and accept that the plenary can be used for seeking further clarification when you had over 14 days and even you could have sought more time and particularly when this House facilitated you to visit that particular project on site and interact with members of community. Even summoning and inviting the mentioned Ward Administrator and other technical officers which is not highlighted in this case.

Therefore, it is very important for Committees to take the work of this House seriously otherwise we will just be justifying paragraphs and not responding to the subject matter. This Committee was given 14 days by this House to respond substantively to the issues raised by Member for Nguumo in the interest of the people he represents not as the Member. Therefore, we have to take our responses seriously if we really care about the citizens of Makueni. Under the circumstances the Committee is given seven more days to give a substantive and convincing Report to

this House on the said subject matter. In responding to the questions and not recommendations, please get all the answers. It is so directed. Next Order.

MOTION

QUARTERLY FINANCIAL STATEMENTS

The Speaker (Hon. Douglas Mbilu): Chairperson Finance and Socio Economic Planning Committee.

The Member for Kilili/ Kalamba Ward (Hon. Julius Mutula): Thank you Mr. Speaker for this opportunity. I beg to lay the following Motion:-

THAT this Assembly notes the Report of the Finance and Socio-economic Planning Committee on the County Government of Makueni, County Government Executive Quarterly Financial Statements for the financial quarter ended September 30th, 2017 and laid on the Table of the Assembly on Tuesday 6th March, 2018 at 2.30 p.m.

The County Assembly Sectoral Committee on Finance and Socio- Economic Planning is constituted pursuant to the provision of Standing Order no. 191 and deals with matters relating to the County finance, County revenue policies, planning, County debts and County development among other related functions. Pursuant to the provisions of the Standing Order 216 Subsection 5 the Committee's mandate includes the following -:

- 1. To Investigate and inquire in to and report on all matters relating to the mandates, management, activities, administration, operations and estimates of the assigned Department.*
- 2. To study the program and policy objectives of departments and the effectiveness of implementation.*
- 3. Study and review all County Legislation referred to it.*
- 4. Study, assess and analyze the relative success of the Departments as measured by the results obtained as compared with their stated objectives.*
- 5. Investigate and inquire into all matters related to the assigned Departments as it may deem necessary, and as may be referred to it by the County Assembly.*
- 6. Make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.*

7. *Vet and report on all appointments where the Constitution and any other law requires.*

Section 166 (4) of the Public Finance Management Act stipulates that not later than one month after the end of each quarter, the County Treasury shall consolidate the quarterly reports of all County Government entities and submit them to the County Assembly. The following is an executive summary of the financial statements for the first quarter of the financial year 2017-2018 which ended on September 30, 2017.

On the part of receipts, the County Government (County Executive) of Makueni received a total of Kshs.184,890,742.00 during the period under review. Of the total receipt, Kshs.118,622,496.00 was received from the National Government as Conditional Additional Allocations to County Governments under the Road Maintenance Fuel Levy while Kshs.66,268,246.00 was County own generated revenue. The County Executive had a reallocation budget of Kshs.1,291,603,130.00 from the previous financial year 2016-2017.

On the part of payments, during the period under review, the County Government (County Executive) made payments totaling to Kshs.810,011,951.00. The payments, all being on recurrent expenditure, were on compensation of employees at Kshs.631,450,606.00 and on use of goods and services at Kshs.178,561,346.00. There was no expenditure on development during the period under review. The payment of Kshs.810,011,951.00 was made against a total receipt of Kshs.184,890,742.00 hence creating a deficit of Kshs.625,121,209.00. However, this deficit was financed by the reallocation budget thereby leaving a surplus of Kshs.666,481,291. This being the net financial position of the County Government (County Executive) as at September 30, 2017.

On the statement of assets and liabilities we have cash and cash equivalents. For the period under review, the County Government (County Executive) had a total of Kshs.814,258,887.00 as the financial assets. The County Executive had Kshs.805,506,687.00 as the total cash and cash equivalents while Kshs.8,752,200.00 were in form of outstanding imprest and the names of imprest holders in the financial statements are contained in page 31-32. The County Executive had financial liabilities (accounts payables) amounting to Kshs.147,776,966.00. The net financial position of the County Executive as at September 30, 2017 was therefore Kshs.666,481,921.00

Mr. Speaker sir, on fixed assets The County Executive did not acquire any fixed asset during the period under review. On the part of bank accounts, During the reporting period, the County Government (County Executive) was running twenty (20) bank

accounts spread across three different banks that is Central Bank of Kenya, CBK; Kenya Commercial Bank, KCB; and Co-operative Bank Of Kenya, Co-op Bank.

Mr. Speaker, we have Committee observations. During the Committee deliberations, several inconsistencies were identified. These inconsistencies made it impossible for the Committee to ascertain the correctness of the Financial Statements. The following were some of the discrepancies identified:-

1. The Statements were submitted to the County Assembly on November 14, 2017 which was way long after the statutory deadline of around October 30, 2017. This caused the delay in the consideration and subsequent reporting on the Statements according to Section 166 of the Public Finance Management Act, 2012.
2. There were no exchequer releases to the County Executive for the entire first quarter of the financial year.
3. The Report was signed by the Executive Committee Member for Finance on 13th October, 2017 while the Supplementary Appropriation Bill was passed by the County Assembly on 18th October, 2017. The Report indicates that the County Executive had a deficit of Kshs.625,121,209.00 which was financed by the reallocation budget. By the financial regulations, expenditure of funds from the reallocation budget is only authorized after the passage of the Supplementary Appropriation Bill. From the Statements, therefore, it is very clear that the total sum of Kshs.625,121,209.00 from the reallocation budget was spent before the passage of the Supplementary Appropriation Bill, hence without the authorization of the County Assembly.
4. The forward of the Report on page 4 paragraph two indicates that the County Executive had a reallocation budget of Kshs.1.23 billion. The same forward again refers to another figure of Kshs.1.3 billion as the reallocation budget. Further, a deeper scrutiny of the Statements at page 8 reveals a figure of Kshs.1,291,603,130 as being the net financial position of the County Executive as per the end of the financial year 2016-2017, meaning, this was the balance brought forward to the financial year 2017-2018, and by all definitions qualifies to be referred to as the reallocation budget. Yet again, the summary statement of appropriation shows that return issues to County Revenue Fund (CRF) was Kshs.1,232,906,293.00. Again, this, could by all definitions, qualify to be referred to as the reallocation budget or the balance brought forward. It is therefore not easy to know the exact amount of the reallocation budget.
5. The statement of cash flow on page 7 indicates that conditional additional allocation to the County Government that is under road fuel levy for the

