

COUNTY GOVERNMENT OF KISUMU



COUNTY ASSEMBLY OF KISUMU

THE HANSARD

SECOND ASSEMBLY – FIFTH SESSION

Tuesday, 24th August, 2021

House met in the Main Chamber at 2:30 p.m.

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

PRAYERS

The Speaker (Hon. Oraro): Hon. Members, pursuant to the provisions of County Assembly Standing Orders No. 32 (2) I want to request that the Serjeant-at-Arms rings the quorum bell for five minutes.

(Quorum bell rung for five minutes)

The Speaker (Hon. Oraro): The Majority Whip, can confirm if we have quorum.

Majority Whip (Hon. Misachi): Mr. Speaker, there is quorum.

The Speaker (Hon. Oraro): Mr. Clerk, please take us through the Order Paper of today.

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

COMMUNICATION FROM THE CHAIR

The Speaker (Hon. Oraro): Honourable Members, I just want to remind you of the Ministry of Health Protocols on Covid-19. Put on your masks to cover both your mouth and nose. Use a sanitized microphone. Thank you.

The Speaker (Hon. Oraro): Next order!

STATEMENTS

The Speaker (Hon. Oraro): Yes, Hon. Pamela Odhiambo.

Hon. Pamela Odhiambo: Thank you Mr. Speaker. Pursuant to the provision of the Kisumu County Assembly Standing Orders, I wish to request for a Statement from the Chairperson, ECD, Adult Education and Vocational Training. Aware that the Department of Education had informed this Honourable House that the Bursaries and Scholarships for the Year 2020/2021 had been disbursed. Further, aware that some of the beneficiaries of the said Bursaries and Scholarships had been sent home from school. We have reliably been informed that there is no money in the said account. Despite communication from the said department that the money has been released.

In the view of the above concern, I would like the Chairperson, ECD, Adult Education and Vocational Training to inform this House as follows.

1. If there are any receipts of release of the bursaries?
2. If so, can the said receipts be adduced before this House for verification?
3. The beneficiaries be provided with these receipts as proof of payments?

Thank you.

The Speaker (Hon. Oraro): Honourable Members, I don't know if the Chairperson or the Vice Chairperson of Education Committee is in this house to respond to that Statement now?

The Speaker (Hon. Oraro): Yes, Hon. Judith Ogaga.

Hon. Ogaga: Thank you Mr. Speaker. I support what Hon. Pamela Odhiambo is seeking for. That department did a lot of mess and we have heard cries all over the County. Several students from our Wards have been sent home and it is not clear who were paid for and how much was paid. As MCAs, we have been receiving phone calls and we have no one to consult. So, the best we have been doing is to refer the children or the parents to the Department of Education to get the information on this matter. I would like the department to be summoned to appear before this House so that we get the documents as requested by the Honourable Member.

The Speaker (Hon. Oraro): Hon. Ogaga, the prayers of Hon. Pamela are very clear. If you can't have a response on those issues then it is important that you request for more time.

Hon. Ogaga: Thank you Mr., Speaker. I wanted to elaborate why the Statement has come and I wanted to make it clear that the receipts are also not there.

The Speaker (Hon. Oraro): Yes, Hon. Erick Agolla.

Hon. Agolla: Hon. Pamela did ask for a Statement regarding various issues. The only thing the Vice Chair would have told this House is that they have taken note of the concern and they are requesting for time to respond. There are underlying issues that can only be tackled by this House Committee through the invitation of the Department. Thank you.

The Speaker (Hon. Oraro): What is it Hon. Paul Okiri?

Hon. Okiri: Thank you Mr. Speaker. Hon. Pamela Odhiambo, has a very valid Statement. The way the Vice-chair has responded brings out a key aspect that indeed they have tried but there is still a problem. Otherwise, we could have given the Standing Committee more time if they couldn't have been aware of the gaps they are still facing. Mr. Speaker, in your ruling therefore we should give a way forward and not more time to this House Committee hence the consideration of constituting of an Ad-hoc Committee for the same. Thank you.

