COUNTY GOVERNMENT OF KISUMU

COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

SECOND ASSEMBLY – SIXTH SESSION

Thursday 07th April, 2022

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

(The Temporary Speaker (Hon. Seth Okumu) in the Chair)

PRAYERS

The Temporary Speaker (Hon. Okumu): Good afternoon Honourable Members. I want to invoke the provisions of County Assembly of Kisumu Standing orders No. 32 (2) and request that the Serjeant-at-Arms rings the quorum bell for five minutes.

(Quorum bell rung for five minutes)

The Temporary Speaker (Hon. Okumu): Hon. Minority Leader, could you please confirm if we have the quorum.

Minority Leader (Hon. Oiko): Thank you Mr. Speaker. There is quorum.

The Temporary Speaker (Hon. Okumu): Thank you. Mr. Clerk, please take us through the Order Paper of today.

The Temporary Speaker (Hon. Okumu): Next order!!

PAPER LAID

THE FINANCE, TRADE AND ENTERPRISE DEVELOPMENT COMMITTEE REPORT ON ITS CONSIDERATION ON THE KISUMU COUNTY EXECUTIVE QUARTERLY REPORT AND THE FINANCIAL STATEMENT FOR THE PERIOD 31ST DECEMBER

BY

HON. PAUL OKIRI, MCA, WEST KISUMU.

(CHAIRPERSON, FINANCE, TRADE AND ENTERPRISE DEVELOPMENT COMMITTEE)

The Temporary Speaker (Hon. Okumu): Hon. Paul Okiri.

Hon. Okiri: Thank you Mr. Speaker. Pursuant to the provision of the Kisumu County Assembly Standing Order No. 182 (6), I wish to lay today Thursday 07th April, 2022, the Finance, Trade and Enterprise Development Committee report on its consideration on the Kisumu County Executive Quarterly Report and the Financial Statement for the period 31st December, 2021. Thank you.

(Hon. Okiri lays before the House the report for consideration)

The Temporary Speaker (Hon. Okumu): Thank you. I confirm the receipt of the report from the Standing Committee of Cooperative Finance, Trade and Enterprise Development Committee on its consideration on the Kisumu County Executive Quarterly Report and the Financial Statement for the period 31st December, 2021. I want to commit this report to the Select Committee of House Business so that it can be scheduled for discussion in the House.

The Temporary Speaker (Hon. Okumu): Next order!

NOTICE OF MOTION

REPORT FROM THE STANDING COMMITTEE OF COOPERATIVE, FINANCE, TRADE AND ENTERPRISE DEVELOPMENT REPORT ON ITS CONSIDERATION ON THE KISUMU COUNTY EXECUTIVE QUARTERLY REPORT AND THE FINANCIAL STATEMENT FOR THE PERIOD 31ST DECEMBER

BY

HON. PAUL OKIRI, MCA, WEST KISUMU.

(CHAIRPERSON, FINANCE, TRADE AND ENTERPRISE DEVELOPMENT COMMITTEE)

The Temporary Speaker (Hon. Okumu): Hon. Paul Okiri.

Hon. Okiri: Thank you Mr. Speaker. Pursuant to the provision of the Kisumu County Assembly Standing Order No. 45(1), I wish to give a Notice of Motion on a Report from the Standing

Committee of Cooperative, Finance, Trade and Enterprise Development on its consideration on the Kisumu County Executive Quarterly Report and the Financial Statement for the period 31st December, 2021. Thank you

The Temporary Speaker (Hon. Okumu): Thank you Honourable Member.

The Temporary Speaker (Hon. Okumu): Next order!!

MOTION

REPORT FROM THE SELECT COMMITTEE OF PUBLIC INVESTMENT AND ACCOUNTS ON THE AUDITOR GENERAL'S REPORT ON THE FINANCIAL STATEMENT OF KISUMU WATER AND SANITATION COMPANY FOR THE FINANCIAL YEAR ENDED 30TH JUNE, 2019.