quarter was Kshs.18,622,496 whereas in the statement of receipts and payments the amount of the same is given as one hundred and eighteen and not eighteen. However, upon the scrutiny of the original documents on the financial statements it was found out that the figure had not been captured correctly as Kshs.118,622,496 and not the stated figure of Kshs.18,622,496. This was discovered to be a technical error which occurred as a result of numerous times the document was photocopied.

6. Most of the calculations in the summary statement of appropriation for both recurrent and development on page ten were seemingly not correct. For instance, the calculations on the return issues to County Revenue Fund are misrepresented.
7. Many officers were holding huge sums of money in the form unsurrendered imprests despite the surrendering dates of such imprests having lapsed long ago.
8. The Auditor's report on the previous financial statements that is 2016/2017 had highlighted the many inaccuracies in the financial statement, which ought to have been a wakeup call to the preparers of the same Report, but seemingly nothing much has been done to remedy this. Also, most of the issues/observations from the Auditor had not been resolved by the time of the compilation of these Financial Statements.

Mr. Speaker sir, the Committee invited the ECM Finance and Socioeconomic Planning to its sitting on Thursday, 15th February, 2018 for purposes of getting clarification on the issues raised in the Committee observation. During that meeting, and in a follow up writing to the Committee on Finance the ECM clarified on the issues which the Committee had raised. Number one, the ECM clarified that the deficit of Kshs.625,121,209.00 realized during the reporting period was footed by the cash balance brought forward from 2016/17 FY. However, the ECM did not provide any legal backing for the expenditure of those funds before the passage of the Supplementary Appropriation Bill. However the Committee through its own wisdom and after perusing the Public Finance and Management Act we found out that Section 135 (1) of the Public Finance Management Act provides that *a County government may spend money that has not been appropriated if the amount appropriated for any purpose under the County Appropriation Act is insufficient or a need has arisen for expenditure for a purpose of which no amount has been appropriated by that Act, or money has been withdrawn from the County Government Emergency Fund.* Sub section (4) further stipulates that, *The approval of the County Assembly for any spending under this section shall be sought within two months after the first withdrawal of the money*

Number two, the ECM clarified that the reallocation budget, the balance brought forward and the return issues to the CRF were all one and the same thing, and for the reporting period the amount was Kshs.1,232,906,293.00. On number three, the wrong tabulations in the summary statement of appropriation, for both recurrent and development were because the figures were system generated. The ECM, however, admitted to the fact that there lacked the human intervention on the figures which was necessary before making the final report. Number four, the ECM gave a report on the current status of the reported pending imprests, which showed that all the imprests had been surrendered, the report as well showed the activities for which the imprests were issued. Lastly, she also clarified on the issue of management raised by the Auditor and the report from the ECM showed that all the management issues raised in the Auditor General's Report on the financial statements of FY 2016/17 had been acted on and were awaiting feedback.

The Committee made some recommendations after going through these financial statements. We made three recommendations, the first one; the Financial Statements should be submitted within the legally provided timeframes in order to enable their timely consideration. Number two, the Statements should be prepared with due diligence, with emphasis being put on the accuracy and authenticity of the reported figures so as ensure the report represents the true financial position of the County Government at the reporting time. This will also ensure that any misappropriation of funds during the reporting period is detected and such funds recovered and necessary actions taken against the perpetrators. Recommendation number three, all imprest issued to the various public officers should be promptly surrendered as per the requirements of the laws regulating issuance of imprests. This is well explained in Section 93 (5) of the Public Finance Management Regulations, 2015 which provides that a holder of a temporary imprest shall account or surrender the imprest within seven (7) working days after returning to duty station. Sub Section (6) stipulates that in the event of the imprest holder failing to account for a surrender of the imprest on the due date, the Accounting Officer shall take immediate action to recover the full amount from the salary of the defaulting officer with an interest at the prevailing Central Bank Rate.

Mr. Speaker sir, may I take this opportunity to thank all Members of the Committee who were hardworking who gave their valued contributions and input during the deliberations on the financial statements and their active participation in the making and production of this Report. On behalf of the Committee, I also wish to thank the Office the Clerk of the County Assembly for the support accorded to the Committee, in terms of making correspondences between the Committee and the County

Executive and support during the entire period of the deliberations on the Statements up to the report making period. On behalf of the Members of the Finance and Socioeconomic Planning Committee, it is my pleasant duty to present to this County Assembly for Members' information, the Committee's Report on the County Government of Makueni, County Executive arm Financial Statements for the First Quarter of FY 2017/18, for the financial quarter ended September 30, 2017. At this Juncture may I call upon Hon. Richard Munywoki to second the Motion. Thank you Mr. Speaker.

The Deputy Majority (Hon. Richard Munywoki): Thank you Mr. Speaker for giving me this opportunity. Before I make any comment, I want to take this opportunity to thank the Chairman and Members for coming up with a very comprehensive report. Also In the same breath I want to thank the ECM Finance for reacting very fast when we requested her to come and clarify some areas which we were not happy with. I stand to second this Motion. Most of the Committee observations were clarified by the ECM and her staff but I wish to comment on the Auditor's report. According to our observations, the Auditor had previously observed some inaccuracies which we found were not corrected. The Auditor had also found out some other observations and issues and they were not fully resolved. This Department needs to take action on areas that are pointed out so that they can perfect and have a good report in coming years. Otherwise if they form this habit of fire and forget, we are going to spend a lot of time trying to identify where there are shortfalls and this will not reflect well.

