COUNTY GOVERNMENT OF KISUMU

COUNTY ASSEMBLY OF KISUMU

THE HANSARD

Official Report

THIRD ASSEMBLY – FOURTH SESSION

Thursday, 15th May, 2025

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): Honourable Members, in line with the provisions of Standing Orders No. 32 (2), I want to direct that the quorum bell be rung for the first five minutes.

(Quorum bell rung for the first minutes)

The Speaker (Hon. Oraro): Sergeant-at-Arms, please ring the bell for further five minutes.

The Speaker (Hon. Oraro): Honourable Nyaoke, go and whip the Members. No Member should leave the Chamber except Honourable Nyaoke.

(Quorum bell rung for further first minutes)

The Speaker (Hon. Oraro): Honourable Nyaoke, kindly confirm if we have quorum.

Hon. Nyaoke (MCA, North Nyakach): Thank you Mr. Speaker. We have quorum.

The Speaker (Hon. Oraro): Mr. Clerk, please take us through the order of the day.

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

COMMUNICATION FROM THE CHAIR

CONSULATIVE MEETING WITH HONOURBALE MEMBERS

The Speaker (Hon. Oraro): Honourable Members, Honourable members, I want to request that immediately after this session we remain behind for a small consultative meeting that will not take more than ten minutes. Please, after this session, remain behind.

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

PAPERS LAID

REPORT OF THE SELECT COMMITTEE ON IMPLEMENTATION ON THE IMPLEMENTATION STATUS OF HOUSE RESOLUTIONS ON THE REPORT OF THE PUBLIC INVESTMENTS AND ACCOUNTS COMMITTEE ON LUMUMBA LEVEL 4 HOSPITAL

BY

HON. JAMES OMOLLO, MCA, WEST NYAKACH

(CHAIRPERSON, IMPLEMENTATION COMMITTEE)

(Laid by Hon. Nyaoke on behalf Hon. Omollo)

POWERS AND PRIVILEGES COMMITTEE REPORT ON THEIR BENCHMARKING EXERCISE WITH NAIROBI CITY COUNTY ASSEMBLY

BY

HON. BENSON ADEGA, MCA, KAJULU

VICE CHAIRPERSON, POWERS AND PRIVILEGES COMMITTEE

(Laid by Hon. Matara on behalf of Hon. Adega)

SELECTION COMMITTEE REPORT ON THEIRBENCHMARKING EXERCISE WITH UASIN GISHU COUNTY ASSEMBLY

BY

HON. KENNEDY OOKO, MCA, AHERO

(LEADER OF MAJORITY)

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

Hon. Nyaoke (MCA, North Nyakach): Thank you Mr. Speaker. Pursuant to provisions of Order No. 182 (6) of the Kisumu County Assembly Standing Orders. I wish to table today on behalf of our Chairperson, today Thursday 15th May 2025 reports of the Implementation Committee on the Implementation Status of House Resolutions on the report of the Public Investments and Accounts Committee on its consideration of the Auditor General's report on the Financial Statement of Lumumba Level 4 Hospital for the year ended 30th June 2022.

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

The Speaker (Hon. Oraro): Honourable members, the report on the Select Committee on Implementation on the Implementation Status of House Resolutions on the report of the Public Investments and Accounts Committee on its consideration of the Auditor General's report on the Financial Statement of the Lumumba Level 4 Hospital for the year ended 30th June 2022 is properly laid before the House. I direct that the House Business Committee considers scheduling this report for debate.

The Speaker (Hon. Oraro): Yes, Honourable Nancy Matara.

Hon. Matara (Nominated Member): Thank you Mr. Speaker. Pursuant to provisions of Order No. 182 (6) of the Kisumu county assembly Standing Orders. I wish to table today, Thursday, May 15, 2025, report of the Powers and Privileges Committee on its Benchmarking Exercise with Nairobi City County Assembly. Thank you.

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

The Speaker (Hon. Oraro): Honourable Members, the report of Select Committee on Powers and Privileges on its Benchmarking Exercise with Nairobi City County Assembly is properly laid before the House. I direct that the House Business Committee considers scheduling this report for debate.

The Speaker (Hon. Oraro): Yes, Honourable Leader of Majority.

Leader of Majority (Hon. Ooko, MCA Ahero): Thank you Mr. Speaker. Pursuant to provisions of Order No. 182 (6) of the Kisumu County Assembly Standing Orders. I wish to table today, Thursday, May 15, 2025, report of the Selection Committee on the Benchmarking Exercise with Uasin Gishu County Assembly. Thank you.

The Speaker (Hon. Oraro): Honourable Members, the report of the Selection Committee on its Benchmarking Exercise with Uasin Gishu County Assembly is properly laid before the House.

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

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

NOTICE OF MOTION

REPORT OF THE SELECT COMMITTEE ON THE IMPLEMENTATION ON THE IMPLEMENTATION STATUS OF HOUSE RESOLUTIONS ON THE REPORT OF THE PIC/PAC COMMITTEE- LUMUMBA LEVEL 4 HOSPITAL

BY

HON. JAMES OMOLLO, MCA, WEST NYAKACH

(CHAIRPERSON, IMPLEMENTATION COMMITTEE)

(Notice of Motion by Hon. Nyaoke on behalf Hon. Omollo)

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

Hon. Nyaoke (MCA, North Nyakach): Thank you Mr. Speaker. Pursuant to provisions of Order No. 45 (1) of the Standing Orders. That, this House adopts a Report of the Implementation Committee on the Implementation Status of House Resolutions on the Report of the Public Investments and Accounts Committee on its consideration of the Auditor General's Report on the Financial Statement of Lumumba Level 4 Hospital for the Year ended 30th June, 2022.

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

MOTION

SECOND READING OF THE KISUMU COUNTY CESS BILL, 2024

(KISUMU COUNTY BILL NO. 4 OF 2024)

BY

HON. CAREN AJWANG', MCA, KALOLENI/SHAURIMOYO

(CHAIRPERSON, FINANCE AND ICT COMMITTEE)

The Speaker (Hon. Oraro): Honourable members, I have information, a request from the Honourable Careen Odhiambo that her Deputy Honourable Lumumba Owade will be proceeding with the same on her behalf.

The Speaker (Hon. Oraro): Yes Honourable Lumumba.

Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): Thank you, Mr. Speaker. As the Deputy or the Vice-Chair of this Joint Departmental Committees, I'm standing in, as you said, for Honourable Careen Odhiambo, who is the Chairperson. Mr. Speaker, allow

me, therefore, to call the Clerk to read the Kisumu County Cess Bill, 2024 for second time. Thank you.

(Second Reading of the Kisumu County Cess Bill, 2024 by the Clerk)

The Speaker (Hon. Oraro): Yes, Honourable Owade.

Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): Thank you Mr. Speaker. May I request that the House converts to the Committee of the Whole House.

(The House reverts to the Committee of the Whole House)

The Speaker (Hon. Oraro): Honourable members, it has been moved that the House converts to the Committee of the Whole House. As per our Standing Order, that requires no question. So, Chairperson, approach your chair. And I hope you'll be able to work on the amendments as appropriate.