BY

HON. MAUREEN OTIANG', MCA, CHEMELIL TAMU WARD.

(CHAIRPERSON, PUBLIC INVESTMENTS AND ACCOUNTS COMMITTEE)

The Temporary Speaker (Hon. Okumu): What is it Hon. Leader of Minority?

Minority Leader (Hon. Oiko): Thank you Mr. Speaker. Allow me to move this motion on behalf of Hon. Maureen Otiang'.

The Temporary Speaker (Hon. Okumu): Please proceed Leader of Minority.

Minority Leader (Hon. Oiko): Thank you Mr. Speaker. Mr. Speaker and Honourable Members, PURSUANT to the provisions of Article 229(7) of the Constitution of Kenya, 2010, the County Executive Committee member for Finance and Economic Planning forwarded to the Assembly, the Report of the Auditor General on the Financial Statements of Kisumu Water and Sanitation Company Limited (KIWASCO) for the year ended 30 June 2019, on 14th January 2022. The report was forwarded via a letter of Ref; KIWASCO/2018/2019/ (25). Hon. Speaker, the report was tabled in this House by the majority leader, Hon. Kenneth Onyango on 25th January 2022 and subsequently committed to the Public Accounts and Investments Committee for legislative processing and reporting pursuant to Article 229(8) of the Constitution of Kenya 2010.

Establishment and Mandate of the Committee.
Hon. Speaker, the Public Accounts and Investments Committee is established under Standing Orders No. 188 of the Kisumu County Assembly Standing Orders and is mandated to undertake the following functions;

a. Examination of the accounts showing the appropriations of the sum voted by the County Assembly to meet the public expenditure and of such other accounts laid before the House as the committee may think fit;
b. Examination of the working of the Public Investments
c. Examine the reports and accounts of the Public Investments and,
d. Examine in the context of the autonomy and efficiency of the public investments, whether the affairs of the public investments, are being managed in accordance with sound financial or business principles and prudent commercial practices.

Composition of the Public Accounts and Investments Committee

Hon. Speaker, the Committee as currently constituted comprises of the following Honourable Members;

NAME		POSITION
1. Hon. Maureen Otiang'	-	Chairperson
2. Hon. Benny Oiko	-	Vice Chairperson
3. Hon. Paul Okiri	-	Member
4. Hon. Seth Okumu	-	Member
5. Hon. Johnson Guya	-	Member
6. Hon. Roy Samo	-	Member
7. Hon. Beatrice Pamela	-	Member
8. Hon. Nancy Owiti	-	Member
9. Hon. John Atieno	-	Member
10. Hon. Julius Genga	-	Member

Committee Secretariat

1. Austine Ochieng	-	Committee Clerk
2. Charles Ageng'o	-	Internal Auditor
3. Naboth Odeny	-	Internal Audit
4. Edward Odanga	-	Hansard Reporter
5. Geoffrey Omollo	-	Accountant - Secretariat
6. Dominic Muinde	-	Legal Counsel
7. Raphael Juma	-	Researcher
8. Faith Judith	-	Serjeant-at-Arm

Acknowledgement

Hon. Speaker. May l take this opportunity to thank all members of the Public Accounts and Investments Committee for their input and valuable contributions during this exercise? The

Committee also takes this opportunity to thank the offices of the Speaker and the Clerk for providing a conducive environment.
We register our appreciation to the management of KIWASCO for their co-operation throughout the period of culmination of this report.

Lastly, we would like to thank the secretariat attached to this Committee for their endless contributions towards the committee matters. It is now my privilege to table this report before this House for consideration and adoption.