If this report went to the Senate the way it was and the Governor was called there, it would be a big shame but thank God the ECM and her staff were able to correct areas which were noted to have been corrected. Otherwise if they were Keen enough, those areas would have not been noted during our findings. I want to comment on the recommendations. On recommendation number one, Financial Statements from this department are not following the timelines laid and we shall always be unable to timely consider all those problems therefore it is my strong recommendation that the finance department is advised to ensure that they follow laid down timetables. Otherwise they are going to affect all other Committees. I beg to rest my case. Thank you Mr. Speaker sir.

(Question proposed)

The Speaker (Hon. Douglas Mbilu): The Floor is open. Member for Emali/ Mulala Ward.

The Member for Emali/ Mulala Ward (Hon. Nicodemus Muthoka): Thank you Mr. Speaker. I stand here to support the good work from the Department of Finance

though I have got few remarks to make which I have observed. Please allow me to tell this House that according to the report if you can go to page two, during the period under review. There were some deficit on the figures and my concern is they raised the question of the approval of the deficit which was shown as Kshs.625 million and why this money was spent without the approval of the County Assembly. Secondly on page 12 number 5, they state a difference of about 18 million instead of 118 and from the reason they give, and this goes to the committee, I do not know why they allowed the excuse of photocopying. That the difference came as a result of the photocopying. Looking at the paper I do not see any problem or if this error could come as a result of photocopying. Maybe they could have given a different excuse but not as a result of photocopying. If you photocopy this paper several times the figure will not change. There is no magic in this.

Thirdly, I have noted that there was so many concerns which were raised by Committee on Finance to ECM and the response that were being given were not sufficient. Looking at their recommendation, I do not know if this will continue or if the Committee was satisfied fully by the recommendation or the response from the ECM. If you look at page 13 and I read number six and seven, most of the calculations and summary statements of appropriation for both recurrent and development are wrong. For instance the calculation on the return issues on CRF are mis- represented. Many officers were holding huge sums of money in terms of unsurrendered imprest despite the surrendering days of such imprest having lapsed long ago. Therefore, I do not think they were just keeping this, they did not have receipts to surrender. It is just that the figures could not match and they did not have an excuse. Therefore, the report is good but those are my concerns. My only big concern to the finance department is on page 12 number 5 and why they could accept the figure to change because of photocopying. Thank you Mr. Speaker.

The Speaker (Hon. Douglas Mbilu): Member for Ukia Ward.

The Member for Ukia Ward (Hon. Japheth Katumo): Thank you Mr. Speaker. Let me start by thanking the Committee for finance and socio- economic planning for the good work that they have done. However, I should note that this is a good report but this Report is coming too late. It is very clear that the Public Finance Management Act stipulates that quarterly reports should be presented no more than one month after the elapse of the period under review. In this case, this report was tabled on the 14th of November, that is one and half months after the end of the period and that is against the law. In their recommendation I did not note anywhere where they are making recommendations to the ECM Finance or the measures that they intend to take against the ECM Finance for tabling this Report too late. Looking at the number

of bank accounts that the Executive is running, these are twenty bank accounts. Five of them are operated at the Central Bank of Kenya.

The Public Finance Management Act is also very clear that bank accounts should be held at the Central Bank and this is against the law operating twenty bank accounts. I also know that these bank account nugatory expenses that are involved in running these bank accounts. These are unnecessary expenses that the County is incurring because of negligence of duty in sense that bank accounts are supposed to be held at the Central Bank of Kenya. I also noted that, the money that was reallocated was more than 10%. The allocation that we got all we are supposed to get for the financial year 2017-2018 is Kshs.5.4 billion. When you look at the amount that was reallocated is more than one billion and that is obviously more than ten percent which is also against the law. From the Committee of Finance and Social Economic Planning, I want to know the measures that they are taking against the ECM for Finance and Social Economic Planning. Thank you Mr. Speaker.

The Speaker (Hon. Douglas Mbilu): Chairperson for Finance and Social Economic Planning it is important that you clarify these issues in the course of the debate. At what time would you wish to shed more light to guide the debate? At this moment or later?

The Member for Kilili/Kalamba Ward (Hon. Julius Mutula): Thank you Mr. Speaker sir. I think the best time is towards the close of the debate so that we can capture all the issues.

The Speaker (Hon. Douglas Mbilu): Member for Makindu Ward.

The Member for Makindu Ward (Hon. Alfred Kalunde): Thank you so much for allowing me to speak at this time. Let me appreciate the Committee on Finance and Socio-Economic Planning. However, I have a few things to point in this Report. I was trying to follow up on the Chairperson and like one MCA said formerly that page twelve number five says that, upon the scrutiny of the original document on the financial statement it was found that the figure had been captured correctly as one eighteen million six hundred and twenty two four hundred and ninety six shillings and not eighteen. This technical error occurred as a result of numerous times the document has been photocopied. It cannot be so Hon. Speaker because a photocopy is the original of the paper that is being photocopied.

Hon. Speaker you remember there was a time this country lost a lot of money because a finance minister had explained to the National Parliament that, there was a computer error and for the instance of the record I think the Chairperson should be

clear so that the HANSARD does not capture such an error in this House and may be it is going to haunt us in the future because you cannot tell us there is a difference of about a hundred million in a simple photocopying method. It is not easy to verify that. You go to page fourteen, five just before the recommendations, the report from the ECM showed that all the management issues raised in the Auditor Report on the financial statement of financial year 2016-2017 had been acted on and were awaiting feedback, how? Unless they restructure the English this means that, if they are waiting on the report the statements had not been acted on. They have to show us if the issues that were being raised in the Auditor Report and the financial statements had been acted on we ought to have the report in full not anything that is awaiting another.

