

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

SECOND ASSEMBLY – FOURTH SESSION

Wednesday, 08th April, 2020

House met in the Main Chamber at 02:30 p.m.

(The Speaker (Hon. Elisha Jack Oraro) in the Chair)

PRAYERS

Hon. Speaker (Hon. Oraro): Mr. Clerk, kindly take us through the business of the day?

Hon. Speaker (Hon. Oraro): Next order!!

COMMUNICATION FROM THE CHAIR

Hon. Speaker (Hon. Oraro): Hon. Members, I want to communicate that today in the morning, we had a follow-up meeting chaired by the County Commissioner on the Inter-sectoral Committee on the COVID-19 Response and Preparedness of Kisumu County.

Hon. Members, it was noted that generally, there is compliance to Government Directives in the Boda-boda Sector but there is still some pocket of non-compliance where the Boda-boda rider are still carrying more than one passenger. The County Commandant promised to enhance enforcement measures but it is was also agreed that, there is need for continuous Public Sensitization and Awareness on the importance of Social Distance. This also applies to the “Matatu” Sector and the “Tuk-tuk” Operators.

Hon. Members, as at today in the meeting it was reported that, there is still no positive cases reported of COVID-19 in Kisumu County which is good news to the ears and we hope and prayers that Kisumu County maintains and reports the negative trajectory.

On the same note, there was a follow-up meeting again between the Governor and the County Assembly Leadership concerning the Budget Making Process. It was agreed that, this process continues in the assumptions that there is no dates that shall be altered. I therefore urge the Budget and Appropriations Committee that they should take this matter seriously because as at today, the dates for the Budget Making Process still stands and therefore the Committee needs to have a delicate balance between the activities going on in the County with regards to the Corona Virus Preventions and the Budget Making Process.

Finally, I would like to encourage Hon. Members that, let us work hand in hand with the Budget and Appropriation Chair as we prepare the Budget Estimates FY 2020/2021. It may be very tricky to conduct Public Participation Foras as required by law and we must devise innovative ways through which we will get these Projects which are in the CIDP and the ADP which are to be implemented in the FY 2020/2021.

Hon. Members, I hope that, the Caucus Chairs have submitted their schedules for the Sub-county Committee activities that will take effect immediately.

Hon. Speaker (Hon. Oraro): Next order!!

PAPER LAID

Hon. Speaker (Hon. Oraro):Hon. Ameso, MCA, North Seme.

Hon. Ameso: Thank you Mr. Speaker. On behalf the Chairperson, of Cooperative, Finance, Trade and Enterprise Development Committee and pursuant to the County Assembly Standing Order No. 182 (6) and (7). I wish to lay before this House today 08th April, 2020 the Quarterly Consolidated Financial Report of the County Government of Kisumu for the year ending 30th September, 2019 and 31st December, 2019 being Q1 and Q2 for FY 2019/2020. Thank you.

Hon. Speaker (Hon. Oraro):Hon. Members, I acknowledge receipt of Quarterly Consolidated Financial Report of the County Government of Kisumu for the year ending 30th September, 2019 and 31st December, 2019 being Q1 and Q2 for FY 2019/2020 from the Sectoral Committee of Cooperative, Finance, Trade and Enterprise Development. Thank you.

Hon. Speaker (Hon. Oraro): Next order!

NOTICE OF MOTION

Hon. Speaker (Hon. Oraro):Hon. Ameso, MCA, North Seme.

Hon. Ameso: Thank you Mr. Speaker. Again, on behalf of the Chairperson, Sectoral Committee of Cooperative, Finance, Trade and Enterprise Development and pursuant to the provisions of County Assembly Standing Order No. 45, I wish to give a Notice of Motion on Quarterly Consolidated Financial Report of the County Government of Kisumu for the year ending 30th September, 2019 and 31st December, 2019 being Q1 and Q2 for FY 2019/2020. Thank you.

Hon. Speaker (Hon. Oraro): Next order!!