LEGAL FRAMEWORK
Hon. Speaker, The Committee was guided by the following legal instruments;

1) Constitution of Kenya 2010: Article 229 of the Constitution of Kenya, 2010 expects the Auditor General Within a period of six months after the end of each financial year to audit and report, in respect of that financial year, on;
a) The accounts of the National and County governments;
b) The accounts of all funds and authorities of the National and County governments;

Article 229 (8) specifically states that; ''Within three months after receiving an audit report, Parliament or the county assembly shall debate and consider the report and take appropriate action''

The Constitution further indicates that, all aspects of public finance shall be guided by the following principles;

a) Openness and accountability including public participation in financial matters.
b) The public finance system shall promote an equitable society, and in particular:
    i). the burden of taxation shall be shared fairly;
    ii). Revenue raised nationally shall be shared equitably among National and County Governments and
    iii). Expenditure shall promote equitable development of the country, including by making special provision for marginalized groups and areas
c) The burdens and benefits of the use of resources and public borrowing shall be shared equitably between present and future generations;
d) Public money shall be used in a prudent and responsible way and;
e) Financial management shall be responsible, and fiscal reporting shall be clear
2) Public Audit Act 2015; Section 7 mandates the auditor general to: (i) Give assurance on the effectiveness of internal controls, risk management and overall governance at National and County Government; (ii) Undertake audit activities in state organs and public entities to confirm whether or not public money has been applied lawfully and in an effective way

3) Public Finance Management Act, 2012: Section 149 of the Public Financial Management Act, 2012 outlines the responsibilities of Accounting Officers for the County Government and County Assembly and it categorically states that; "An accounting officer is accountable to the County Assembly for ensuring that the resources of the entity for which the officer is designated are used in a way that is; Lawful and authorized; and Effective, efficient, economical and transparent. The Act primarily provides for the effective management of public finances by the national and county governments; the oversight responsibility of Parliament and county assemblies; the different responsibilities of government entities and other bodies. *Section 3* emphasizes on the need for upholding the fiscal responsibility principles. These principles are to be observed in both the National and County levels of government. The Act further mandates the County Accounting officers to monitor, evaluate and oversee the management of their public finances.

4) Public Procurement and Disposal Act, 2015: This Act primarily seeks to give effect to Article 227 of the Constitution; to provide procedures for efficient public procurement and for assets disposal by public entities. The disposal and procurement process ought to be transparent, accountable and cost-effective.

Hon. Speaker, further to the above legal framework, Article 226(1) (5) of the Constitution of Kenya, 2010 stipulates that:- *''If the holder of a public office, including a political office, directs or approves the use of public funds contrary to law or instructions, the person is liable for any loss arising from that use and shall make good the loss, whether the person remains the holder of the office or not''.*

SUMMARY OF AUDITOR GENERAL'S OPINION ON KIWASCO FOR THE FY ENDED 30, JUNE 2019

Hon. Speaker, in the opinion of the Auditor General, the financial statements of KIWASCO for the financial year ended 30, June 2019 presented fairly in all material respects, the financial position of the company and of its financial performance and its cash flows for the year then ended, in accordance with the International Financial Reporting Standards and comply with the Water Act, 2016 and the Companies Act.

Hon. Speaker, The Committee in its analysis which was done with the help of the internal auditors attached to this committee, appreciated this and considered it as an improvement in the management of finances by KIWASCO in comparison with the previous financial years. However, a few issues were raised by the Auditor. The committee resolved to seek for responses on these issues, before recommending in a bid to add more improvement in the management of finances by KIWASCO. A letter dated 16th February 2022 to this effect was delivered to KIWASCO on the 16th of February 2022 (See Annex 1)

Hon. Speaker, a letter dated 21st February 2022 from KIWASCO, responding to the few issues raised was received by the office of the clerk. (See Annex 2).

BASIS FOR THE OPINION ON THE FINANCIAL STATEMENTS OF KIWASCO FY 2018/2019

Hon. Speaker, the Committee held several sittings including a meeting with the management of KIWASCO on 17th March 2022, to deliberate on this matter (See annex 3- invitation letter.) In its first meeting, the Committee carried out an analysis of the report from the Auditor General in the following manner.