Chairperson, Committee of the Whole House (Honourable Oginga, Nominated Member): Honourable Members, can I please call this meeting to order? Honourable Members, the House is convening to deliberate on the Second Reading of the Kisumu County Cess Bill 2024. And so I'll start off by quoting Standing Order Number 126, where we'll decide on which way to go as we discuss this Bill. It states that; *in considering a bill in committee, the various parts thereof shall be considered in the following sequence*.

(a) The clauses as printed, including the clauses providing for the citation of the bill and the commencement, if any, and the interpretation
(b) New clauses.
(c) Schedules.
(d) New schedules.
(e) Interpretation.
(f) Preamble, if any.

Then we have the long title and the clauses providing for all the Honourable Members and the clauses providing for the citation of the Bill and the commencement. So, Honourable Members, I'd like to propose if we go the guillotine way or we go the Clause by Clause. I'll therefore request Honourable Lumumba Owade to give a suggestion.

Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): Thank you, Madam Chairperson. I rise to propose that we go the guillotine way and hereby ask Honorable Regina Kizito, to second.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Yes, Honourable Regina Kizito.

Hon. Kizito (Nominated Member): Thank you Honourable Chairperson. I second.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Members, we already have a proposal on the way to go. I will put a question for the adoption of the same.

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable member, we will go the guillotine way. And so we'll start off from the Short Title that is on page two of the Bill. I hope you all have your copies. That is page two where we have the Short Title. I'll read the Short Title. That is the Kisumu County Cess Bill 2024. I'd like to call Honorable Lumumba Owade to let us know if there's any amendment to this part and call a member to second.

Deputy Leader of majority (Hon. Owade, MCA, South East Nyakach): There is no amendment in paragraph one.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Members, I'd like to put a question on Short Title?

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, the Short Title remains as the Kisumu County Cess Bill 2024. And the Long Title, we shall read;

A Bill for an act of the County Assembly of Kisumu to give effect to section 161 of the Public Finance Management Act 2012 to provide for the imposition of sales on agricultural produce within the county and for connected purposes. I would like Honourable Owade to state if there is any amendment?

Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): Madam Chair, there is no amendment top that part.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, I want to put a question on the adoption of the Long Title?

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): That is adopted. We have adopted the Short Title and the Interpretation. I think there was an amendment in the Interpretation.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Lumumba, you had an amendment in Clause 2.

Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): Thank you madam Chairperson. We have Clause 2 to be amended by inserting a new definition as follows.

a) *Agriculture produce: Means and produce of agriculture specified in the schedule for this act or as may be prescribed by the CEC member in regulations.*
b) *Cess fund: Means the Kisumu County sales fund established under Section 13 of this act for the collection, management and disbursement of sales revenues.*
c) *Cess Management Committee: Means the committee established under Section 11 of this act responsible for the oversight and prioritization of sales funded projects.*
d) *Designated point: Means a location officially published by the County Executive Committee member as a sales collection or monitoring site under this act.*
e) *Inspector: Means a person appointed or designated by the County Executive Committee member or County Revenue Board and duly authorized in writing to monitor compliance with this act at designated sales collection points, processing plant or transit barriers and includes an authorized officer assigned such duties.*
f) *Offloading fees: Means charges levied by the county government for the delivery of goods to designated market points within the county, whether or not sales applies. Processing plant. Means any facility, factory or premises where agricultural produce is handled, processed or prepared for market.*
g) *Transit goods: means agricultural goods passing through Kisumu County to a different designation outside the county without being offloaded or marketed within the county*.

Thank you Madam Chairperson

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Lumumba, can you please call upon someone to second?

Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): I therefore call Honourable Kelvin Oraro to second.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Yes, Honourable Kelvin Oraro.

Hon. Oraro (MCA, Kolwa Central): Madam Chairperson, I rise to second the proposal to be added to the Bill as read by Honourable Lumumba Owade. Thank you.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Members, and now that the amendment for Clause 2 has been proposed and seconded, I'd like to propose a question?

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable member, Clause 2 now becomes part of the Bill as amended. Thank you.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable embers, we move to Clause 3. Honourable Lumumba, is there any amendment in Clause 3?

Deputy Leader of Majority (Hon, Owade, South East Nyakach): Madam Chairperson, there is no amendment in Clause 3.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Members, I will put a question?

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Lumumba, can you please confirm if you have amendments in Clause 4?

Deputy Leader of Majority (Hon, Owade, MCA, South East Nyakach): Madam Chairperson, there is no amendment in Clause 4.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Members, there is no amendment in Clause 4. I will therefore put a question?

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Lumumba, can you please confirm if you have any amendments in Clause 5?

Deputy Leader of Majority (Hon, Owade, MCA, South East Nyakach): Madam Chairperson, I have an amendment in Clause 5. I beg to move: THAT, Clause 5 of the Bill be amended by adding new sections immediately after sub-Clause 8 as follows.

a) Appointment and qualification of inspectors.

1. The County Public Service Board may, in consultation with the County Executive Committee Member responsible for Finance, appoint inspectors to enforce the provision of this Act.

2. *A person shall be eligible for appointment as an inspector if the person 1. Holds at least a diploma in agriculture, law or finance; has undergone training in revenue enforcement or regulatory compliance.*
3. *Is of good character and integrity with no prior conviction of attacks related or integrity offence.*
4. *The appointment of an inspector shall be gazetted, and their identification and credentials shall be made publicly accessible.*

b) *Powers and duties of inspectors. An inspector appointed under this Act shall have the powers to:*

1. *Inspect agricultural produce at designated points for compliance with Cess payment*
2. *Require the production of relevant receipts, books and documentation.*
3. *Issue compliance notices and demand payment or explanations for outstanding Cess.*
4. *Enter any processing plant or Cess collection point during working hours for inspection. An inspector shall a. Maintain an official log of inspections and findings.*
5. *Submit monthly reports to the Cess Management Committee.*
6. *Wear official identification during duty and act within legal bounds prescribed by this Act.*

The Code of Conduct for Inspectors.

1. The County Executive Committee member shall develop a Code of Conduct for Inspectors, which shall: -

a. Define professional behavior and anti-corruption standards.

b. Prohibit arbitrary detention, harassment or extortion of producers and traders.
c. Set out disciplinary procedures and penalties for breach of conduct.

2. The County Executive Committee Member shall establish a complainant mechanism to receive grievances from producers, processors and the public on misconduct by inspectors, and shall initiate disciplinary proceedings against the inspector within 14 days of receipt of any substantiated complaint.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Lumumba, you need a seconder for your proposals.

Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): Thank you Madam Chairperson. I rise again to call Honourable Mildred Ajumbo to second.

Hon Ajumbo (Central Seme): Madam Chairperson. I rise to second the proposals.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Now that the proposals on the Amendment on Clause 5 have been proposed and seconded. Honourable Members, I propose these amendments for debate.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Yes, Honourable Kelvin Oraro

Hon Oraro (MCA, Kolwa Central): Thank you Madam Chairperson. As I was following up, I do not know if the author who wrote this, that that Clause 5 be amended by adding, generally it was just about additional clauses, so that immediately after Clause 5, we are moving to our new Clause 6, then Clause 7 and then Clause 8, of which we cannot say that we are amending Number 5, but we are saying immediately after Number 5, sub-clause 8, the new clause will start and we will have 6, that 6 as the new clause, which is talking about Inspectors. I wanted that to be clarified, so that we understand and we move together.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Oraro, I did not really get you clearly because I thought you were talking about an additional clause, but if you look at the amendment as read by Honourable Lumumba, it is that Clause 5 be amended by adding new sections immediately after sub-clause 8 as follows… Is that the same thing you are talking about?