STATEMENTS

Hon. Speaker (Hon. Oraro):Hon. Arao, MCA, Railways Ward.

Hon. Speaker (Hon. Oraro):Hon. Arao, I directed that because we are using the same microphones and I believe that you were provided with the right mask, you put on your mask before I give you the chance to proceed with your business.

Hon. Arao: Yes Mr. Speaker. Although the one I have I will use it because it is the one I was given. Mr. Speaker, following your messages read to us by you, I don't know if it is in order for me to ask or suggest that because Kisumu County is free of the COVID-19 Virus, could we put measures for members of the public who are walking in and going out of this precincts and as a County. This has necessitated by the fact that other Counties have put those measures in place. Mr. Speaker, do we want to wait until a positive case is reported to secure our borders. I suggest that the County Government puts in place measures in place because prevention is better than cure.

Mr. Speaker, I would like to urge the County Government of Kisumu to put measures in our borders so that as the Virus is being reported elsewhere, at least because it has not been reported in Kisumu, the status quo remains rather than waiting for someone to come from elsewhere not because we don't want to stop him from doing business but, we want to ensure that Kisumu County remains safe from this virus pandemic. I would like to request this House to implore the Governor to announce that this County is under partial lock-down until the pandemic is over. Thank you.

Hon. Speaker (Hon. Oraro):Hon. Arao, I was almost ruling you Out of Order but I gave you the window to talk because you were talking on a very important issue. I believe that you are aware how directives arrive in the Assembly whether through motions or petitions or statements.

On the same note, you are aware that yesterday I did present during my Communication from the Chair the Status of Kisumu County and the plans it has. One of the issues I presented was that, Kisumu County is in the preparations to ensure that there will be Mandatory Screening at all Border Entries and Public Places. I did present that the County had presented a budget to purchase 250 Thermal Guns and the MPs from diverse Sub-counties had committed to provide additional Budget for more Thermal Guns, but, remember that screening is only the first bit and

testing is the only know method of confirming whether somebody is positive or negative. I equally said that, we can declare that Kisumu is Corona Virus free because it is not a pandemic of Kisumu County alone but the entire world. Therefore, all measures are being put in place, but we agreed that, safety first starts with you as a person, you have to stay safe and you have to sensitize the masses on the importance Social Distancing, Putting on Masks, Regularly Washing of Hands and Use of Sanitizers as frequently as possible. I want to urge you that if you have any idea, you know the correct channels of presenting it to the Assembly either as a Statements or Motions. We will eventually have resolutions which can be communicated to the relevant line Departments.

Hon. Speaker (Hon. Oraro): Next order!!

MOTION

JOINT COMMITTEE: COUNTY DELEGATED LEGISLATION AND CULTURE,
CHILDREN, YOUTH AND COMMUNITY SERVICES.

REPORT: THE KISUMU COUNTY WOMEN, YOUTH AND PEOPLE LIVING WITH
DISABILITIES FUND REGULATIONS.

BY

HON. INVIOLATE ADHIAMBO, JOINT CHAIRPERSON.

PREFACE.

Pursuant to the Kisumu County Assembly Standing Orders No. 185(1) Two or More Committees of the County Assembly Considering similar Matters may, with the approval by Speaker hold joint sittings.

JOINT COMMITTEE MEMBERS PRESENT.

1. Hon. Inviolata Adhiambo	Chairperson
2. Hon. Rashid Miruka	Co- Chairperson
3. Hon. Gard Olima	Member
4. Hon. Aslam Khan	Member
5. Hon. Augustine V. Otura	Member
6. Hon. Joseph Olale	Member
7. Hon. Caren J. Oguok	Member
8. Hon. George Olwal	Member
9. Hon. Vincent Jagongo	Member
10. Hon. Seth Kanga	Member
11. Hon. Olga A. Otieno	Member
12. Hon. Consolata Ollows	Member
13. Hon. Jennipher Obonyo	Member

14. Hon. Florence Olang'o	Member
15. Hon. Beatrice Pamela	Member
16. Hon. Jecktone Ogendo	Member
17. Hon. Pamela Odhiambo	Member
18. Hon. Jane Manuche	Member
19. Hon. Julius Genga	Member
20. Hon. Caren Muga	Member
21. Hon. Maurice Ngeta	Member
22. Mr. David Ochieng	Clerk to Committee.