The Speaker (Hon. Oraro): Hon. Paul Okiri, I tend to believe that the statement is very clear, and I want to agree with Hon. Agolla that this is a House of Rules and Procedures. The request by Hon. Judith Ogaga that the clerk to write to the relevant department and the like, should be part of what we say that 'we aren't able to answer such questions now' hence we work out by maybe requesting the Speaker or the Clerk to do the necessary.

The Speaker (Hon. Oraro): What is it Hon. Rashid Miruka?

Hon. Miruka: Thank you Mr. Speaker, I am a member of the Education Committee and would like to also give a response as has been given by the Vice-chair. Hon. Pamela Odhiambo raised specific questions and I believe that you should give us a little more time to consult with the relevant departments so that we get items to produce before this House for the matter to be solved amicably.

The Speaker (Hon. Oraro): Yes, I believe that's quite precise, say one week?

Hon. Miruka: Mr. Speaker, please accord the Committee two weeks.

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

Hon. Okiri: Mr. Speaker, this matter isn't as light that requires the House Committee to be accorded two weeks because children are streaming back for mid-term break, which is for 3 days and giving this Committee two weeks will mean that these children will again go back to school without fees, prompting the school heads to send them back home again for the same.

The Speaker (Hon. Oraro): Hon. Member, I want to rule you Out of Order because the Members who have just talked are of this House Committee. So, it is within their mandate to request for the time they feel can be adequate for them to gather more information. Hon. Rashid has proposed two weeks I don't know whether the Vice-chair is comfortable with the same?

Hon. Ogaga: Mr. Speaker, I support the two weeks but this Standing Committee still has several problems, allow me to speak my mind like others have although it could be out of order. Earlier, we could get such problems and when these House Committees couldn't handle their issues it could be taken to the General Oversight Committee....

The Speaker (Hon. Oraro): Order!! Hon. Ogaga! We aren't handling the arrangements of the House Committee but the specific requests by Hon. Pamela Odhiambo. So, coordinate within the two weeks that has been requested and liaise with the clerk. Please communicate and see what you will have found to present to the House but if the response isn't there then you can just bring the report back. I believe that is fair enough.

Hon. Ogaga: Thank you

The Speaker (Hon. Oraro): Next Order!

COMMENCEMENT OF BUSINESS

MOTION:

DELEGATED LEGISLATION COMMITTEE REPORT ON A BENCHMARKING EXERCISE WITH THE SISTER COMMITTEE OF THE HOMABAY COUNTY ASSEMBLY

PRESENTED BY;

HON. INVIOLETE ADHIAMBO, CHAIRPERSON OF THE COMMITTEE

The Speaker (Hon. Oraro): Yes, Hon. Inviolate Adhiambo

Hon. Inviolate: Thank you Mr. Speaker and Hon. Members. Pursuant to the provisions of the Kisumu County Assembly Standing Orders No. 192 read together with S.Os No. 194(2) (c) which mandates House Committees to prepare programs and activities to be undertaken in each Fiscal Year, the Committee on Delegated County Legislation prepared its Yearly Work Plan for FY 2020/2021 detailing programs to be transacted which amongst them, was the approved Study Tour with its sister committee of Homabay County Assembly.

Following the approval of the Liaison Committee, the Speaker of the Kisumu County Assembly permitted the committee to conduct the benchmarking exercise to enable the two sister committees share on experiences and borrow on best practices for the betterment of smooth running of the committees in an efficient and effective manner.

The study tour occurred between the dates of Thursday 27th May, 2021 and Tuesday 1st June, 2021.

Establishment and Mandate of the Committee

Mr. Speaker and Hon. Members, the Committee on Delegated County Legislation derives its explicit mandate in the provisions of the Kisumu County Assembly Standing Orders No. 192 which stipulates as follows:

(1) There shall be a select Committee to be known as the Committee on Delegated County Legislation comprising the Chairperson and not less than eight and not more than ten other Members.