I think it is very important for our Committees, especially this Committee, to always go further than listening to the ECM because the simple action of listening to the ECM might not be the true picture in the papers and what we ought to know. I can leave a benefit of doubt for this financial quarter ended 30th September, 2017 and maybe the Department might have used the gaps that was there because there was no substantive Assembly to oversight the Department and the County Executive in full. They might have used that gap to do some things that were not correct according to the Finance Management Act and we can only, going forward, be very sharp at looking at this things. I also want to know the Chairperson to tell us why he has not also brought the quarterly financial statement for the Assembly. The Government cannot be the Executive arm only, we need to know what has happen for the last few months in this Assembly.

If you listen to the local stations you will hear the former Speaker of this House saying that most of the things that have happened was their own making as the First Assembly. If we do not get these reports on time then it means if it gets to this House later in the year when the people are already confused not knowing the exact time the blunders might be carried on to this Assembly. It is very important for that Committee to bring us the quarterly financial statement for the Assembly so that we can also be on the same page. There is also the County Fiscal Strategy Paper that was laid to the Committees yesterday that is going to dictate the budget for 2018-2019 and it is very important for us as a House to understand that if we do not get it right in the County Fiscal Strategy Paper we will not get it right in terms of development in our areas because that Paper sets the County Government priority in terms of development and it also shows the concerns and the development projects raised by our people ---

(Hon. Nicodemus Muthoka interjects on a Point of Information)

The Speaker (Hon. Douglas Mbilu): What is it Hon. Member for Emali/ Mulala Ward?

The Member for Emali/ Mulala Ward (Hon. Nicodemus Muthoka): Mr. Speaker the Member of Makindu Ward is diverting our minds from this report from Finance to something that is not in this House.

The Speaker (Hon. Douglas Mbilu): You have been informed Member for Makindu Ward.

The Member for Makindu Ward (Hon. Alfred Kalunde): Thank you so much Hon. Speaker. I am informed but we cannot discuss about the budgets if we do not speak about the County Fiscal Paper. We cannot discuss about the Financial Statements because maybe this spending was dictated by the County Fiscal Paper for that year. If we do not speak about it maybe it is going to also have an issue next year in terms of spending in this year. I am trying to connect the Fiscal Strategy Paper and the budget and the spending of that particular quarterly year or that financial year. The Fiscal Strategy Paper laid that time might have dictated what will be used in that financial year. Just like now we are laying the Fiscal Strategy Paper in our Committees. I was simply saying so that we do not experience the same in the next one year or so it is very important to sit as a Committee of the Whole House we discuss on the things captured on that Strategy Paper so that does not come to be a problem to us in the next one year because whatever is captured in that Fiscal Strategy Paper is going to determine what will be done in the next one year. You might not change it in between. You might not change any project that will be done in between that so if you do not have an input as an MCA during this time then you may not do much and we only have fourteen days.

There is a trick being used by the Executive and we must see it as an Assembly. The reason why this Report might be late to come to the Assembly is because there is nobody that is too much into the Report because they have not even captured well in their minds what was done. If these Reports are brought in the House on timely basis would be in a better position to scrutinize and also make decisions. The Fiscal Strategy Paper came on 28th February, 2018, which was the last day, we have only fourteen days to either pass or not and we if we do not pass it goes as it is. If it is passed we do not know what is going to be contained in there. We need to have Committee of the Whole House we agree what to be in the Paper.

(Hon. Harrison Mutie interjected on a Point of Information)

The Member for Makindu Ward (Hon. Alfred Kalunde): I do not want to be informed I am already finished Hon. Speaker. Thank you so much for the opportunity.

(Laughter)

The Speaker (Hon. Douglas Mbilu): Member for Ivingoni/ Nzambani Ward.

The Deputy Speaker (Hon. Harrison Mutie): Mr. Speaker I think it is important that you protect the Committee in question because this Hon. Member is trying to divert the attention of this House to a Report that is not a point of discussion today. Yes we know there is a Fiscal Strategy Paper and a time will come when the House will discuss on that Paper. Further if you allow me I would request the Committee on Finance to respond to these issues as they come. Otherwise we might forget some of them. Thank you.

The Speaker (Hon. Douglas Mbilu): Hon. Members this is a debate not a question and response time therefore in your response to this Motion the Chairperson for Finance and Socio-economic Planning you must find a way of responding to the issues raised. However if there have not responded to the effect of it will be that will not have convinced the House to adopt your Report and then you know always we have the ayes and nays. It is your duty to ensure that as respond to the Motion on the last bit then you must convince exhaustively and if that does not happen then you know what happens. Member for Makindu Ward in his contribution in my view as the chair he was relating tabling of the financial statement outside the period that is provided by the law with tabling of the County Fiscal Strategy Paper on the last day. Therefore I do not think in my opinion that he was introducing a subject outside this debate. Member for Nguu Ward.

The Member for Nguu Ward (Hon. Harris Ngui): Thank you Mr. Speaker sir. I stand to support the report and commend the Chairperson, he has done a good job, we are very proud of you Mr. Chairperson. Just to mention a few things. It is clear from the Report that there are glaring issues which are being picked by various Members. Obviously the deficit and why it was not approved by the Assembly before the use but the ECM was very clear when we invited her to clarify why that truly happened and the Chairperson has stated very clearly. She was within the law to act the way she did and she is supported by Act which clearly provides that a County Government may spend money that has not been appropriated. That is very clear within the law and within two months she should have reported back to the Assembly which she adhered to so we might go round and round asking the same questions which might not lead us anywhere. Having said this, this does not mean that we will open cheques for ECMs to be spending money hiding behind this. Through the Speaker and the House, we

recommend that as much as possible the ECM should at all given times operate within the law. Of course this is an extra ordinary situation where the ECM had to spend money without the approval of the Assembly but this should not be used in future to spend money without Assembly approval. Otherwise we will get to a point where the Assembly just becomes rubber stampers just to stamp what the ECM has done.