Hon. Speaker, the opinion of the Auditor General was based on the following reports;

Report on the Lawfulness and effectiveness in use of public resources

The Auditor General in her conclusion states that based on the audit procedures performed, except for the matters prescribed in the basis of conclusion on Lawfulness and effectiveness in use of public resources section of the report, the Auditor General confirm that nothing else came to her attention to cause her to believe that the public resources had not been applied lawfully and in an effective way'

Hon. Speaker, "the except for matters'' referred to by the Auditor General includes the management of Gulf Water Company Limited and Nyanas Water Company Limited.

Report on the Effectiveness of Internal Controls, Risk Management and Governance

Hon. Speaker, in the words of the Auditor General, except for the matters prescribed in the basis of the conclusion on effectiveness of Internal Controls, risk management and governance section of the report, the Auditor General confirmed that nothing else came to her attention to cause her to believe that internal controls, risk management and governance were not effective. The issues referred to include the duplicated meters and weak internal controls on the exhauster revenue.

SPECIFIC AUDIT ISSUES AND MANAGEMENT RESPONSES ON THE SAME

Issue No.1; Management of Gulf and Nyanas

As reported in the previous year, the company was mandated to manage Gulf Water Company Limited and Nyanas Water Company Limited with the County Government of Kisumu having one signatory for each Company to help operate the two companies' bank accounts. Analysis of the Company payroll data revealed that an amount of Kshs. 8,846,328 was spent in respect of Nyanas and Gulf Water Company Limited for the year under review. The company also provided the two companies with chemicals and other production materials. However, Management of Kisumu Water and Sanitation Company Limited have not provided the Audited Financial Statements of the two companies for audit review to confirm the operations of the two companies. It has not

therefore been possible to confirm whether the operations of the two Companies were within the law. Non submission of the financial statements for audit also contravenes section 164(4) of the Public Finance Management Act, 2012. In the Circumstance, management is in breach of law.

Management Response

''KIWASCO seconded its staff as part of support to Gulf and Nyanas Water Companies to help in their management. These are still our staff hence receive their salaries from KIWASCO as shown in the payroll records analyzed by the Auditor. Including this amount in the records of Gulf and Nyanas is tantamount to double claiming of the expenditure. Moreover, KIWASCO does not expect to receive any management fees from the said two utilities.

The draft financial statements for the two utilities for the years ended 30th June 2019 were submitted to the County Government of Kisumu for consolidation signing and subsequent submission to the office of the Auditor General as provided for in the Public Finance Management Regulation 2015 which states as follows;

Section 163- County Treasury mandated to consolidate the annual financial statements of all county entities by 31 Oct and submit the report to the Auditor General with copies to the National Treasury, COB and CRA

Section 164- County Government entities are required to prepare financial statements with respect to the entity by 30th September each year and submit the report to the Auditor General with copies to the National Treasury, COB, and CRA,
In case of a County Corporation the same should be forwarded to the CEC responsible for Finance by the CEO responsible for the entity. Copies are hereby attached for your review.''

Committee Deliberations and Recommendations

Hon. Speaker, the Auditor General highlighted that KIWASCO did not provide the audited financial statements of Nyanas and Gulf Water Company Limited for audit review to confirm the operations of the two companies. An amount of Kshs. 8,846,328 was spent in respect to the Nyanas and Gulf companies' salaries for the year under review.