(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 the relevant Sectoral Committee, or any other Member and shall thereafter stand referred to the Committee on Delegated County Legislation.

(3) The Committee shall consider in respect of any statutory instrument whether it-

- (a) is in accord with the provisions of the Constitution, the Act pursuant to which it is made or other relevant written law;*
- (b) infringes on fundamental rights and freedoms of the public;*
- (c) contains a matter which in the opinion of the Committee should more properly be dealt with in an Act of the County Assembly;*
- (d) contains imposition of taxation;*
- (e) directly or indirectly bars the jurisdiction of the Courts;*
- (f) gives retrospective effect to any of the provisions in respect of which the Constitution or the Act does not expressly give any such power;*
- (g) involves expenditure from the County Revenue Fund or other public revenues;*
- (h) is defective in its drafting or for any reason the form or purport of the statutory instrument calls for any elucidation;*
- (i) appears to make some unusual or unexpected use of the powers conferred by the Constitution or the Act pursuant to which it is made;*
- (j) appears to have had unjustifiable delay in its publication or laying before County Assembly;*
- (k) makes rights, liberties or obligations unduly dependent upon non-reviewable decisions;*
- (l) makes rights, liberties or obligations unduly dependent upon insufficiently defined administrative powers;*
- (m) inappropriately delegates legislative powers;*
- (n) imposes a fine, imprisonment or other penalty without express authority having been provided for in the enabling legislation;*
- (o) appears for any reason to infringe on the rule of law;*

(p) inadequately subjects the exercise of legislative power to County Assembly scrutiny; and

(q) Accords to any other reason that the Committee considers fit to examine.

(4) If the Committee-

(a) resolves that the statutory instrument, be acceded to, the Clerk shall convey that resolution to the relevant County department or the authority that published the statutory instrument; and

Pursuant to the Statutory Instruments Act, 2013 Section 15 states that the committee shall make a report to parliament containing only a resolution that the Statutory Instruments that stands permanently referred to the Committee be revoked.

(5) In this Standing Order, “statutory instrument” means any rule, order, regulation, direction, form, tariff of costs or fees, letter patent, commission, warrant, proclamation, by-law, resolution, guideline or other instrument issued, made or established in the execution of a power conferred by or under an Act of the County Assembly under which that statutory instrument or subsidiary legislation is expressly authorized to be issued.

Composition

Mr. Speaker and Hon. Members, the committee is currently constituted of the following Honorable Members and secretariat:

- | | |
|----------------------------|-------------------|
| 1. Hon. Inviolata Adhiambo | -Chairperson |
| 2. Hon. Gard Olima | -Vice-chairperson |
| 3. Hon. Aslam Khan | -Member |
| 4. Hon. Seth Kanga | -Member |
| 5. Hon. Vincent Jagongo | -Member |
| 6. Hon. Vitalis Otura | -Member |
| 7. Hon. Consolata Ollows | -Member |
| 8. Hon. Caren Oguok | -Member |
| 9. Hon. George Olwal | -Member |
| 10. Hon. Olga Ooko | -Member |
| 11. Hon. Joseph Olale | -Member |

Secretariat

- | | |
|-----------------------|-------------------------|
| 1. Mr. David Ochieng` | -Senior Clerk Assistant |
| 2. Belinder Owino | -Clerk Assistant |
| 3. Patrick Okoyo | -Hansard Reporter |
| 4. Silas Kapesa | -Sergeant-at-Arm |

IN ATTENDANCE

Homabay County Assembly DCL

Committee Members

- | | |
|-------------------------|-------------|
| 1. Hon. Amina Osmail | Chairperson |
| 2. Hon. Michael Nyangi | Member |
| 3. Hon. Oscar Abohote | Member |
| 4. Hon. Paul Wamunga | Member |
| 5. Hon. Neraeh Amondi | Member |
| 6. Hon. Joshua Nyabola | Member |
| 7. Hon. Everline Otieno | Member |
| 8. Hon. Pamela Odira | Member |
| 9. Hon. Paul Adika | Member |
| 10. Hon. Peter Kaula | Member |

Secretariat

- | | |
|------------------|---------------------------|
| 1. Verah Otieno | Principal Clerk Assistant |
| 2. Winney Salome | Clerk Assistant |

ACKNOWLEDGEMENT

Mr. Speaker and Hon. Members,

Firstly, may I take this privilege to thank all the committee members for their immense and valuable input exhibited during the entire benchmarking program that took place in Homa Bay County Assembly.