On the audit issue obviously, for those who read clearly between the lines, we see the fact that this issue of audit and the way Member for Makindu has said it clearly, it is clear that audit issues have been acted on but it is only the auditor who can actually resolve or remove an audit finding from a report so what the finance team did is to act on recommendation by the auditors and they are waiting for the next round of audit to clear them from the books so this should not be a big issue. However, even from our own observation if you go to page 36 of the appendix, we are referring to reports and financial statements for the quarter ended 30th September, 2017. Reference number on the external audit report its number one and the issue which was observed by the auditors was noncompliance with the prescribed format, that was the issue raised. We are finding it falling in the same report. The issues we are raising here is that inconsistency is coming through and obviously if they said a progress report has issue raised on 2014/15 and the status is resolved from our report it is clear it is not resolved because this is a repeat of the issue which was picked by the auditors.

If you go down again 2.0, inaccuracies in financial statements that takes care of the issue raised by Hon. Nick Mulala where we are seeing clearly if they stated 118 million and the report indicated 18 million we are still within that issue of how they are presenting their financial statements. Therefore clearly yes, the issue is indicated as status resolved but according to our report it is not so this should also be raised again by the auditors and would come up again. The issue of when this report was received, according to the Regulation this report should have been received by the 30th of October 2017. Again, we see it was prepared and received on 14th of November, 2017. Clearly we are seeing the inconsistencies which were picked by the auditors which are being repeated again in this report and the way the Members are concerned about what we are doing about this. We recommend that we open all these audit issues which will be presented again to the auditors for revision. Thank you very much.

The Speaker (Hon. Douglas Mbilu): Member for Ivingoni/Nzambani Ward.

The Deputy Speaker (Hon. Harrison Mutie): Thank you Mr. Speaker. It is important I also state that I am a Member of this Committee and I would want first of all to congratulate the Committee under the stewardship of the Chairman. I believe

that we did a very good job and I would want to point from where the Hon. Member for Makindu left on page 14 number five. It is important because number five says the report from the ECM showed that all the management issues raised in the auditor's report, financial statements financial year 2016/2017 had been acted on and we were awaiting feedback. It is important for this House to know that the document before us is a quarterly report of the first quarter for this year and this document has not yet been subjected to an auditor. In fact number five was referring to the issues that were raised in 2016/2017 which we wanted to know as a Committee whether the responses had been resolved and as per the appendix just read by Hon. Ngui we can note that up to around 90% of the issues that had been raised were resolved. Allow me also to touch a little bit on the photocopy issue where it has been requested that we should not allow this error to appear. It is important also to note that a machine in as much as there is a precedent that was set where somebody said there was an error that made a lot of misappropriation but we went ahead and tested the machine and we realized the tonner in the machine is the one that had issue. We had an original copy from the Executive and we truly confirmed that the original copy had the right amount and that is why we reported as it is.

This report once it is tabled to the Assembly the Clerk Committee on Finance does a copy and if the tonner of that machine does not have ink it is more likely some details are going to be left behind and then a copy was done to the Clerk, to the Speaker and to the Committee subsequently some errors occurred but we picked and I would want to assure this House on behalf of the Committee that this was an error that we told the ECM is unacceptable because if at all we did not pick it we would have misled this House. Therefore, I think that one is properly handled. On the amount of 1.232 that was been carried over or referred to as reallocation amount, the Committee noted with a lot of concern that the County revenue fund balance brought forward and the reallocation amount means the same and therefore 1.2 needed to appear on all those terms but it did not and that is why we as a committee requested that every other time when a financial statement is made either to this House or to an external user proper care needs to be taken. I think this House should applause the Committee for doing that.

As was raised by Hon. Nicodemus from Emali on the imprest on page 13 number 7 that many of officers are holding huge amounts of money and have not surrendered. I want to believe that Hon. Nick said that he thinks this imprest was not surrendered because these imprest holders had no receipts to prove expenditure. In finance we believe on facts and that is why we requested to know whether there were receipts and how this money was surrendered and they were provided for. Therefore, we

were very sure that this money in full was surrendered back and there was no loss of funds only that we realized that the officers had stayed long with the monies as per the provision in Public Finance Management Act 2012. In my opinion we are looking towards if an auditor general comes this year to audit 2017/ 2018 very minimal errors will be picked from this department and as far as the first quarter as was presented to us is concerned and I think to applaud the Chairman and the Committee Members who really gave their best and before bringing this report ensured they called the ECM and the technical staff to clarify on the issues we thought needed attention. Thank you Mr. Speaker.

The Speaker (Hon. Douglas Mbilu): Hon. Leader of the Majority.

The Majority Leader (Hon. Kyalo Mumo): Thank you Mr. Speaker sir for this opportunity. When we talk of figures most of us will watch and leave it to the specialists. I stand here to support this Report and I want to say that in my view, this team has done a very commendable job and they have considered all aspects, all interests that this House is supposed to know. The advantage that we have is that the same ECM who was there then is the same ECM who is here now. Therefore, any question or any clarification that this House would want to seek, the same person cannot run away. I would want to request Members that let us support this report and move on. I am a man of those very few words because I cannot purport to run away from the government I support but where Hon. Ngui has said that we will not want to look like rubber stamps indeed as the Leader of the Majority, we will not that to happen. However, when it is good, we will say it is good. If it is not good personally I will be the first person to throw it away. Therefore, we should not run away from doing what is good because people will think that we are rubbers stampers, never. Thank you Mr. Speaker and I support.

The Speaker (Hon. Douglas Mbilu): Member for Kako/ Waia Ward.

The Member for Kako/ Waia Ward (Hon. Dennis Musyoka): Thank you Mr. Speaker. I stand to support the Report before us that is the financial statements for the first quarter. Although there are some areas where we want to quote and more so to recommendations, you find that the Committee did a very commendable job. They discovered those errors and misstatement before it came to this House and also they called the Minister for Finance and also the technical team to respond to some questions. Therefore, may I say thank you Chairperson Finance and also the Committee for work well done. I would like to inform the House that according to recommendations number 1 it states that, the financial statements should be submitted within the legally provided time frames in order to enable their timely

consideration. This is very critical because as you have seen we are going to have a Debt Strategic Paper which allows the County Government to borrow or to get loans from investors and all that. Therefore, if these financial statements are brought here and they are approved on time, then in case we want to borrow from investors, the investor will be concerned with the financial statement therefore it is very critical and I think the Committee should have gone further to make sure they come up with a policy whereby the policy is adhered to so that we will be getting the report in time and also we also approve them in time.