In their response, KIWASCO stated in their letter that they seconded their staff as part of support to Gulf and Nyanas to help in their management. However, KIWASCO did not provide evidence of seconding their staff to the two companies. KIWASCO further submitted that the two financial statements of the two companies were submitted to the County Government of Kisumu.
In their responses during the meeting dated 17th March 2022, KIWASCO responded thus;

i). Submission of financial statements to the auditor and copies to County Executive Committee member for Finance and Economic Planning

a) KIWASCO submitted that they submitted the financial statements of the two entities (Nyanas and Gulf) to the County Government through the Chief Officer Water –although late. (See annex 4- forwarding letters)

b) KIWASCO committed to provide copies of the financial statements for the two companies for the period under review as requested by the committee.

c) Staff seconded to Nyanas and Gulf; KIWASCO provided evidence of the staff that were seconded, their salaries and sources of payment as requested by the committee. (See Annex 5- evidence of seconded staff)

With the eventual submission of the financial statements to the committee, it is therefore possible to confirm whether the operations of the two Companies were within the law.

The committee therefore settles the matter as was resolved but recommends the following to the management of KIWASCO;

a) That in future, the Auditor should be provided with all the documents required for audit and any other document as may be requested by the Auditor

Issue No. 2; Duplicated meters

An analysis of the monthly revenue collections from the customer billing system revealed that several customers were sharing the same meter numbers. Management has however explained that the duplication is due to change in tenancy whereby the old meters are inherited by new customers who take over with a different account number.

In the circumstances, there is a possibility of duplication of revenue because both meters are billed on a monthly basis.

Management Response

‘’For the purpose of billing and revenue generation to the Company, the only ‘’Unique identifier’’ is the Customer Account Number’’ and not meter number. This is due to the fact that during changes in tenancy, the meter remains but the customer acquires a different account number but with the same meter number. This is normal to the operations of the company hence it is true that there are duplicated meter numbers during billing, then the old accounts are given ‘’credits’’ to offset the account. The above analysis was therefore erroneous and we urged the auditors to use the unique account numbers in analyzing revenue.’’

Committee Deliberations and Recommendations

Hon. Speaker, the Auditor highlighted that an analysis of the monthly revenue collection from the system found that several customers were sharing meter numbers. In the circumstances, there is a possibility of duplication of revenue because both meters are billed on a monthly basis.

KIWASCO in their response termed this normal but did not provide satisfying remedies to ensure the issue does not arise in the subsequent financial years.
In their verbal responses during the meeting dated 17th March 2022, the management stated thus;

i). KIWASCO provided the same response they had provided earlier.
ii). That they use the unique identifier/account numbers to bill the clients/ customers and not the meter numbers.
iii). That the meter numbers remain in place as different users are allocated different unique identifiers
iv). When customers vacate premises, the previous accounts/ unique identifiers are closed up as new customers are enlisted and issued with new unique identifiers which is used to open new account numbers as the previous accounts are closed. The landlords are compelled to clear the pending bills before new tenants are issued with new accounts.

In the circumstances, and with respect to the submissions, the committee is convinced that even though there is little or no possibility of duplication of revenue from both meters, there is need for complete deactivation of the previous meters or complete transfers of the same meter numbers to new owners/ tenants for ease of billing and understanding by stakeholders. The committee settles the matter as resolved but recommends for the complete deactivation of the previous meters or complete transfers of the same meter numbers to new owners/ tenants for ease of billing and understanding by stakeholders

Issue No. 3; Weak Internal Controls on Exhauster Revenue
The Company has approved rates for exhauster services of Kshs. 3,000 within a radius of 10km and mileage of Kshs. 200 per km outside the 10km radius. However, the work tickets did not indicate the specific destination of the clients in order to ascertain the mileage charges. Further, there were no records to match the trips to specific customers and the charges or job cards that can be reconciled with the trips.
In the circumstances, the company may be losing revenue from mileage charges due to lack of proper controls to ascertain the mileage per client and reconciliations to the revenues from the service.