Hon Oraro (MCA, Kolwa Central): Madam Chairperson that is what I am trying to say. That, the entire meaning of that amendment means that after Clause 5 that we have in the Bill, a new clause now is going to be added, of which the new clause now becomes the Clause Number 6, Clause Number 7, and Clause Number 8. That is what I wanted to come out clearly.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Okay. Honourable Oraro, can you please approach the chair?

(Hon. Oraro consults with the Chairperson)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, we are still on with the debate on the amendment on Clause 5. I will assume that silence means contentment. I will therefore move to propose a question.

(Question of amendment proposed and agreed to)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Lumumba, can you please guide us if we have any amendments?

Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): Madam Chairperson, I beg to move:

THAT, Clause 6 of 5, Section 5, be amended by deleting the entire provisional and replacing therefore with the following.

---any agricultural produce designed for final sale within Kisumu County but not produced within the county shall not be subjected to sales but may be subjected to a separate offloading fee as prescribed by the Finance Act provided that such fee shall not duplicate or substitute sales payable elsewhere under Article 209, Paragraph 5 of the Constitution.

Allow me, therefore, Madam Chairperson, to call upon Honourable Nyaoke to second.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Lumumba you have not finished? You are still on Clause 6. We need to finish.

Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): Thank you very much. I beg to move: THAT Clause 6 be amended by:

A. *—deleting the entire provisional and replacing therefore with the following —The County Executive Committee Member shall, in consultation with stakeholders and the Sales Management Committee, determine and set designated points for the collection of sales within the county.*

The notice shall include the location, operational hours, and responsible officer at each point.

B. *introducing new sub-clause immediately after Clause 6 as follows:*

—The county government shall ensure that all designated points are equipped with appropriate signage, digital receipts, record systems, and are subject to quarterly audit by the County Internal Audit Unit.
And,
—Any person aggrieved by the decision or action taken by an authorized officer at a designated point may lodge a complaint with the Sales Management Committee or appeal to the County Revenue Board, whose decision shall be communicated within 7 days.

Madam Chairperson, allow me therefore to call Honourable Nyaoke to second.

Hon Nyaoke (North Nyakach): Thank you, Madam Chairperson. I stand to second the amendments as read by Honourable Lumumba.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Members, now that the amendment on Clause 6 has been proposed and seconded, I would like to propose a question that these amendments are open for debate.

(Silence)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, I will assume that silence means contentment, so I'll put a question.

(Question of amendment proposed and agreed to)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Any amendment on Clause 7, Honourable Lumumba?

Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): Madam Chairperson, I beg to move: THAT Clause 7 be amended by deleting sub-clause 1, and replacing therefore with the following.

—The proceeds of shares shall, subject to appropriation by the County Assembly, be applied to programs and projects identified in the County Integrated Development Plan, Annual Development Plan, and County Program-Based Budget relating to the development of road infrastructure in crop-growing areas.

—In 7.2, by introducing the words, at least 70% of sales proceeds shall be allocated to rural access, road maintenance, and infrastructure within the sugar-growing areas, and not more than 20% shall be applied to agricultural extension and research services. Immediately after the words, without prejudice to the generality of the provision of subsection 1, deleting sub-clause A, B, C, D, E, F, G, H, I, J, K, M, and N. C.

—Introducing a new sub-clause 3 and 4 as follows. The CEC Member shall publish and disseminate a report of proposed self-funded projects and convene annual stakeholder forums for validation before budget appropriation.

—The County Executive Committee Member shall establish a monitoring and evaluation frameworks for all projects funded under this Act and submit quarterly impact reports to the

County Assembly and the Sales Management Committee. Madam Temporary Chairperson, I, therefore, I call upon Honourable Regina Kizito to second.

Hon Kizito (Nominated): Thank you, Madam Chairperson. I rise to second the amendments read by Honourable Lumumba. Thank you.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, now that the amendments on Clause 7 have been proposed and seconded, I would like to propose a question that these amendments are now open for debate?

(Silence)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, I will assume that silence means contentment.

(Question of the amendment proposed and agreed to)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Lumumba, do you have any proposed amendments to Clause 8?

Deputy Leader of Majority (Hon. Owade, South East Nyakach): Thank you Madam Chairperson, I beg to move: -

THAT Clause 8 be amended by deleting the entire clause and substituting, therefore, the following

—Establishment of the Sales Management Committee. There shall be established a committee to be known as the Kisumu County Sales Management Committee to the committee shall become host of the following Members.

a) the county executive member responsible for agriculture who shall be the chairperson.
b) the chief executive responsible for finance.
c) the chief officer responsible for agriculture.
d) two representatives from an association of sugar millers within the county.
e) two representatives from an association of sugar cane farmers within the county.
f) the chief officer responsible for agriculture who shall be the secretary to the committee and an ex-official member.
g) one representative from the Kenya Sugar Board appointed by the board who shall be a non-voting technical advisor on sugar-related matters.

—Number three, the members referred to under subsection 2D and E shall be appointed by the County Executive Member and shall serve for a term of three years, renewable ones.

—Four, the appointment of members under subsection 2D and E shall be by notice in the Gazette.

That's all, Madam Chairperson; once again, I call upon Hon Kizito to second.

Hon. Kizito (Nominated Member): Thank you, Madam Chairperson. I rise to second the amendments as read by Honourable Lumumba. Thank you.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, and now that the proposals on the amendment on Clause 8 have been proposed and seconded, I propose a question that these amendments are open for debate.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Yes, Honourable Oiko.

Hon Oiko (MCA, Kabonyo/Kanyagwal): Thank you Madam Chairperson. In the composition of the Committee, I believe that, it is an oversight on the secretariat part because there is a matter we raised and I am not seeing it captured here. I will refer the House to what is happening in Kenya now between the Office of the Chief Justice and the Deputy Chief Justice. In the absence of the Chief Justice, the Deputy Chief Justice is not allowed to constitute a bench or enpanel a bench, because the law allows, says it is the Chief Justice that will do it and the law is not giving room for the Deputy to do it in her absence.

Therefore, I am asking the current Executive Committee Member responsible for Agriculture who shall be the Chairperson. That, means in the absence of the Executive Committee Member for Agriculture, no one else will chair that meeting. The Chief Officer responsible for Finance will be the one to sit in that meeting.

In his order absent, no junior officer will take charge. The same applies to the Chief Officer responsible for Infrastructure. The same applies to the Chief OFFICER responsible for agriculture.

Honourable Chairperson, I am pleading with this House to add the word or the representative for these government officers because we know they are very busy people and in their absence they must delegate the work to some of their staff. That is what I am asking Madam Chairperson and I am pleading with the Speaker given the leeway that any member of the Assembly can support, can second a motion in this House.