IN ATTENDANCE

1. Mr. Haggai Khadiri Chief Officer Department of Women, Youth, P.W.D and Social Services
2. Mr. Fredrick Musumba Gender Officer.

SECRETARIAT

1. David Ochieng' Committee Clerk
2. Mr. Domnic Muinde Assembly Legal Clerk
3. Silas Kapesa Sergeant at Arms.

THE JOINT COMMITTEE MANDATE

Mr. Speaker,

The Kisumu County Women, Youth and People Living with Disabilities Fund Regulations was laid under Papers on Wednesday 26th February,2020 at 1430hrs and tabled for discussion on Wednesday 8th April, 2020 at 1430hrs by Hon. Inviolete Adhiambo-Chairperson County Delegated Legislation Committee as per the Provisions of the County Assembly Standing Orders No. 192 and it was referred to the Joint Committee pursuant to the Provisions of the County Assembly Standing Orders No. 185(1)(2) to Consider the findings and the recommendations of the County Delegated Legislation Committee and the Chairperson of County Delegated was to report back to the Assembly on Wednesday 22nd April,2020 at 1430hrs.

The Joint Committee on County Delegated Legislation and Culture, Children, Youth and Community Services sat on Tuesday 21st April, 2020 after inviting the Chief Officer of Women, Youth, PWDS and Social Services Mr. Haggai Khadiri with Gender Officer Mr. Fredrick Musumba to appear and clear the air.

The committee derive its mandate from

- (a) The Constitution of Kenya 2010 Article 10, 118 and schedule four(4)
- b) Statutory Instrument Act,2013 section 13
- c) Public Participation Bill, 2018.

- d) Case law – Robert Gakuru vs the Governor of Kiambu County 2014.
- e) The SOCATT issue 2 of 2018.
- f) Assembly Standing orders number 192 which outlines its functions to be as follows;

Sub Order (2) Whenever a statutory instrument is submitted to the County Assembly pursuant to the Constitution, any law or these standing Orders, the statutory instrument shall, unless a contrary intention appears in the relevant legislation, be laid before the County Assembly by the Chair of relevant Sectoral Committee, or any other member and shall thereafter stand referred to the Committee on Delegated County Legislation.

COMMITTEE FINDINGS

The Committee after inviting the Chief Officer Mr. Haggai Khadiri and the Gender Officer Mr. Fredrick Musumba to appear before the Committee and to clear the air why the Department never adhered to the laid down procedures, they apologised by not adhering to the processes as required by law and the late submission of the Explanatory Memorandum and Regulatory Impact Statements. Consequently, they submitted the document entailing the explanatory memorandum and regulatory impact statement on the Kisumu County Women, Youth and persons living with disabilities fund regulations, 2019.

EXPLANATORY MEMORANDUM

Dated 22/01/2020

THE KISUMU COUNTY WOMEN, YOUTH AND PERSONS LIVING WITH DISABILITIES
FUND REGULATIONS, 2019

THE KISUMU COUNTY WOMEN, YOUTH AND PERSONS LIVING WITH
DISABILITIES FUND ACT, 2015.

DEPARTMENT OF EDUCATION, ICT AND HUMAN RESOURCE DEVELOPMENT

The Kisumu County Women, Youth and persons living with Disabilities Regulations 2019 was taken for participation through the gender and culture committee since they are the representatives of the people falling under the category of women, youth and persons living with disabilities.