Also although we have been informed there were inaccurate figures due to photocopying and all that the Committee picked there was inaccuracy in number two on recommendations and they said they should be prepared with due diligence when it comes to preparation of the Financial Statements. As you aware if it is inaccurate it also will lead problems with investors, it will lead to problems with the County Government because it is so embarrassing to see our Governor Number one being summoned by the Senate to respond to some questions because of somebody who did not check her or his work properly. Therefore, the internal checks and balances I think is wanting in that Department and there must be a proper internal audit when it comes to financial statements before they come to the public domain.

The last one which I will not hesitate to mention is about surrendering of imprest. Surely, this has been an audit query on financial statements. Now it has been picked by the Finance Committee and I think also they should have indicated the time frame because it remains silent and non-committal how these people are supposed to surrender the imprest and why they delayed to surrender this imprest. May be they delayed to misappropriate or they delayed because there was no manpower to do it and therefore we should also get detailed report on why imprest is not being surrendered on time. As you know very well it has been an audit query and these people should be very careful when it comes surrendering the imprest. When it comes to performance of a company or the performance of the County Government, it means the financial statements must be accurate, should be up to date and we can be rated based on the financial statements although others may rate us based on the public relations and qualities and all that but this is a very important document which states where we are and where we are heading to. Thank you.

The Speaker (Hon. Douglas Mbilu): Hon. Elizabeth Mutindi.

Hon. Elizabeth Mutindi: Thank you Mr. Speaker. I also want to take this opportunity to support that we adopt the Report by the Committee on Finance and

Socio- planning, they have done a good job. I also want to comment on some issues. When you look at the report ---

The Speaker (Hon. Douglas Mbilu): Hon. Elizabeth, we are not adopting this report. You can only support it because as you can read in the Order Paper it is for noting not adoption.

Hon. Elizabeth Mutindi: Sorry Mr. Speaker and thank you for your guidance. I support the Report. I have noted there is an appetite for recurrent, much bigger appetite than for development. The Report says that in the quarter that ended in September 13th 2017 no funds were used for development yet we are seeing a lot of money has been used on the fuel levy. A lot of money has been used to compensate employees within that quarter and so 66% of the total allocations for fuel has been used for the first quarter. I do not understand where these people go if they are not working on the development. It is also sad that their officers in the offices, Accounting Officers, but Financial Statements are being submitted very late. This should not be allowed in future. The same officers are also responsible for collecting or making sure that imprest has been accounted for. The ECM should deal with those officers that are making the law to be breached within her Department. It is also worth noting that the County revenue is projected at four hundred and fifty million and within this quarter only sixty six million had been collected that is a terrible shortfall although the ECM has been working hard on that. We hope that the revenue collection is going to improve with time. Thank you I support.

The Speaker (Hon. Douglas Mbilu): Member for Thange Ward.

The Member for Thange Ward (Hon. Nicholas Maitha): Thank you Mr. Speaker. I stand to support this Motion and first of all I wish to applaud the Chairperson and the Committee for work well done. This is a very nice report though it has some gaps but I am happy that the gaps were responded to very well by the ECM. I wish to point out two or three areas and one has been pointed out by Hon. Mutindi which is on the County own generated funds. We are projected to collect four hundred and fifty million but when you look at the report only 15% in the first quarter was actually collected that means like it has earlier being indicated it is a short fall so we expect to see more collections in the first quarter and may be assume that the other three quarters are the same so that we actualize on the four hundred and fifty million as earlier projected.

On the payments, recurrent and compensation of employees though I am not very good in number I would want to have some explanation from the Chairperson. We see that the County Governments budget for financial year 2017-2018 had two billion

seven hundred and eighty three million three hundred and ninety nine four six two for compensation of employees but by the end of the first quarter the actual payment for compensation to employees was only six hundred and thirty one million four hundred and fifty six hundred and six representing only 23%. When you look at that it is likely to indicate that by close of the year we may not actualize the hundred percent on how this money is spent. Finally is issue of use of goods and services. For the first quarter only nine percent of the budget was utilized and when you look at the three quarters unless I do not understand figures, it shows that less was spent on the first quarter and may be for the remaining three quarters we need to spend more so that we work within the budget that is allocated. Thank you Mr. Speaker and I support.

The Speaker (Hon. Douglas Mbilu): Hon. Deputy Speaker.

The Deputy Speaker (Hon. Harrison Mutie): Thank you Mr. Speaker I have noticed you might move the Question before some items that have been raised by the House are---

The Speaker (Hon. Douglas Mbilu): Order Hon. Deputy Speaker. We will not put the Question this Motion is for noting. That this Assembly notes and not this Assembly adopts proceed.

The Deputy Speaker (Hon. Harrison Mutie): Thank you Mr. Speaker. Some issues have been raised and we have not had enough time to respond to them. Number one is about the many accounts that Mheshimiwa for Makindu Ward had noted. The only accounts that are provided for as per the law are the accounts that we hold with Central Bank of Kenya and I think they are six in number. As for the other accounts that we hold with our small local banks around, we have been given that mandate to open as many accounts to manage our books but considering that our funds are not as much we have opened I think 12 different accounts and we have requested the ECM and Treasury in particular not to open more accounts to avoid bank charges. Also, the reason why they are twelve is to avoid so many complicated reconciliation issues that will complicate when the Auditor comes in. There is an issue about timely reports being presented as per recommendation number one. The Chairperson for Budget and Appropriation Committee has picked it up very well as well as other Members in the House. We made a recommendation that will go to the Committee on Budget and Appropriation and I hope the Chairperson is listening.