Madam Chairperson, I am asking Honourable Were to second my proposal so that it will read;
The current Executive Committee Member responsible for Agriculture who shall be the chairperson or his chief officer or any other senior officer in the department.

The Chief Officer responsible for finance or any other senior officer in that department and that should apply to the Chief Officer responsible for Infrastructure and the Chief Officer responsible for Agriculture. I am asking Honourable Were to second.

Hon Were (MCA, Nyalenda "B"): Thank you Chairperson. I rise to second the amendment as proposed and read by Honourable Pete. Thank you.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, we have an amendment to an amendments which is proposed and seconded, I would like to propose a question that these amendments are open for debate.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Yes, Honourable Kelvin Oraro.

Hon Oraro (MCA, Kolwa Central): Thank you Madam Chairperson, I beg to differ with my senior colleague and a member representing Kabonyo/Kanyagwal. When we talk about the establishment of the Cess Management Committee, the committee shall be composed of the following members and they are direct, very direct and to the point that the Chairperson shall be the County Executive Committee member responsible for Agriculture and they have left it there that way without maybe issue of secretary and other things. I believe that, I do not know whoever was the author of that but, the reality remains to avoid the issue of that being ambiguity, it should remain that way.

Madam Chairperson, the reason I want it to remain that way —remember that this Cess Management Committee —should not be just a committee that can sit anytime. Someone can just say that because the chairperson is not there; let us just sit for the sake of sitting. It is like trying to talk about County Assembly Service Board. Deputy Speaker or any other person cannot just do that. Under that arrangement and for the sake of Law, I believe that, when we leave it that way, it is not going to be harmful maybe to that committee, but there is a way they will manage their duty without much ado.

However, giving options is digging too much, which should not be part of the things that we are supposed to do, unless they come up with regulation in other things like they have not even talked about the secretary. So, my proposal is that the proposal by my colleague, Honourable Oiko Pete, in my opinion, we should not go that direction, Madam Chairperson.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Yes, Honourable Tom Nyaoke.

Hon. Nyaoke (MCA, North Nyakach): Thank you Madam Chairperson. Madam Chairperson, the proposal that has been given by Honourable Oiko Pete is trying to cure certain possible diseases that we have seen. At some point where we require the Chief Officer to be in a particular meeting and for one reason or the other, he has not sent a representative or he has sent a representative. I believe that, it is the thinking of Honourable Oiko Pete to put it in Law. If he will be able to present himself, it is okay, but even the Chief Officer, it is just better that we provide, for example, Part B, the Chief Officer or his representative responsible for Finance. So that we give them leeway. Sometimes, at some point, maybe the Chief Officer is actually busy. But if we do not express it in Law, there is no harm if we put it in Law so that we will need not to revise it when we start experiencing difficulties going forward. So, Madam Temporary Chairperson, I support the sentiments of Honourable Oiko Pete. Thank you.

(Hon. Oraro rises on a Point of Order)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): What is your point of order?

Hon. Oraro (MCA, Kolwa Central): Madam Chairperson, I want to inform the House.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Granted.

Hon. Oraro (MCA, Kolwa Central): Madam Chairperson, if you read sub-clause *(f)*, sub-clause *2 (f)*, we are being informed that the Chief Officer responsible for Agriculture, who shall be the secretary to the committee and ex-officio member. Here, Honourable Oiko Pete is even proposing that if it is not the Chief Executive Committee to be Chairperson, then the Chief Officer to be the person who can replace the Chairperson. However, the provision for the Chief Officer of Agriculture is clearly stated, and that is why I was not comfortable with the amendment in such a manner. So, I do not know if we can read that and re-amend his proposal, Madam Chairperson.

Hon. Oiko (MCA, Kabonyo /Kanyagwal): Madam Chairperson…
Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Benny, you will reply, so let me give the opportunity to the other Members to contribute.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Yes, Honourable Lumumba Owade.

Hon. Lumumba (MCA, South East Nyakach): Thank you Madam Chairperson. I tend to differ a bit with my senior Honourable Oiko. It is a normal practise. Most of our practises here are borrowed from the national government, and it is a normal practise in every board. You normally find there is a Chairperson, and if the chairperson is not there, for whatever reason, members of the board can always create an Ad-hoc Chairperson for that particular session, as opposed to having a designated Chairperson or Vice-chairperson from the members of the committee.

So, I would rather request that we maintain that practise and just leave it as it is, that the Chairperson will be the County Executive Committee Member for Agriculture, without creating more. If we create more, the next person again, the next thing again we will hear that we also put a Deputy Secretary, and so on and so forth. We will have created more trouble than cure the already established act. Thank you.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, I hope you have exhausted on the debate. So, can I please ask the mover to reply.

Hon. Oiko (MCA, Kabonyo - Kanyagwal): Madam Speaker, when the Law is not specific, the Members will start fumbling. Look at our Standing Orders. When there is quorum, but the Chairperson is not there, the Vice-chairperson is not there, the members are asked, and it is there in writing, to appoint one of them to be the Chairperson. The room is given, and when you look at the composition of this committee, that one is not provided. So, they will start struggling, what next? That is why I was suggesting that; let the composition of the committee be specific. In the absence of this, what next? An alternative is given by the Act.

And if the alternative is not given by the Act, the Members will struggle on their own on what is the next move in this scenario. That is what I wanted to be cured. Thank you.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Members, Order!! Honourable members, now that the amendment on the amendment on clause 8 has been proposed, seconded and debated and I would like to put a question?

(Question of amendment on Clause 8 proposed and negatived)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): So, we move on to Clause 9. Oh, sorry, we are still on Clause 8. We are still on the debate on Clause 8. The Floor is still open.

(*Silence*)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, with no reaction, then I will put a question. Since the amendment on Clause 8 has been proposed and seconded and debated. I would like to put a question.

(Question of amendment on Clause 8 proposed and negatived)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): So, we move on to Clause 9. Honourable Lumumba Owade.

Hon. Lumumba (MCA, South East Nyakach): Madam Chairperson, Clause 9 be amended by deleting the entire Clause and substituting therefore the following:

9. Functions and operations of the committee.

1. The committee shall
(a). Advise the county executive committee on matters relating to the imposition, collection, management, and utilisation of Cess.

(b). Receive, evaluate, and prioritise proposals for funding under the Cess fund.
(c). Consider development projects to be financed from the Cess proceeds in accordance with the Act, and any applicable regulations. And shall forward such consideration to the County Executive committee and the County Assembly for approval.
(d). Oversee the implementation of approved projects and monitor financial utilisation of Cess. funds.
(e). Commission and review annual performance assessment on Cess funded activities.
(f). Facilitate and conduct annual stakeholder forums for public participation.
(g). Submit an annual report to the County Assembly on Cess collection, disbursement, and impact at least 42 days upon the end of the fiscal year.

2. The committee shall meet at least once every three months and may convene special meetings as may be necessary.

3. The quorum for a meeting of the committee shall be five members, at least one of whom shall be from among the representatives specified under Sub-section 2c, d, and e of Section 8. 4. The

decision of the committee shall be by consensus or, where necessary, by a majority of the members present and voting, and the chairperson shall have a casting vote in the event of a tie.
5. The committee shall establish and maintain a grievance redress mechanism to address complaints or petitions from stakeholders concerning decisions or omissions relating to the utilisation of the Cess.