Management Response
‘’Since the vehicles are GK we were instructed by the Government check unit to write the work ticket as we are doing currently from 2016. Before then, the work tickets would include all the details of the journey. This however does not mean that the details were not captured at all. We ensure that all the details of every journey are not only authorized but detailed on the form given by the customer care assistants as attached in the previous and current work tickets are also attached.

i). There is therefore no revenue lost in the said period even though the exhauster worked but did not bring any revenue on the same day. This is because of the following controls which are in place; (i) All vehicles of the company are fitted with the trackers, (ii) Exhauster trackers are monitored closely by the Corporate and Communication office to be specific the Customer Care Assistants and Customer Care Manager, (iii) Vehicles fitted with tracking devices, (iv) Vehicles only leave for work after payment and sometimes monthly for corporate clients such as the Kenya Airports, hospitals amongst others, (v) For marketing purposes, sometimes the vehicles are taken to different locations where they are parked to market their services –and back –through which in such cases the vehicles cover some miles in distance without generating revenue

Committee Deliberations and Recommendations

Hon. Speaker, the committee analyzed the responses by KIWASCO on this matter based on the submissions and in the circumstances, the committee is convinced that there are no or minimal revenue lost from mileage charges due to lack of proper controls to ascertain the mileage per client and reconciliations to the revenues from the service. The Committee however recommends for strict adherence to the controls outlined by the management themselves. The Committee therefore settles this matter as resolved.

GENERAL FINDINGS/OBSERVATIONS

Hon. Speaker, following the analysis of the report of the Auditor General on the financial statements of KIWASCO for the FY 2018/2019, the responses and submissions on the issues raised, the committee reports the following as findings;

1) THAT the Financial Statements of KIWASCO for the financial year ended 3oth June 2019 represented a true and fair view of the financial position of the company as at that time as reported by the Auditor General.
2) THAT in regards to the previous Auditor General reports on the Financial Statements of KIWASCO, there was improvement in management of finances of the Company.
3) THAT on the Effectiveness of Internal Controls, Risk Management and Governance, the committee finds that KIWASCO needs to improve her internal controls on exhauster revenue and minimize the issue of duplicated meters as highlighted by the Auditor General.
4) THAT duplicated meter numbers during billing arise as a result of changes in tenancy. The meter remains but the customer acquires a different account number with the same meter number.
5) THAT KIWASCO seconded some of their staff to both Nyanas Water Company Limited and Gulf Water Company Limited to help in the management of the two companies
6) THAT KIWASCO forwarded the financial statements of Gulf and Nyanas Companies to the County Government of Kisumu through the Chief Officer for Water and Sanitation.

COMMITTEE RECOMMENDATIONS

Hon. Speaker, based on the above findings and the committee deliberations on the three specific audit issues raised by the Auditor General, the committee makes the following recommendations;

1) Issue no.1; Management of Gulf and Nyanas: The matter resolved and the committee recommends that going forward, the Managing Director of KIWASCO should strictly adhere to the provisions of Section 164(4) of the Public Finance Management Act, 2012 and submit the financial statements to both the Auditor General and to the County Treasury within the stipulated timelines. Moreover, any document(s) should be provided as may be requested by the Auditor.
2) Issue no. 2; Duplicated meters: Even though the matter is settled as resolved, the committee still recommends that the Managing Director of KIWASCO should provide to this House, within 30 days upon adoption of this report, a comprehensive strategy of simplifying the issue of transition of customers from one meter to another and the matter of issuance of unique account identifiers for purposes of simplification of the billing process.
3) Issue no. 3; Weak Internal Controls on Exhauster Revenue: The issue is resolved but the Committee recommends for strict adherence to the controls outlined by the management themselves. The internal controls include; All vehicles of the company are fitted with the trackers, (ii) Exhauster trackers are monitored closely by the Corporate and Communication office to be specific the Customer Care Assistants and Customer Care Manager, (iii) Vehicles fitted with tracking device and Vehicles only leave for work after payment and sometimes monthly for corporate clients such as the Kenya Airports, hospitals amongst others

CONCLUSION

Hon. Speaker, l hereby urge Hon. Members to adopt this report whose resolutions, if implemented, will see KIWASCO improve further in its financial operations. May I call upon Hon. Beatrice Pamela to second?