We are requesting for the Committee to come up with Assembly timelines, not the ones that are provided for in the Public Finance Management Act 2012 so that for example, the Fiscal Strategy Paper that came on 28th February, 2018 the PFM Act says that, that document needs to come within or before 28th meaning that we could

as well have received it in January as a House. If we set our own timelines we will have time enough to interrogate these figures and to make informed decisions. The other one is about the last item that Hon. Maitha talked about expenditure on the first quarter; nine percent. Mr. Speaker you realize it was a transitional year and there was election and many activities did not take place in the first quarter. We started a lot of activities when we came I think around September or October thereabout and therefore, the period in question that is July, August and September not much was happening and we are looking to see a lot happening in the other quarters. The same applies to the question raised by Hon. Mutindi on revenue collection. Sixty six percent is very low but we also note it was the first quarter and we requested the ECM to be very committed in these other remaining quarters to ensure that the target that was set is attained otherwise she will not have any excuses to give to the House. I thought before we call it off it was important for this Hon. House to have that information relayed to them. Thank you Mr. Speaker.

The Speaker (Hon. Douglas Mbilu): Member for Kasikeu Ward and the Deputy Leader of the Minority.

The Deputy Leader of Minority (Hon. Julius Munari): Thank you Mr. Speaker for this opportunity. Let me appreciate the work which has been done by this Committee. My main concern is that I have heard the Deputy Speaker saying that it was just an error for Kshs.118,622,496 and if you can see very well the Auditor General has indicated very well on page 13 number 8. From my side I am seeing it is just a trick which these guys are trying to use to see if we can see these mistakes. The Auditor is saying the Auditor report from the previous financial statements had highlighted the many inaccuracies in the financial statement which ought to have been a wakeup call for the preparers of the same but seemingly nothing much has been done to remedy this. Also most of the issues from the Auditor has not been resolved by the time of the compilation of this financial statement. According to my thinking I am seeing it is just an error the same as that stated by Mr. Kenyatta when he was reading the budget when he said there was a technical error of ten billion so to me this is just a trick of saying it is an error where they had indicated 18 million rather than 118 million so the ECM Finance is just playing with the minds of this House.

The other issue which I am being concerned with is why is it that the Office of the County Secretary is the one handling all the salaries of the County. For me each Ministry should give out the statement on the service of each Ministry not one Ministry to handle the service of the entire County. The County Executive made a payment totaling to Kshs.810 million and from this money Kshs.631 million went to compensation of employees and also buying of goods and services. My question on

the issue of recommendation is I thought the Committee should also have indicated this issue of handling of payment of service and payment of goods and the expenditure of the Ministries to be handled in each Ministry. I do not know if you are understanding me Hon. Members. The other issue is I did not see a recommendation from the Committee on the issue of the recurrent expenditure. I do not see you asking the ECM why we do not see the use of development money. We are only seeing recurrent expenditure of Kshs.810 million and there is no money for development expenditure. The other issue which I am asking this House to be a bit more serious on and I do not know if we can make our own law on is the issue of using the taxpayer's money without the consent of the Assembly. If the ECM has the power to spend Kshs.625 million and he has a loophole to say that he has the power to spend that money and in a period of two months he can submit the expenditure bill to the House it means there is no need for the Executive to be cooperating with us. Even if we make a lot of noise it will just be a matter of nonsense. If we say we do not allow these people to spend money on this vote they can go ahead and spend the money ---

The Speaker (Hon Douglas Mbilu): Member for Kasikeu I am afraid there are some words that you have used in your contribution that may not be parliamentary and you have to withdraw.

The Deputy Leader of Minority (Hon. Julius Munari): I withdraw Mr. Speaker.

The Speaker (Hon. Douglas Mbilu): Which words in particular?

The Deputy Leader of Minority (Hon. Julius Munari): May be you guide me.

The Speaker (Hon. Douglas Mbilu): If there was a Member who was keen they can inform you. Member for Thange.

The Deputy Leader of Minority (Hon. Julius Munari): I withdraw the word for nonsense.

The Speaker (Hon. Douglas Mbilu): It is thereby withdrawn. On the same matter Member for Thange?

The Member for Thange Ward (Hon. Nicholas Maitha): No Mr. Speaker.

The Speaker (Hon. Douglas Mbilu): Resume your seat Member for Kasikeu Ward, Deputy Leader of the Minority.

The Member for Thange Ward (Hon. Nicholas Maitha): Mr. Speaker I want to bring the attention of the Hon. Member for Kasikeu that we have gender and that is why we have he and she. It is very important that every time we want to refer to

names here we are very sensitive on whether to say he or she because it really means a lot. Thank you.

The Speaker (Hon. Douglas Mbilu): What is it Member for Thange?

The Member for Thange Ward (Hon. Nicholas Maitha): Mr. Speaker is the Member in order to refer to the ECM Finance every time as he when we know she is a she.

(Laughter)

The Speaker (Hon. Douglas Mbilu): Member for Kasikeu and the Deputy Leader of the Minority. On the issue raised by the Member for Thange?

The Deputy Leader of Minority (Hon. Julius Munari): I do not remember calling the ECM he unless because the Member for Thange is a teacher and is very conversant with those issues on spelling. My last plea to the House, this law which is being used by the Executive on page 13 Section 135 (1) which you will read later; I do not need to read. I do not know how you are going to think about this law because it is going to finish us and even if we say we have to push the Executive to tow the line they will sit down and say we are not clever than them because they are under the law. For the House it is high time if we need to see things going on the right way to sit down and see how we can come up with our own Bill here in the House at least to counter attack this Section. Thank you.

The Speaker (Hon. Douglas Mbilu): Member for Nzau/Kilili the Chairperson for the Committee on Finance and Socio-economic planning your contribution to the close of this.

The Member for Kilili/Kalamba Ward (Hon. Julius Mutula): Mr. Speaker I wish to thank you for this opportunity once again. Allow me before I make a few concluding remarks to thank all the Members for the contribution they have made. It has been very mature debate and secondly, allow me not to take all the credit for this work. The credit goes to all the Committee Members because each and every Committee Member contributed towards the production of this very important report. Therefore, it is not fair for the Chairperson to take all the credit. Members of the Finance Committee feel appreciated by the Chairperson and feel that you have a good Chairperson. This Chairperson has been in the public service for a very long time, I have been an AIE holder, I have served for more than 23 years and by the time of exiting the public service for all those years I have never invited an audit query in all my financial dealings. You can rest assured the finances of this County are going to be well scrutinized. You may remember together with Members that there is a

certain day we had invited the ECM for Finance and you know he came to the public gallery and from there and I think she gathered a lot information about the feeling of the Members in the performance of her work. Therefore it is very important for the Members to note that we have put the ECM on her toes. She is on her toes and you can rest be assured that future reports to this House will come in to this House in a timely basis and they will be more correct and I am sure we will not witness the discrepancies we have witnessed in the previous reports.