That is all, Madam Chairperson. I again call upon Madam Regina Kizito second.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Yes, Honourable Regina Kizito.

Hon. Kizito (Nominated MCA): Thank you Madam Chairperson. I rise to second the amendments as read by Honourable Lumumba Owade. Thank you.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Members, and now that the amendments on Clause 9 have been proposed and seconded, I would like to propose a question that these amendments are now open for debate.

(*Silence*)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Members, silence means we go on. Honourable Members, and now that the amendments on Clause 9 have been proposed and seconded and debated, I would like to put a question of adoption.

(*Question of amendment on Clause 9 put and agreed to*)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, Clause 9 now becomes part of the Bill.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Owade, we move on to Clause 10, is there any proposed amendment?

Hon. Lumumba (MCA, South East Nyakach): Thank toy madam Chairperson. In Clause 10. That, it be amended by adding a new sub-clause immediately after Clause 1 as follows;

2. The fund shall be used exclusively for the purpose outlined in this Act, and no transfers shall be made to other accounts or programmes without the approval of the County Assembly through a supplementary appropriation.

3.The County Executive Committee member for Finance and Economic Planning shall designate a fund administration from among public officers in the County Treasury who shall be responsible for the day-to-day operations of the fund in accordance with the requirements of the Public Finance Management Act 2012.

4. The fund administration shall prepare and submit to the County Executive Committee member for Finance and Economic Planning an annual finance statement and report on the performance of the fund and table before the County Assembly within three months after the end of the financial year.

That is all, Madam Temporary Chairperson. I therefore call upon Madam Regina Kizito to second. Thank you.

Hon. Kizito (Nominated MCA): Thank you, Madam Chairperson. I rise to second the amendments as read by Honourable Lumumba Owade. Thank you.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Members, and now that the amendments on Clause 10 have been proposed and seconded, I propose a question, and I propose that these amendments are now open for debate.

(Silence)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Members, silence means contentment. Therefore, now that the amendments on Clause 10 have been proposed, seconded, and debated, I now put a question of adoption.

(*Question of amendment on Clause 10 put and agreed to*)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, Clause 10 now becomes part of the Bill.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): We move on to Clause 11. Honourable Lumumba Owade, is there any proposed amendments to this clause?

Hon. Lumumba (MCA, South East Nyakach): Thank you Madam Chairperson. Again, I have an amendment for Clause 11. THAT, Clause 11 (Regulation for the Fund), be amended by deleting the provision and replacing, therefore, with the following provisions:

11. The County Executive Committee, Member for Finance and Economic Planning, shall, within six months of the commencement of this Act, make regulation for the proper management and administration of the Fund, including;

a) the role of appointment of the Fund Administrator,
b) the manner and forms for cess declaration and payment
c) procedure and forms for cess waiver applications and approvals
d) fund accounting procedures and reporting templates,
e) procedures for public access to fund performance data.

Thank you, Madam Temporary Chairperson, and I therefore call again Hon. Regina Kizito to second. Thank you.

Hon. Kizito (Nominated Member): Thank you Madam T Chairperson. I rise to second the amendments as proposed by Honourable Lumumba Owade. Thank you.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, and now that the amendments on Clause 11 have been proposed and seconded, I would like to propose a question, and I propose that these amendments are now open for debate.

(Silence)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Members, and now that the amendments on Clause 11 have been proposed, seconded and debated, I would like to put a question of adoption.

(Question of amendment on Clause 11 put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, Clause 11 becomes part of the Bill.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, let us now move to Clause 12. Honourable Lumumba?

Deputy Leader of Majority (Hon. Lumumba**,** MCA, South East Nyakach): Thank you madam Chairperson. I proposed that, Clause 12 be amended by deleting the entire provision and replacing, therefore, with the following General regulations. 4 of Paragraph 1.

12.(1). The County Executive Committee Member shall, within six months of the commencement of this Act, make regulations for the effective implementation of this Act.

2. Without prejudice to the generality of Subsection 1, the regulations shall provide for

a) Record-keeping and reporting formats by processing plants and inspectors.

b) The format for publication and validation of self-funded projects.

c) Procedure appointment of the representatives of Association of Sugar Millers and Farmers contemplated in Section 8(2) d and

d) Inspection procedures, enforcement protocols, and penalties for noncompliance and

e) Public participation, stakeholders' engagements, and grievance redress mechanisms.

3. The Regulation made under this Section shall be subjected to public consultation and shall be submitted to the County Assembly for approval in accordance with the County Government Act 2012.

Financial Regulations

15. The County Executive Committee Member of Finance and Economic Planning shall, within six months of the commencement of this Act, publish regulations for the proper management and administration of the Fund, including

a) The role and appointment of the Fund Administrator
b) The manner and forms for Cess declaration and payments
c) Procedures and forms for Cess waiver application and approvals
d) Disbursement criteria and ceiling of the Fund
e) Fund accounting procedures and reporting templates
f) Procedures for public access to Fund performance data.

Thank you, Madam Temporary Chairperson. I call upon Hon. Regina Kizito to second.

Hon. Kizito (Nominated Member): Thank you, Madam Temporary Chairperson. I rise to second the amendments as read by Honourable Lumumba Owade. Thank you.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Members, now that the amendment on Clause 12 has been proposed and seconded, I would like to propose a question and I propose that these amendments are now open for debate.

(Silence)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Members, now that the amendments on Clause 12 have been proposed, seconded, I would like to put a question of adoption?

(*Question of amendment on Clause 12 put and agreed to*)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, Clause 12 forms part of the Bill.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, we therefore move on to Clause 13. Honourable Lumumba Owade, any proposed amendments?

Deputy Leader of Majority (Hon. Lumumba**,** MCA, South East Nyakach): Thank you Madam Chairperson. I am sure I have a propose amendment on Clause 13. That, it be amended by deleting the entire provision and replacing, therefore, with the following:

Waiver of Cess;
1. The Account Executive Committee Member may, upon the recommendation of the Sales Management Committee and subject to approval of the Account Executive Committee, waive cess payable under this Act, in whole or in part, for a specific class of persons, products or producers, where -

a) The persons or producers have suffered loss or damage due to natural disaster, pest or disease outbreaks or climate shocks.

b) The agricultural produce in question is subject to sudden market failure or depressed prices that would significantly disadvantage stakeholder farmers.

c) The waiver promotes recovery and resilience in declared emergency or disaster-affected areas.

d) The waiver supports the realisation of public interest objectives such as food security, poverty alleviation, or disease control; or

e) The cess due is uneconomical to collect relative to its administrative costs.

2. A waiver under this section shall

a) be for a period not exceeding one year
b) apply only to the category of cess or produce specified in the Gazette Notice; and
c) not be granted retrospectively unless approved by the County Assembly

3. The CEC member shall, upon granting a waiver,

a) Prepare a justification report, including supporting evidence, estimated revenue, foregone and impact assessment
b) Publish the waiver notice in the Gazette and on the County Government website and
c) table the justification report before the County Assembly within 14 days.