The committee raised issues which were addressed by the CECM: (County Executive Committee Member)

- 1) Object and purpose of the Fund as in the regulations to match that of the parent Act No 7 of 2015)
- 2) Capital of the fund to be paid out of the vote of the county government of Kisumu
- 3) The committee to adhere to their mandate as spelled out in the parent act(Kisumu County Women, Youth and People Living with Disabilities fund Act No 7 of 2015)
- 4) Engagement of compliance officers to make the fund run smoothly
- 5) Applications at ward levels should be on timely basis so that the process can be effective and timely.
- 6) Disbursement of the fund should be prompt and fair.

7) Applaud on interest rates for the categories.

REGULATORY IMPACT STATEMENTS

The Object and Purpose of this fund shall be to provide funds to be used for granting loans to assist women, youth and people with disabilities in Kisumu to promote their enterprises at such a cost which is affordable with the county.

A consideration as to the socio-economic status of women, youth and persons with disabilities revealed that persons with disabilities were more adversely affected as compared to the Youth and Women. The Department therefore found it prudent to lower the interest rate of the people living with disabilities to 3% while that for the Youth and women was set at 5%.

The CECM acknowledges the delay in coming up with Regulations as required by the Statutory Instruments Act, 2013. However this is due to the time constraints, the workload and financial constraints faced in the process.

However, after the Scrutiny of the document Members cautioned the Officers to be observing the laid down procedures and processes by involving public Participation as enshrined in the Kenyan Constitution 2010 Article 10, 118,

Statutory Instrument Act, 2013 section 13(the Committee shall, in carrying out its scrutiny of any instrument or published Bill be guided by the principles of good governance and Rule of Law), Public Participation Bill, 2018,

Case law- Robert Gakuru verses the Governor of Kiambu County 2014(public Participation refers to the process by which the public participate in something),

And lastly the SOCATT issue 2 of 2018(The Counties can only achieve their objectives when they involve their citizens in all matters, legislations, Budget making process, Representation, Oversight, Regulation and Public Participation).

JOINT COMMITTEE RECOMMENDATIONS

- (1) Allegiance to Oath of Office where Members swore to uphold, protect, respect the Constitution and pieces of Legislations.
- (2) The Executive should embrace Constant consultation during making of policies and Legislations.

WAY FORWARD

Once approved by the House, the Office of the Clerk is to write and inform the relevant Department to start the operationalization of the said Regulation after Publication at Kenya Gazette.

The Committee Recommended approval of the Kisumu County Women, Youth and People Living with Disabilities Fund Regulations 2019. Thank you Mr. Speaker Sir and Hon. Members. May I call upon Hon. Olga to second?

Hon. Olga: Thank you Mr. Speaker. I stand to second the report as read by the Chair. Thank you.

The Speaker (Hon. Oraro): Thank you. Honourable Members the report on the Kisumu County Women, Youth and People Living with Disability Fund Regulations has been presented by the Chairperson and seconded by Hon. Olga Aoko. I now want to open it for debate.

The Speaker (Hon. Oraro): Yes Hon. Olima.

Hon. Olima: Thank you Mr. Speaker. As a Member of the Health Committee and the Vice Chair for the Delegated Legislation Committee, I want to support the report and say that we noted as a Committee that, there were no notable issues that we thought that the Governor through his Memorandum could have explained. There were no meetings to discuss the issues he raised. There was no notice on the Regulatory Impact Assessment. Nothing was mentioned on how the consultation was undertaken. An outline of the result at the publication stage was also not explained.

Mr. Speaker, as a Member of the Committee and a Member of County Assembly of Kisumu, I find it a bit challenging for this House today to fully deliberate on this report. The Governor's Memorandum can only be dealt with two thirds of the Members.

The Speaker (Hon. Oraro): Hon. Olima, I am not getting you well because I believe we are talking about a regulation which was presented by the CEC of Education which is going to operationalize the Kisumu County Women, Youth and People Living with Disability Act. Therefore, when you refer to a Memorandum, that only comes when the Governor has rejected a bill or...

Hon. Olima: I am talking about something that was presented before our committee. It was passed in this House and the CEC had an issue with it.