Secondly, the committee wishes to convey its utmost and forthright gratitude to its sister committee and technical staff for their amiable welcome, openness in sharing of details and their outright cooperation throughout the entire study tour.

Thirdly, the committee is also much obliged and is indebted to the Offices of the Speaker and that of the Clerk of the County Assembly for their tremendous support and extreme good will as this benchmarking exercise turned out to be a success.

Lastly, it is worth noting that even with the extreme surge of the third wave corona pandemic which was and is still negatively impacting the Health Sector and the economy at large, the committee took necessary precautions by observing the MOH stringent protocols.

I therefore take this opportune moment on behalf of the Committee on Delegated County Legislation to table to this August House a report on the benchmarking exchange program with the sister committee of Homa Bay County Assembly for consideration and adoption. Thank You.

EXECUTIVE SUMMARY

Mr. Speaker and Hon. Members, the meaning of Statutory Instruments is clearly defined in the *Kisumu County Assembly Standing Orders 192(5)* as any rule, order, regulation, direction, resolution. Guideline or other instrument issued, made or established in the execution of a power conferred by or under an Act of the County Assembly under which that statutory instrument or subsidiary legislation is expressly authorized to be issued.

They require publishing in the Government Gazette to become legal as the law requires. These statutory instruments are the guidelines that dictate how the provisions of any Statute enacted are applied. They may also contain pro forma official forms that are required under the Act. Further, they can only be amended by a notice published in the Government Gazette.

Once a bill is passed by the House and it is enacted to become a Law, the Governor assents to it and afterwards its implementation commences. But let us take a U-turn and note that the latter should only happen if the law has been operationalized i.e. if the Act is accompanied by a regulation having all the necessary and relevant details and that includes and not limited to all the necessary and relevant information (*Memorandum of Objects*).

Mr. Speaker and Hon. Members, this seldom happens and thus very unconstitutional. Time and again, Acts are enacted and are operationalized by the Executive minus the regulations. Barely does the County Assembly receive the regulations to accompany the Acts to assist in operationalization of the law. Kisumu County Assembly has solely received and adopted a handful of them. It is in view of this that the Select Committee on Delegated County Legislation embarked on a journey of benchmarking with Homa Bay County Assembly to establish if its counterpart also experience similar predicaments and perhaps, just perhaps come up with solutions on the grisly crisis.

SCOPE OF WORK

Mr. Speaker and Hon. Members, the framework of study tour was envisaged on the following sphere of activities which included:

1. Regulations received by the committees from the Executive and adopted by the two (2) County Assemblies since the inception of the First and the Second Assemblies
2. Milestones achieved and the challenges facing the committee on Delegated County Legislation
3. Mechanisms put in place to curb the bottlenecks experienced
4. Methods employed to ensure that the regulations are fully implemented by the Counties
5. Cross-cutting issues and way forward

FINDINGS AND OBSERVATIONS

Briefing from the Committee Chairperson, Homa Bay County Assembly

Mr. Speaker and Hon. Members, Hon. Amila Osmail Omondi cordially welcomed the team from Kisumu County Assembly and informed us that initially the committee was constituted of 15 members but after the County Assembly intervened, it was amended by the Selection committee to have 10 Members as a requirement in their Standing Orders No. 190. The committee itself is combined with the standing committee of Administration, Law and Justice as the duo operates as one.