4. The County Assembly may, within 30 days of tabling, resolve to annul the waiver if it finds that sufficient justification has not been provided and the waiver shall stand revoked upon such resolution.

5. The total annual value of cess waived under this section shall not exceed 10% of the total cess collected in the previous financial year unless a supplementary budget authorising a higher threshold is approved by the County Assembly.

6. Any person agreed by exclusion from a waiver granted under this section may apply to the Cess Management Committee for administrative review within 14 days of the application of the waiver list.

Madam Chairperson, I call upon Madam Regina Kizito to second.

Hon. Kizito (Nominated Member): Thank you Madam Chairperson. I rise to second the amendments as read by Honourable Lumumba Owade. Thank you.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Lumumba, I just want to make a correction. Please refer to Honourable Kizito as Honourable, not Madam. I have noticed that several times. Honourable members and now that the amendments on Clause 13 have been proposed, and secondly, I would like to propose a question, and I propose that these amendments are now open for debate.

(*Silence*)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Members, silence means contentment. Therefore, Honourable Members, now that the amendments have been proposed, seconded, I would like to put a question of adoption?

(*Question of amendment on Clause 13 put and agreed to*)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, Clause 13 becomes part of the Bill.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, we move on to Clause 14. Honourable Owade, any proposed amendments?

Deputy Leader of Majority (Hon. Lumumba, MCA, South East Nyakach): Thank you madam Chairperson. There are no proposed amendments on Clause 14.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, therefore Clause 14 remains as it is in the Bill.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, we move on to Clause 15. Honourable Owade, any proposed amendments?

Deputy Leader of Majority (Hon. Lumumba, MCA, South East Nyakach): Thank you madam Chairperson. No amendment on Clause 15. Thank you.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, in Clause 15, there are no proposed amendment. Therefore it remains as it is in the Bill.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, we move to Clause 16. Honourable Owade, any proposed amendments?

Deputy Leader of Majority (Hon. Lumumba, MCA, South East Nyakach): Thank you Madam Chairperson. On Clause 16, there are no proposed amendments.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, in Clause 16, there are no proposed amendments and therefore it remains as it is in the Bill.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, we move to Clause 17. Honourable Owade, any proposed amendments on Clause 17?

Deputy Leader of Majority (Hon. Lumumba, MCA, South East Nyakach): Thank you Madam Chairperson. I have an amendment on Clause 17. That, Clause 17 (Offences), be amended by introducing new paragraphs immediately after Paragraph (e) as follows;

(f). Impersonates an inspector or authorised officer for purposes of extorting cess or other unlawful benefits.

(g). Being an inspector demands or receives any unauthorised fee or bribe in the course of duty; Shall be liable on conviction to a fine not exceeding Ksh. 500,000 or to imprisonment for a term not exceeding two years or both.

I call upon Honourable Regina to second.

Hon. Kizito (Nominated Member): Thank you Madam Chairperson. I rise to second the amendments on Clause 17 as proposed by Honourable Lumumba Owade. Thank you.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, now that the amendments on Clause 17 have been seconded, I propose a question and I propose that it is now open for debate.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Yes, Honourable Samuel Onyango.

Hon. Onyango (MCA, Railways): Thank you Madam Chairperson. Madam Chairperson, my only concern, is why is it only Honourable Regina Kizito who is being called upon all the time to second all the proposed amendments? It is my belief that this Bill belongs to the House, not an individual Bill. Thank you.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Let me guide you. Honourable Regina Kizito is called to second because she is the sponsor of the Bill. That is why we give you the leeway to debate when we propose a question. So, whatever you want to contribute concerning the amendments, then you can always contribute when the Floor is open for debate.

Hon. Onyango (MCA, Railways): Madam Chairperson, is it the case or the rule of the House that it is only the sponsor of the Bill that is the one to second all the time? Guide us, please.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Yes Honourable Oraro.

Hon. Oraro Kelvin (MCA, Kolwa Central): Madam Chairperson, I believe that it is on the discretion of the mover of the motion to choose anyone. For example, If today, it is Regina that is on his mind, then who are we to refuse? The mover can repeat Regina several times, we do not have a problem with that.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Yes, Honourable Ochele Moses.

Hon. Ochele (MCA, East Kano/Wawidhi): On that, Madam Chairperson, it should be noted that Honourable Onyango really envies Honourable Regina as she seconds the amendment. So, I just urge you, my brother, if you envy her that much, make an effort and originate another Bill so that you also second.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Yes, Deputy Leader of Majority.

The Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): Madam Chairperson, how I wish you could notice the Member so that I could call him to second. But unfortunately enough, I have always been able to recognise Honourable Regina. And that will continue. Thank you.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): That is fair enough. Honourable Members, now that the amendments on Clause 17 have been proposed, seconded, debated and replied, I would like to put a question?

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Therefore, the amendments on Clause 17 of the Bill stand adopted today and form part of the Bill.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, I will move on to Clause 18. Honourable Owade, is there any proposed amendments to Clause 18?

The Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): Yes, Madam Chairperson, I have a proposed amendment for Clause 18. That, Clause 18 be amended by introducing a new clause immediately after Clause 18 as follows.

'Right of appeal against the decision of an inspector'. That is number 20 of Paragraph

1. *A person agreed by the conduct or decision of an inspector may appeal to the Sales Management Committee within 14 days of the act or omission.*
2. *The appeal shall be heard and determined within 21 days.*
3. *A person dissatisfied with the decision of the Sales Management Committee may appeal to the County Revenue Board for review.*

Part 5 of Clause 18. That Part 5, Miscellaneous, be amended by introducing a new clause immediately after Clause 21 as follows.

22. Right of appeal against the decision of an inspector:

1. *A person agreed by the conduct or decision of an inspector may appeal to the County Revenue Board within 14 days of the act or omission.*
2. *The appeal shall be heard and determined within 21 days.*
3. *A person dissatisfied with the decision of the County Revenue Board may appeal to the CEC, Member of Finance and Economic Planning for review.*
4. *That the schedule be amended by deleting the agricultural crops provided for in the schedule except sugarcane and sugarcane.*

Madam Chairperson. Again, I call upon Madam Honourable Regina to second.

Hon. Kizito (Nominated Member): Thank you Madam Chairperson. I rise to second the amendments on Clause 18 as proposed by Honourable Lumumba Owade. Thank you.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, and now that the proposal on the amendment on Clause 18 has been proposed and seconded, I propose a question and I propose that it's open for debate.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Yes, Honourable Kelvin Oraro.

Hon. Oraro Kelvin (MCA, Kolwa Central): Madam Chairperson, I want to bring to your attention on the amendment as read by Honourable Lumumba. In the amendment, I am seeing two versions. That, the right to appeal against a decision of an Inspector and the same right of appeal against a Decision of an Inspector. In the new clause says to be, that is 21, clause 20, and 22.

Madam Chairperson, in Clause 20, they talk about a person aggrieved by the conduct or decision of an inspector may appeal to the Cess Management Committee within 14 days of the act or omission.