Therefore Members, I thank you all for your contribution, I do not wish to go one by one to comment on the issues you have raised, all of them are very pertinent issues and all these issues we will take on board as a Committee and next time we are going to utilize them to ensure that all the financial transactions in this County are done above board. We are going to execute our mandate of oversight in the best way possible. Let me just comment on the issue of the technical error. I think it was not in bad taste. After scrutinizing the original document which we asked the ECM to present to us, it was found that it was purely a technical error arising from the numerous photocopies we had received. Therefore, there was nothing sinister about it. Therefore, all the issues which were not clear to this Committee were handled up to the logical conclusion. Therefore, Members rest assured from today henceforth this Committee is going to give you the best you can have in this field. Thank you Mr. Speaker.

The Speaker (Hon. Douglas Mbilu): Chairperson Committee Finance, you may wish to respond to comment on the issue raised by Member for Makindu on the Report regarding the County Assembly. It is important for this House to know.

The Member for Kilili/ Kalamba Ward (Hon. Julius Mutula): Thank you Mr. Speaker sir. On that Report is unfortunate that when the ECM was giving the financial quarterly report for the County she only presented the one for the Executive arm of the Government. We have written to her and I am sure she is going to do the needful and submit the one for the County Assembly. Thank you Mr. Speaker sir.

The Speaker (Hon. Douglas Mbilu): Well considering the issues on timelines that have been raised by the Hon. Members that first this report was presented out of timeline and two, only one arm of the Government report has been presented, then when are we expecting this Report?

The Member for Kilili/ Kalamba Ward (Hon. Julius Mutula): Thank you Mr. Speaker sir. I can assure this House by the end of next week the report will be with us and we will have considered the same.

The Speaker (Hon. Douglas Mbilu): Hon. Members the Report on County Government of Makueni County Executive Quarterly Financial Statements for financial year ended September 30th is hereby noted by the House and is to be communicated to the County Executive Committee Member in charge of Finance and Socio- Economic planning accompanied by a copy of the HANSARD report. Next Order.

MOTION

ESTABLISHMENT OF AN AD HOC COMMITTEE

The Speaker (Hon. Douglas Mbilu): Chairperson Liaison Committee.

The Deputy Speaker (Hon. Harrison Mutie): I beg to move the following Motion:-

THAT pursuant to the provision of the Makueni County Assembly Standing Orders 218, this Assembly resolves to adopt the following names as recommended by the Liaison Committee to the Members of the Ad hoc Committee to look into the matter of Petition regarding insecurity in Wote Town;

1. Hon. Douglas Mbilu David
2. Hon. Harris Musau Ngui
3. Hon. Japheth Mwilu Katumo
4. Hon. Boniface Felix Mateso
5. Hon. Jonathan Muoki Mwaniki
6. Hon. Nicholas Ndunda Maitha
7. Hon. Julius Mutula Matheka
8. Hon. Richard Munywoki Kasyoki
9. Hon. Magdalene Mulwa
10. Hon. Elizabeth Mutindi Kiio
11. Hon. Bernadette Mutisya.

Mr. Speaker as a Liaison Committee after we had been directed by the Chair to look into this issue, we sat down and looked at Members whom we would wish to represent this House in this Ad hoc Committee and a lot of consideration went on the table. For example on number one Hon Douglas Mbilu, Hon. Douglas Mbilu is the Speaker of Makueni County Assembly and because we are looking forward to summoning high ranking officials of the National Government and County Government, we thought it is paramount that Mr. Mbilu is on that list. Number two is

that Hon. Harris Musau Ngui and by the fact he is the Chairperson for Devolution Committee and devolution is in charge of all the Administrators, Sub-County, Ward an even Sub-Ward level and those administrators check into security up to the lowest level of this County, we felt Harris Musau Ngui being there will be of great value to this Committee. Three, Japheth Mwilu Katumo who comes from Ukia Ward, we noted that so many residents of Ukia sleep in Ukia but they wake up in Wote Town. They have so many businesses in Wote and him being there he will represent the interests of his residents very well. Boniface Felix Mateso is the hosting MCA Wote Ward and it goes on without saying that his name had to appear here so that his people can see him in the forefront trying to fight insecurity.

Jonathan Muoki Mwaniki has a very great experience in security in as much as we cannot prove it on paper but it information that is in the public that Jonathan Muoki is very good with that and we felt he needed to be there. Nicholas Ndunda Maitha is one of the victims of insecurity in this town and being in that Committee definitely the weight will be felt. Julius Mutula Matheka being an a former administrator---

The Speaker (Hon. Douglas Mbilu): Order the Mover of the Motion. Resume your seat. Hon. Members pursuant to the provision of Standing Order number 33 (2) that states as follows, *Unless for the convenience of the County Assembly the Speaker or the Chairperson (as the case may be) directs earlier or later interruption of business, the Speaker or the Chairperson of the Committee shall interrupt the Business under consideration at 5:00p.m on the occasion of an afternoon sitting and at 12:00 noon on the occasion of a morning sitting, and if the County Assembly is in Committee, the Chairperson shall leave the Chair and report the progress and ask leave to sit again.* Under the circumstances the proceedings are interrupted.

ADJOURNMENT

The Speaker (Hon. Douglas Mbilu): Hon. Members pursuant to the provisions of Standing Order number 33 this House adjourns now at 12:00 noon to resume today Wednesday, 7th March, 2018 at 2:30 p.m.

(The House rose at 12:00 p.m.)