The Speaker (Hon. Oraro): Hon. Olima, this is a Regulation and not a Bill. The Act was passed in 2015 for it to be operationalized, there must be a Regulation. The CEC has proposed for the Regulations which were committed to the Assembly. The Chair was proposing for the amendment because of failure to adhere to the procedures of the Subsidiary Legislation Act 2013. Therefore, we don't have any Memorandum from the Governor.

Hon. Olima: Thank you Mr. Speaker. Am sorry to state the memorandum. I am sorry for that. As a committee, we feel this should be annulled as the Statutory Act Instrument, 2013 Section 19. It was the prayers of the CEC for Education that he be allowed to spend the allocations of

around Kshs. 26 million for the PWDs. We are aware the Act was passed not in 2015 but 2013. The CEC want to do a regulation on Section 19 and there was no much consultation and to-date we have not been told anything on the same. We therefore find it null and void. Thank you.

The Speaker (Hon. Oraro): Yes Hon. Okumu.

Hon. Okumu: Thank you Mr. Speaker. I rise to oppose this report. Desperate times calls for desperate measures. There are lots of impact that people are facing at this time of COVID-19 Pandemic. We appreciate that in this House, a law was passed to help in the management of Youth, Women and People Living with Disability. For This fund to operate especially at this time of pandemic, we need regulation. For the regulations to pass, it is true it has to go through a process. One of the processes was bringing it before this Assembly. It was done and the Committee on Delegated Legislation discussed it.

In their submissions, they are not comfortable with a few things. One of them was a notification of the Statutory Instruments. They are saying that there was no explanatory memorandum. If I look at those issues raised by the committee requesting the Members to annul the regulations, this is not included in the regulations itself. I haven't seen the committee saying that there is a problem with the regulations. This is infringement of the rights of the people.

Like Hon. Olima has said, this fund has around Kshs. 25 million as at now. We are currently experiencing several problems. This amount can only be put to use if we have a regulation in place in this County. The regulations do not infringe on the rights of the people. It doesn't increase fees to the people. I want urge the Members to allow these regulations to be passed in this House so that this amount can be released in the economy of this County.

I want to finish by saying that, desperate times calls for desperate measures. I don't think this House will be crucified that we passed a law without a notification and all that have been mentioned by the committee in their report. This amount must be used to help the youths, people living with disability and the youths. Thank you.

The Speaker (Hon. Oraro): Yes Hon. Oiko.

Leader of Minority (Hon. Oiko): Thank you Mr. Speaker. The Committee has presented the report. This report has annulled the regulations and we are not seeing the punches they have put on the regulations. Those pitfalls have not been tabulated here in the report. What is mentioned is the stages of making the Statutory Instruments. The Statutory Instruments had been made when this was presented here as a bill. It was passed and it became an Act. That was way back in 2015 which means, what was lacking was only the regulations. It would have been wise for the committee to highlight the weaknesses they have found in the regulation and give reason why they have recommended its annulment. We seek your advice on how the Assembly needs to go forward with this issue in the absence of that, and the committee's decision of annulment. Thank you.

The Speaker (Hon. Oraro): Yes, Senior Member Hon. Misachi.

The Chief Whip (Hon. Misachi): When the Kisumu County Assembly Act of People Living with Disability and Women was passed in 2015, the Regulation was the only thing that was missing. The lack of regulation was the reason why we could not access the funds allocated for the PLWD, the Youth and Women. My question to the Committee for Delegated Legislation is; will these regulations help the County Government of Kisumu to unlock the stalemate on the funds so that it's put to use for the people it was intended for?

It is unfortunate that other counties have operationalized their Act yet Kisumu County has not despite the fact that they have copied our Act. I would urge this House to critically look into the issue and pass the regulations for the growth of the economy. It is difficult for these people living with disability to trade with the County Government yet the Constitution requires that they be helped by enabling them to engage in small businesses in order to eliminate poverty. Otherwise, I want to oppose the annulment of the regulations.

The Speaker (Hon. Oraro): Let me give a chance to Hon. Rashid Miruka followed by Hon. Beatrice Pamela.