Madam Chairperson, The same Clause 22, as I read, also states that a person aggrieved by the conduct or decision of an inspector may appeal to the County Revenue Board within 14 days of the act or omission. Madam Chairperson, by having the two and almost having the same meaning, then it tends to contradict which one is given priority according to the way it comes out. It is my hope that, the Chairperson, you can clarify so that we know. Under the right of appeal against a decision of an inspector, where do you want that company or whoever is

supposed to go and donate Cess? Who should they approach according to the two? This is because; the two clauses will automatically bring confusion in any case the matter goes to court or any other body. And if it is to be the Cess Management Committee, where should they lay their claim, Madam Chairperson? I really wanted that to be corrected.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Kelvin Oraro, you are right, but I believe that, you know the procedure. Maybe you would propose an amendment, then we have a debate on it.

Hon. Oraro Kelvin (MCA, Kolwa Central): Madam Chairperson, if I was to propose an amendment, then I believe that on Clause 18, the proposed Clause 20, we can delete the entire clause and replace it with Clause 22 by virtue that the appeal can go to County Revenue Board, which is a body that exists within the county. The appeal shall be heard within 21 days, meaning that the board can now reach the Cess Management Committee, among others, among other people. Then, the County Revenue Board may appeal through the County Executive Committee Member of Finance and economic Planning.

It is my belief that, I would rather we delete the entire Clause 20 and we use Clause 22 as the main one. That is my proposal.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Kelvin, your proposal is noted. Although, through guidance from the clerk, I am looking at the proposal. On the first amendment, that is Clause 20 that is more like an appeal to the Cess Management Committee. And the same inspector is given a leeway to appeal, if the decision of the Cess Management Committee does not favor the inspector, then he is given the leeway to appeal to the County Revenue Board within 14 days. Or maybe the clerk can also clarify. Thank you.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Kelvin Oraro, I believe that you stand guided.

Hon. Oraro (MCA, Kolwa Central): Thank you madam Chairperson, I am guided, and I wish we could take Clause 23 to be the opening part of that 22 (1), so that it reads"

A person dissatisfied with the decision of the Cess Management Committee may appeal to the County Revenue Board within 14 days of omission.
Meaning that, Clause 23 can be the opening of that 22(1). So that, the word, the period is given, unless it becomes a continuation.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, I believe that is a proposal, so maybe, can you call someone to second your proposal? Then we have that discussion. We open it up to the other members.

The Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): Madam Chairperson, I look forward to second that.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Yes, Honourable Oiko Pete.

Hon. Oiko (MCA, Kabonyo/Kanyagwal): Madam Chairperson, it is in order that when one is aggrieved and is not happy with the outcome of the decision of the committee, he should go ahead. And, if the County Revenue Board makes a decision which is still not satisfactory to the aggrieved party, then it should be clear that the CEC Member for Finance should now be the next step and let that be captured.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Oraro, through that guidance, are you satisfied with the correction answered?

Hon. Oraro (MCA, Kolwa Central): Madam Chairperson I believe that the way the Chairperson should note that the arrangement is that the new Clause 22(1) now will read as a person aggrieved by the conduct or decision of the Cess Management Committee may appeal to the County Revenue Board within 14 days of that act or omission. So we have corrected that part and removed the word inspector and replaced it with Cess Management Committee.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, we have a proposed amendment on the amendments on Clause 18. I would like to propose a question and would like to open this amendment for debate.

The amendment states that in Clause 18, Part 22(1), instead of reading that a person aggrieved by the conduct or decision of an inspector may appeal to the County Revenue Board within 14 days of the act or omission to instead read that a person aggrieved by the conduct or decision of the Cess Management Committee may appeal to the County Revenue Board within 14 days of the act or omission. I would like to open this for debate.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Members, silence means contentment and we all agree to the amendment. I will therefore put a question

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): And therefore, the amendment on the amendment on Clause 18, Part 22(1) stands adopted and forms part of the Bill.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Members, we are still on the debate on the amendment on Clause 18. Silence means contentment.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Therefore, now that the proposal on the amendment on Clause 18 have been proposed, seconded, and debated, I therefore put a question.

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): The amendment on Clause 18 stand adopted and form part of the Bill.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable members, we move on to the Schedules. Honourable Lumumba, do we have any amendment on the Schedules?

The Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): Madam Chairperson, is proposed amendments on the Schedules. The Schedule be amended by deleting all the Agricultural Crops provided for in the schedule except sugarcane and saccharum. I call upon Hon Oraro to second.

Hon. Oraro (MCA, Kolwa Central): Madam Chairperson, I rise to second the amendment as read by Honourable Lumumba Owade. Although the word is sugarcane, the scientific name is what he was reading the way he has read it, he need to correct that. It is my believe that, Honourable Ochele can advise more.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Honourable Members, now that the amendment on the Schedule has been proposed and seconded and debated, I would like to propose a question.

(Question put and agreed to)

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Therefore, the amendment on the Schedules stand adopted and form part of the Bill.

Chairperson, Committee of the Whole House (Hon. Oginga, Nominated Member): Thank you. Honourable Members, as we come to the end of the discussion on the Bill and the amendment, I would like to call upon Honourable Lumumba Owade to request that the Committee of the Whole House reverts back to plenary. Thank you, Madam Speaker.

The Deputy Leader of Majority (Hon. Owade, MCA, South East Nyakach): Thank you madam Chairperson. I request that the Whole House reverts back to plenary. Thank you.

(House reverts to plenary)

The Speaker (Hon. Oraro): Honourable Chairperson, Committee of the Whole House. Please furnish this House with a report on the deliberations during the Committee of the Whole.

Hon. Oginga (Nominated Member): Thank you, Mr. Speaker. Mr. Speaker, as the Chairperson of the Committee Whole House, I would like to give feedback on our discussion.

On the Kisumu County Cess Bill 2024, and as per Standing Order 126, the Members agreed that we go the guillotine way, which was proposed and adopted.

As we were discussing the Bill, the title of the Bill was adopted as it is, with no amendment. The short title of the bill was adopted as it is, with no amendment.

And the Long Title, too, was adopted with no amendment, as it is. And we moved from clause to clause, where I will read the clauses as per the amendment, if you allow me to.

i. Amendment to Clause 2 by Inserting New Definitions as Follows:

"Agricultural produce" means any product of agriculture specified in the Schedule to this Act or as may be prescribed by the CEC Member in Regulations;

"Cess Fund" means the Kisumu County Cess Fund established under section 13 of this Act for the collection, management, and disbursement of cess revenues.

"Cess Management Committee" means the Committee established under section 11 of this Act responsible for the oversight and prioritization of cess-funded projects.

"Designated point" means a location officially published by the County Executive Committee Member as a cess collection or monitoring site under this Act.

"Inspector" means a person appointed or designated by the County Executive Committee Member or County Revenue Board and duly authorized in writing to monitor compliance with this Act at designated cess collection points, processing plants, or transit barriers, and includes an authorized officer assigned such duties.

"Offloading fees" means charges levied by the County Government for the delivery of goods to designated market points within the county, whether or not cess applies.

"Processing plant" means any facility, factory, or premises where agricultural produce is handled, processed, or prepared for the market.