The Temporary Speaker (Hon. Okumu): Hon. Beatrice Pamela.

Hon. Beatrice Pamela: Thank you Mr. Speaker. I stand to second the report as presented by the Vice Chairperson, Hon. Benny Pete Oiko. Thank you.

The Temporary Speaker (Hon. Okumu): Honourable Members. The report from the Select Committee of Public Accounts and Investments on its consideration of the Auditor General's Report on the Financial Statement of Kisumu Water and Sanitation Company for the year ended 3oth June, 2019 has been moved as a motion by Hon. Benny Oiko and seconded by Hon. Beatrice Pamela. I want to propose to put a question that we open this report for debate. Hon. Judith Ogaga.

(Silence)

Hon. Ogaga: Thank you Mr. Speaker. Going by the moon of the House, may I call the mover to reply?

The Temporary Speaker (Hon. Okumu): Hon. Oiko.

Leader of Minority (Hon. Oiko): Thank you Mr. Speaker. The report is self-explanatory. The Auditor General has given the KIWASCO clean bill of health. The issues raised can be improved by the management. The KIWASCO prepared their Annual Financial Report, gave it to the Auditor and as a government entity, they are doing a commendable job for the people of Kisumu. The people of Kisumu should support the company to improve its service delivery. I beg to reply.

The Temporary Speaker (Hon. Okumu): Thank you Honourable Member. The report from the Select Committee of Public Accounts and Investments on its consideration of the Auditor General's Report on the Financial Statement of Kisumu Water and Sanitation Company for the year ended 30th June, 2019 has been moved as a motion by the Leader of Minority Hon. Benny Oiko who is equally the Vice-chairperson of this House Committee, seconded by Hon. Beatrice Pamela and replied to. I therefore, want to put a question for adoption.

(Question put and agreed to)

The Temporary Speaker (Hon. Okumu): The report from the Select Committee of Public Investment and Accounts on its consideration of the Auditor General's Report on the Financial Statement of Kisumu Water and Sanitation Company (KIWASCO) for the year ended 30th June, 2019 is hereby adopted today Thursday, 07th April, 2022. Honorable Members, I direct that the recommendations of the report to reach Kisumu Water and Sanitation Company (KIWASCO) through the Department of Water, Environment and Natural Resources and Climate Change for implementation. Thank you.

The Temporary Speaker (Hon. Okumu): Next Order!

MOTION

MOTION OF ADJOURNMENT OF THE ASSEMBLY FOR SHORT RECESS PURSUANT TO THE HOUSE CALENDAR NOTICES ISSUED ON 16TH FEBRUARY, 2022

BY

HON. KENNETH ONYANGO, MCA, MIWANI WARD

(LEADER OF MAJORITY).

The Temporary Speaker (Hon. Okumu): Yes, Hon. Kenneth Onyango.

The Leader of Minority (Hon. Pete) rises on his feet.

The Temporary Speaker (Hon. Okumu): Yes Hon. Leader of Minority.

Leader of Minority (Hon. Oiko): Thank you Mr. Speaker Sir. The Leader of Majority assigned me to move the Motion of Adjournment of the Assembly for Short Recess so that members can go for their short recess at this critical time to allow them campaign for their party nominations.

The Temporary Speaker (Hon. Okumu): Proceed Hon. Member.

Leader of Minority (Hon. Oiko): Mr. Speaker Sir and Honourable. Pursuant to the provisions of Kisumu County Assembly Standing Orders No. 25 (3) subject to paragraph one, the County Assembly shall continue to be in session and may adjourn for such number of days as it may determine its calendar.

ACKNOWLEDGING, the House Calendar issued on 16th February, 2022, in which the Assembly Gazetted its Annual Calendar which was a resolution of the House that the Short Recess was to commence on Friday 08th April, 2022 and end on Monday 25th April, 2022.