Regulations Passed by the Two County Assemblies

Mr. Speaker and Hon. Members, Homabay County Assembly has received and handled only two (2) regulations from the Executive namely: the Alcoholic drinks (*by the 1st Assembly*) & The Trade Fund (*by the 2nd Assembly*). It is unfortunate that these two never saw the light of the day because of the myriad loopholes that accompanied them.

On the other hand, the Second Kisumu County Assembly has received the following regulations and Executive Order namely:

- Regulations on the Kisumu County Administration (Village Units), 2018
- Regulation on the Kisumu County Social Health Insurance Fund, 2020
- Regulation on the Kisumu County Covid-19 Emergency Response Fund, 2020
- Regulation on the Kisumu County People Living with Disability Fund , 2020
- Executive Order No. 1 of 2019 on Sand, Rocks, Murrum, Soil Harvesting and all forms of quarrying activities within Kisumu County

There are a number of outstanding questions which still linger concerning the following

1. How has Homabay County managed to implement the Covid-19 Emergency Response Fund without an existing regulation guiding it?
2. How has the county managed to give loans to Small Scale Traders unescorted by a regulations or regulatory framework in place for such?
3. From which kitty do they get such funds?

The committee was informed that there has been a huge challenge in putting in place the relevant regulations. Having noted this gap, it is logical to state that almost all Homa Bay County Assembly Acts materialize minus regulations something that's basically impermissible.

CHALLENGES FACED BY THE COMMITTEES

Mr. Speaker and Hon. Members, below are some of the bottlenecks confronting the committees. They include:

1. Since Delegated County Legislation is not a parent committee, it is a bit cumbersome to get the regulations from the departments. Further, it is true to state that the

- committee`s mandate is quite limited and that could be one of the underlying reasons behind lack of accompanied regulations
2. The powers of the two (2) County Assemblies have been completely undermined by the Executive. It does not require rocket science to actually reconcile oneself to, as it has been evidently demonstrated by Acts getting their way in the public minus regulations.
 3. Inadequate allocation of funds. This is a dilemma that faces both committees and thus becomes difficult and straining to achieve the mandate and objectives if limited resources are apportioned. In the last Financial Year of 2020/2021, money that was allocated was Kshs. 1 Million only which is a drop in the ocean when it comes running the committee`s workload. The issue of late disbursement of funds has equally been thorn in the flesh resulting to members` ineffectiveness.
 4. The committee is not consistent with the Standing Orders which is very distinct

RECOMMENDATIONS

Mr. Speaker and Hon. Members, with the aforementioned findings and shortcomings, the committee hereby recommends the following mechanisms to be put in place:

1. That the respective Standing Committee Chairpersons should engage the respective line departments in regards to all regulations that are yet to be received by the County Assembly.
2. That the Select Committee on Procedures and Rules should endeavor making amendments to the Kisumu County Assembly Standing Order after every 2 years for conformity with the relevant laws.
3. The County Assembly to consider allocating sufficient funds for the committee to ensure its smooth and effective technical operations.
4. There is need for funds to be set aside by the County Assembly for pre-publication on matters Bills. This is a process that has always been repeatedly left for the Executive to handle giving a leeway for them to irrationally decide on what to add and what to expunge without involving the Legislative wing. It is certain that the executive might be oblivious that the County Assembly is rightfully absconding its responsibilities.
5. That all Bills to be enacted should follow all the due processes of: Legislative proposal-Bill Making process-Policy stage and eventually the regulation bit before they are fully implemented.
6. That automatic revocation of statutory instruments should be staged according before the House pursuant to Part V section 21 of the Statutory Instruments Act, 2013 and I quote : “
(1) Subject to sub-section(3), a statutory instrument is by virtue of this section revoked on the day which is ten years after the making of the statutory instruments unless-
a) It is sooner or expires; or
b) A regulation is made exempting it from expiry”

CONCLUSION

Mr. Speaker and Hon. Members, No Law passed by the County Assemblies should by any chance infringe the Constitution of Kenya and other pieces of Legislations whatsoever. For this to happen, then regulations must accompany the Acts enacted for operationalization. It can either be adopted or deferred if in any case it is not in tandem with the statutory requirements.