Hon. Miruka: Thank you Honourable Speaker. I rise to oppose the Report. From the Year 2015 to date, residents of this County have been yearning for the regulation to be in place to operationalize the Act that was passed in 2015. It is quite unfortunate that we did not get explanations from the Committee, which was mandated, that what people have been waiting for has been rejected. I have looked at the recommendations and I am yet to find any tangible details that would make residents of the County to suffer longer, more so during this time of the year that the catastrophic COVID-19 Pandemic has hit the world.

Mr. Speaker, our Women, our Youth and People Living with Disability need this fund as soon as possible. I have looked at the four recommendations. The fourth recommendation says there is need for a joint training between the County Delegated and the Members. I think that is not reason enough for stopping this regulation.

Mr. Speaker, I want to plead with the Members of this County Assembly to pass this regulation so that residents of this County can access funds. I also looked at the processes and I believe that this document went through the Committee of County Delegated Legislation after having been seen by the Committee of Children, which I believe we shared with and they followed some process that would guarantee its passage. With that, I want to plead with the Members present as well as those following the debate through Zoom to pass this Report. Thank you.

The Speaker (Hon. Oraro): Hon. Miruka, I believe that you are creating some confusion in the House. Earlier in your presentation, you rose to oppose the Report but now you are pleading for its adoption.

Hon. Miruka: Mr. Speaker, what I meant was that I oppose the Report as it is because they recommended that we should throw back this Report.

The Speaker (Hon. Oraro): Hon. Rashid, I think you should make your statement right because what they said was annulment of regulation but not the Report.

Hon. Miruka: Mr. Speaker, what I am saying is that, they should not annul the regulations rather we need to be operationalized.

The Speaker (Hon. Oraro): What is it Hon. Beatrice Pamela?

Hon. Beatrice Pamela: Thank you Honourable Speaker, I rise to oppose this Report. I would have expected the Committee of County Delegated Legislation to stick to their mandate and look at how the regulations will affect the lives of the residents of Kisumu. So far, they have dealt with non-issues and the infringement of the rights of the residents of Kisumu or touching on taxation among other issues.

Mr. Speaker, what I believe is that, as Members of this House, we need to take our work seriously by sticking to our mandate but not use these Reports to gain any mileage. Some of these recommendations do not make sense for instance, a joint training of a committee with all the CEC Members and Chief Officers. I believe that the CEC Members work with the Secretarial Committees, and the committees should have just started with the work of looking at the regulations in terms of whether they are in line with or contrary to the Law. Thank you.

The Speaker (Hon. Oraro): I will give chance to Hon. Philemon Ojuok.

Hon. Ojuok: Thank you Mr. Speaker. I rise to oppose the annulment of those regulations and ask that we use those recommendations provided to improve further of those of the Committee County Delegated Legislation. I agree that the County Delegated Legislation Committee should have concentrated on whether the amendments followed the right steps it is deemed to take.

However, I know that due to the conditions we are currently in and the period it has taken to put these regulations in operation, access to these funds has been long overdue. It would not be right therefore to nullify these regulations based on that and take so much time to amend and move forward. However, I believe that, some stated regulations should be adopted and be able to

improve those particular issues of County Delegated Legislation Committee. Thank you and I support the operationalization of those regulations.

The Speaker (Hon. Oraro): Yes. Hon. Samson Ameso.

Hon. Ameso: Thank you Hon. Speaker, I rise to oppose the annulment of the regulations. It has taken a while as Members and the communities alike have been yearning for these funds. By the state at which the County is currently in, I would plead to Members to put into operation the regulations of these funds so that our people can access it.

Mr. Speaker, I want to say that I know our able chair for the County Delegated Legislation and that she being a representative of the youths of this County. I believe this is not her prayer that these regulations be nullified. Contrary to that, I believe that in her heart she wants the people living with Disability, and the Youth that she represents to have access to these funds. It is my plea therefore to find it fit to approve the regulations as they are and make people access these funds.