FURTHER ACKNOWLEDGING that the provisions of County Assembly of Kisumu Standing Orders No. 26 (b) on a day when the County Assembly is scheduled to adjourn to a day other than the next normal sitting day in accordance with the County Assembly Calendar, the Leader of the Majority party or the Leader of the Minority party or another member of the County Assembly House Business Committee shall move a Motion of Adjournment which shall be debated for not more than three hours after which the County Assembly shall adjourn without question put.

NOW THEREFORE, I wish to move that this House adjourns until Tuesday 26th April, 2022, pursuant to the provisions of County Assembly of Kisumu Standing Orders No. 25 (3). I request Hon. Rashid to second the motion. Thank you Mr. Speaker.

The Temporary Speaker (Hon. Okumu): Yes Hon. Rashid Miruka.

Hon. Rashid: Thank you Mr. Speaker, I stand to second. As always; whatever is dictated in the County Assembly Calendar, must always be observed. Therefore, I want to say that having stayed here and getting ourselves committed during this time, we have to go back to our constituent to consolidate our bases. It would be prudent for Members to take leave, go home talk to their constituents if they can give them another chance to come and represent them here, so I second thank you.

The Temporary Speaker (Hon. Okumu): Thank you, Hon. Members a Motion of Adjournment pursuant to the provisions of County Assembly of Kisumu Standing Order No. 26 (3) has been moved by the Leader of Minority and seconded by the Hon. Miruka. I want to propose a motion that we open the matter for debate.

The Temporary Speaker (Hon. Okumu): Yes Hon. Okiri.

Hon. Okiri: Thank you Mr. Speaker, I stand to support the motion. Mr. Speaker, this is not based on the Annual Calendar because the Assembly calendar can be changed any time or with by the Members themselves, they can either decide even today to amend the motion and continue with business, so that one can be rectified. Mr. Speaker, I also want to support in a way that we go home that is to him. The main reason of doing this is to enable us be close to our electorates. Mr. Speaker, when we are talking about going home it is not very well with this August House. Personally, I stay in my home so if you say that I go home I don't know where I am going to go to because that is where I go except for some of us who reside in town which is away from home and needs to go home.

Mr. Speaker that will also give us the leeway because we know very well that our candidates did very well in last year's examinations. So, we need to talk to them and motivate them and look for resources that will help them join various High Schools. It is equally a very good period because most of our farmers are out there preparing their land and this is the right time that the Members of this Assembly can use this opportunity to advice these farmers on best practice to ensure that the County is food secure.

Mr. Speaker, the General Election is also around the corner and we as Legislator need to advice and show direction rather than sweet talking the Electorates. Thank you.

The Temporary Speaker (Hon. Okumu): Honourable Members, we are still discussing Motion on Adjournment of the House on a Short Recess pursuant to the Calendar Notice issued on 16th February 2022.

The Temporary Speaker (Hon. Okumu): Yes Hon. Pamela Odhiambo.

Hon. Pamela Odhiambo: Thank you Mr. Speaker. Going by the mood of the House, may I call upon the mover to reply?

The Temporary Speaker (Hon. Okumu): Yes Leader of Minority.

The Leader of Minority (Hon. Oiko): Thank you Mr. Speaker. The Adjournment of the House is a normal procedure, a short recess given to Members to go and relax in their wards, meet their electorate and particularly this time and to enable Members interact with their constituents for nominations issues. Considering the mood of the House I beg to reply that the House adjourns so that Members can go back to their electoral Wards and meet their constituents for the nominations exercise. Thank you.

ADJOURNMENT

The Temporary Speaker (Hon. Okumu): Hon. Members, pursuant to the provisions of Standing Orders No. 26 (3), the House stands adjourned to Tuesday, 26th April 2022 at 2.30 p.m.

(House rose at 3.35 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

Jesca Otieno – Hansard Reporter

Vallery Achieng' – Hansard Reporter