The committee itself is weakened minus regulations. Having said that, the committee should not only look into regulations brought by the Executive but also other statutory instruments as indicated in the Kisumu County Standing Orders.

Without much ado, I therefore humbly implore this Honorable House to consider adopting this report and I call upon Hon. to second this report.

The Speaker (Hon. Oraro): Yes, Hon. George Olwal.

Hon. Olwal: Thank you Mr. Speaker. I rise to second the report. We did a good work especially after Benchmarking with our sister County Assembly of Homabay. I urge fellow Hon. Members to adopt this report. Thank you.

The Speaker (Hon. Oraro): Hon. Members, now that the report on the Benchmarking by the Select Committee of County Delegated Legislation with our sister County Assembly of Homabay has been presented and seconded, as per our Standing Orders I want to propose a question that the report is open for debate?

The Speaker (Hon. Oraro): Yes, Hon. Paul Okiri.

Hon. Okiri: Thank you Mr. Speaker. I rise to support this report. When we talk about benchmarking, the notion that comes into our minds is that, we should come up with better things than we are doing. But I disagree. If you compare what the County Assembly of Kisumu is doing to Homabay County Assembly, the latter would be the one to benchmark with us.

They have only Regulations so far compared to us who are running on the fifth. We are just done with the Regulation on Kisumu County Assembly Village Administration Unit which is taking devolution or services down the villages. There are some Assemblies who which have not reached this level. We have a Regulation on Kisumu County Social Health Insurance Fund. A county that cannot prioritize the healthcare of its citizen is a failed one.

Mr. Speaker, in this Assembly, this one has already been done. If you see people talking about the Kisumu County Assembly not working; we may say that they are not enlightened to know exactly what we are doing. That is because all these things are not like other Counties let's say for example Homabay County but here in Kisumu County, they are already existing.

Mr. Speaker, on the Regulation on the People Living with Disability 2020, other counties are still not sure about this bill and when exactly it will be there. However in Kisumu County – “Tich Tire”

you will find out that this is a Bill that already we have actually done. With those many remarks, I beg to support, thank you.

The Speaker (Hon. Oraro): Hon. Atieno.

Hon. Atieno: Thank you so much Mr. Speaker sir for giving me this opportunity, I want to fully support the report that has been read by the Chairperson Delegated Legislation Committee. Mr. Speaker, it is true that we have not done much as an Assembly and so much to the Select Committee that is being chaired by the said Honourable Member. Statutory Instrument Act of 2013 as we are all aware has never been domiciled in Kisumu so to speak. In addition, I believe that most of these Subsidiary Legislations, I have never seen them being committed to the said Select Committee of Delegated County Legislation. I have also been wondering why these happen.

Mr. Speaker, so it is true that when the Select Committee is lamenting that they have been bypassed. I fully support them that we need to do a lot so that we reinvigorate the synergy in that House Committee since it is a powerful one; the same applies if you go to the National Parliament or the Senate. But, here, it has been dormant. Therefore it is high time for the House Committee to be given its space so that every Subsidiary Legislation that is done by the County Executive, must pass through the said committee. Thank you Mr. Speaker.

The Speaker (Hon. Oraro): Hon. Senior Member Aslam Khan.

Hon. Khan: Thank you so much Mr. Speaker Sir. Foremost, I take this opportunity to congratulate the Delegated County Legislation Committee in helping doing a good ground work.

Secondly, I would like to say the following: Mr. Speaker Sir, this one has been there and actually it has been a tendency by the County Executive in most of the counties in the devolved system of Government in issuing lots of directives and circulars without following the required laws and procedures.

You will find out that at times an officer sitting in the office just issues directives without seeing the ramification that they may cause because of not up to date regulations which are supposed to be followed by them. In this regard, the Delegated County Legislation Committee is one that actually holds a lot of water especially issues to do with laws and regulations.