The recommendations that the committee has come up with are malicious and probably someone must be trying to play their cards so that these funds are not accessed. Malice is seen in the way the funds can stay in some place for that long at the expense of others who are suffering. Thank you.

The Speaker (Hon. Oraro): Hon. Samo you know what I want you to do.

Hon. Samo: Mr. Speaker, I just lost my mask outside here and I don't know if I can continue. I wish to call the mover to do the necessary.

The Speaker (Hon. Oraro): What is necessary Hon. Samo?

Hon. Samo: I call the mover to reply.

The Speaker (Hon. Oraro): Yes Hon. Inviolante.

Hon. Inviolante: Thank you Mr. Speaker. I want to put across to the Members the reason as to why the whole thing was being nullified. Before this regulation was brought to the House, there was no attached memorandum in this regulation. It is in that memorandum where we can tell whether the said CEC went to visit the people. The memorandum contains whether they undertook Public Participation on the Regulations in which we invited the CEC who sent someone and they said they never conducted any public participation.

Mr. Speaker, if Members agree that we do things the way we are saying then it is well and good but at the end of the day when you pass this regulation you will find that even the youth that you

want them to access those funds will not be able to access the funds. Mr. Speaker, at the end of it all we going to pass laws because it calls for desperate measures. We as the committee on County Delegated Legislation we were not issued with any memoranda thus ask who we pass a law without memoranda. If we pass the law then that Youth and the Person Living with Disability will not be able to access those funds. Thank you.

The Speaker (Hon. Oraro): Hon. Members, I want to concur that the regulations under discussion are very vital for the operationalization of a law that is the Kisumu County Women, Youth and People Living with Disability Fund Act that was passed in 2015. I also want to commend the Committee of County Delegated Legislation of the work they have done but I want to bring to the attention of Members that we have to understand the roles and responsibility of each and every committee. If any regulation is brought to the Assembly or any statutory or subsidiary regulation then the procedure is as presented as the Delegated Legislation Committee in the report that is after being laid by the parent committee in this case it was the committee of Culture, Children and community Services chaired by Hon. Miruka.

Hon. Members, it is thereafter the committee on Delegated Legislation whose mandate is to basically look at the procedures and whether it conflicts with any other law; National or County. Again a number of Members are presenting the situation at hand from 2015 to date the County Government of Kisumu has not been able to put into action the Act on Kisumu County Women, Youth and People living with Disability fund which is very unfortunate and therefore there is a balance between what the Assembly has to do which is to pass laws based on procedures and rules and also as representatives.

The balance of representation comes in and it is to ensure that stakeholders that is the Women, the PWDs and the Youth access such funds. With that balance, then it is upon the Assembly to make a decision and in that regard. I want to put a question and the question that I am going to put is based on the fact that the committee has recommended that the regulations be done as presented by the Chairperson of that committee of Delegate Legislation, ably seconded by Hon. Olga ad debate that the report of the Kisumu County Women, Youth and People Living with Disability fund regulations be adopted as presented by the Chairperson of Delegated committee.

(Question put and negative)

The Speaker (Hon. Oraro): The report on the Kisumu County women, Youth and Persons Living with Disability Fund Regulation report is hereby rejected today 8th April 2020 at 15:46 hours. I want to say that this report goes back to the Committee of Culture and Committee on Delegated Legislation should report back on 22nd April 2020 so that they consult further with the line department and report back to the Assembly on the said date.

The Speaker (Hon. Oraro): Next order!

ADJOURNMENT

The Speaker (Hon. Oraro): There being no any other business to transact, the House stands adjourned to tomorrow Thursday 09th April 2020 at 2.30 p.m.

(House rose at 3.50 p.m.)

Addendum

Zablon Otiende – Head of Department

Edward Odanga – Hansard Reporter

Fanuel Okode – Hansard Reporter

Patrick Okoyo – Hansard Reporter

Jacklyne Otieno – Hansard Reporter

Dennis Onyango – Hansard Reporter