Mr. Speaker, sometimes it becomes hard and therefore it is upon us as the August House and the House Committees to stand firm to the fact that the County Executives should follow. We should also put them on toes to work lawfully and legally so that things are correctly done.

Mr. Speaker, I am convinced beyond reasonable doubt that if we as a House Committee are given enough time, to also have a lot of input from other areas and other organizations, it would help us come up with a lot of fruitful ways of ensuring things are running in smoothly.

Mr. Speaker, I do vividly remember when we visited the Senate, the former Chairperson of the Senate Delegated Committee Hon. Samuel Poghisio who is currently the Leader of Majority in the Senate, he gave us a one hour talk which was very fruitful. It is when we realized that this House Committee has a lot of teeth to bite. However, it is lacking a lot of input and we need a technical arm to take us further into details in ensuring that we are up to date. With those few remarks Mr. Speaker, I support, thank you.

The Speaker (Hon. Oraro): Hon. Erick Agola.

Hon. Agola: Thank you Mr. Speaker for giving me this opportunity to also add my voice on the same. First, allow me to appreciate this House Committee; the Leadership, Members and the Secretariats for the fine-tuned report.

Mr. Speaker, it is true that some may blame or categorize the Homabay County as referred by Hon. Okiri was referring to comparing it with Kisumu and that Kisumu County surpasses some regulations that have not been passed. That it is in order to benchmark so that we learn how they do their businesses. This is one of the key House Committees from their benchmarking report. I was trying to refer to our Standing Orders and realized that this Select Committee should check on how rules, regulations, some communications from those who have got powers in this County. Mr. Speaker, you remember just the other day, there was an order that parking in town in some areas were restricted. You find even the tariffs that are being charged on the services that are being rendered to. In case a Member of a public raises a concern on the rates that are being charged on them this is the only House Committee that should stand with the public. I want to urge this Select Committee to utilize the experience that they gathered and the experiences that is anchored in law so that they ensure that this County is safe to avoid a good number of litigations that this County is using tax payer's money to pay litigation charges in Court just because we are not abiding by the rule of law. I want to thank the Select Committee and implore Hon. Members to adopt this report so that it is taken for implementation. Thank you.

The Speaker (Hon. Oraro): Yes Hon. Pamela Odhiambo.

Hon. Pamela Odhiambo: Thank you Mr. Speaker I wish to call the mover to reply.

The Speaker (Hon. Oraro): Hon. Inviolata.

Hon. Inviolata: Thank you Mr. Speaker. I want to thank the Hon. Members for contributing to this report and I would like to urge them to adopt the report for further action. Thank you.

The Speaker (Hon. Oraro): Hon. Members now that the Select Committee on Delegated County Legislation report on benchmarking with the sister committee of Homabay County Assembly has been presented by then Chairperson Hon. Inviolata, seconded and debated by Hon. Members. I want to remind the Select Committee that indeed there are so many legislations that needs to be revised and as per your reference in the presentation; there are so many regulations for example

the Fees and Charges alongside other regulations which have lapsed after a given period. I therefore want to put a question on the adoption of the report from the Select Committee on Delegated County Legislation.

(Question put and agree to)

The Speaker (Hon. Oraro): The report from the Select Committee on Delegated County Legislation on benchmarking with the sister committee of Homabay County Assembly is hereby adopted today 24th August 2021 at 1526 hours.

Hon. Members, I direct that the recommendations in the said report be implemented.

The Speaker (Hon. Oraro): Next Order!

ADJOURNMENT

The Speaker (Hon. Oraro): There being no any other business to transact, the House stands adjourned to 25th August 2021 at 9.00 a.m.

(House rose at 3.31 p.m.)

Addendum

The Hansard Team

Zablon Otiende – Senior Hansard Reporter

Edward Odanga – Hansard Reporter

Fanuel Okode – Hansard Reporter

Patrick Okoyo – Hansard Reporter

Jacklyne Otieno – Hansard Reporter

Denis Onyango – Hansard Reporter

Jesca Otieno – Hansard Reporter