"Transit goods" means agricultural goods passing through Kisumu County to a different destination outside the County, without being offloaded or marketed within the County.

ii. Amendment to Clause 5 by Adding New Sections Immediately after Sub-Clause (8) as Follows:

"6. Appointment and Qualification of Inspectors

(1) The County Public Service Board may in consultation with the County Executive Committee Member responsible for Finance, appoint inspectors to enforce the provisions of this Act.

(2) A person shall be eligible for appointment as an inspector if the person—

a) holds at least a diploma in agriculture, law or finance;
b) has undergone training in revenue enforcement or regulatory compliance; and
c) is of good character and integrity, with no prior conviction of a tax-related or integrity offence.

(3) The appointment of an inspector shall be *gazetted,* and their identification and credentials shall be made publicly accessible.

7. Powers and Duties of Inspectors

(1) An inspector appointed under this Act shall have powers to—

a) inspect agricultural produce at designated points for compliance with cess payment;
b) require the production of relevant receipts, books, and documentation;
c) issue compliance notices and demand payment or explanations for outstanding cess; and
d) enter any processing plant or cess collection point during working hours for inspection;

(2) An inspector shall—
a) maintain an official log of inspections and findings;
b) submit monthly reports to the Cess Management Committee; and
c) wear official identification during duty and act within legal bounds prescribed by this Act.

8. Code of Conduct for Inspectors

(1) The County Executive Committee Member shall develop a Code of Conduct for inspectors, which shall—

(a) define professional behavior and anti-corruption standards;

(b) prohibit arbitrary detention, harassment, or extortion of producers and traders;

(c) set out disciplinary procedures and penalties for breach of conduct.

(2) The County Executive Committee Member shall establish a complaints mechanism to receive grievances from producers, processors, and the public on misconduct by inspectors and shall initiate disciplinary proceedings against an inspector within 14 days of receipt of any substantiated complaint.

iii. Clause 6(5) of the Bill is Amended by Deleting the Entire Provision and Replacing therefore with the Following:

(5) Any agricultural produce destined for final sale within Kisumu County but not produced within the County shall not be subject to cess but may be subjected to a separate offloading fee as prescribed by the Finance Act, provided that such fee shall not duplicate or substitute cess payable elsewhere under Article 209(5) of the Constitution.

iv. Clause 6(6) of the Bill is amended by deleting the entire provision and replacing therefore with the following:

(6) The County Executive Committee Member shall, in consultation with stakeholders and the Cess Management Committee, determine and gazette designated points for the collection of cess within the County. The notice shall include the location, operational hours, and responsible officer at each point.

v. Clause 6 is further amended by introducing new sub-clause immediately after Clause 6 as follows:

(7) The County Government shall ensure that all designated points are equipped with appropriate signage, digital receipts, record systems, and are subject to quarterly audit by the County Internal Audit Unit.

(8) Any person aggrieved by a decision or action taken by an authorized officer at a designated point may lodge a complaint with the Cess Management Committee or appeal to the County Revenue Boa, whose decision shall be communicated within seven days.

vi. Amendment in Clause 7 – Utilization of Cess.

Clause 7(1) is amended by deleting sub-clause (1) and replacing therefore with the following:

7(1) The proceeds of cess shall, subject to appropriation by the County Assembly, be applied to programs and projects identified in the County Integrated Development Plan, Annual Development Plan, and County Programme-Based Budget relating to the development of road infrastructure in crop-growing areas."

Clause 7(2) is amended by introducing the words, **"….**at least 70 percent of cess proceeds shall be allocated to rural access road maintenance and infrastructure within the sugar growing areas, and not more than twenty percent shall be applied to agricultural extension and research services." Immediately after the words; without prejudice to the generality of the provisions of subsection (1).

Clause 7(2) is amended by deleting sub-clauses (a), (b) (c), (d), (e), (f), (g), (h), (i), (k), (m) and (n).

Clause 7 is further amended by introducing a new Sub-clause (3) and (4) as follows:

(3) The CEC Member shall publish and disseminate a report of proposed cess-funded projects and convene annual stakeholder forums for validation before budget appropriation.
(4) The County Executive Member shall establish a monitoring and evaluation framework for all projects funded under this Act and submit quarterly impact report to the County Assembly and the Cess Management Committee.

vii. Amendment to Clause 8 – Establishment of the Cess Management Committee

Delete Clause 8 and substitute therefore as follows—

8. Establishment of the Cess Management Committee

1) There shall be established a Committee to be known as the Kisumu County Cess Management Committee.
2) The Committee shall be composed of the following Members—
    a) the County Executive Committee Member responsible for Agriculture, who shall be the Chairperson;
    b) the Chief Officer responsible for Finance;
    c) the Chief Officer responsible for infrastructure;
    d) two representatives from an association of Sugar Millers within the County;

e) two representatives from an association of Sugarcane Farmers within the County;
f) the Chief Officer responsible for Agriculture, who shall be the Secretary to the Committee and an ex-officio member.
g) one representative from the Kenya Sugar Board, appointed by the Board, who shall be a non-voting technical advisor on sugar-related matters.

3) The Members referred to under subsection (2),(d), and (e) shall be appointed by the County Executive Committee Member and shall serve for a term of three years, renewable once.
4) The appointment of Members under subsection (2),(d) and (e) shall be by notice in the *Gazette*.

viii. Amendment to Clause 9 – Functions and Operations of the Committee

Delete Clause 9 and substitute therefor the following clause—

9. Functions and Operations of the Committee

(1) The Committee shall—

a) advise the County Executive Committee Member on matters relating to the imposition, collection, management, and utilization of cess;
b) receive, evaluate, and prioritize proposals for funding under the Cess Fund;
c) consider development projects to be financed from the cess proceeds in accordance with this Act and any applicable regulations and shall forward such considerations to the County Executive Committee and the County Assembly for approval;
d) oversee the implementation of approved projects and monitor financial utilization of cess funds;
e) commission and review annual performance assessments on cess-funded activities;
f) facilitate and conduct annual stakeholder forums for public participation; and
g) submit an annual report to the County Assembly on cess collection, disbursement, and impact at least 42 days upon the end of a fiscal year.

(2) The Committee shall meet at least once every three months and may convene special meetings as may be necessary.

(3) The quorum for a meeting of the Committee shall be five Members, at least one of whom shall be from among the representatives specified under subsection (2)(c), (d), or (e) of section 8.

(4) The decisions of the Committee shall be by consensus or, where necessary, by a majority of the Members present and voting, and the Chairperson shall have a casting vote in the event of a tie.

(5) The Committee shall establish and maintain a grievance redress mechanism to address complaints or petitions from stakeholders concerning decisions or omissions relating to the utilization of cess.

ix. Clause 10 of the Bill is amended by adding a new sub-clause immediately after Clause 1 as follows:

(2) The Fund shall be used exclusively for the purposes outlined in this Act, and no transfers shall be made to other accounts or programs without the approval of the County Assembly through a supplementary appropriation.

(3) The County Executive Committee Member for Finance and Economic Planning shall designate a Fund Administrator from among public officers in the County Treasury who shall be responsible for the day-to-day operations of the Fund in accordance with the requirements of the Public Finance Management Act, 2012.

(4) The Fund Administrator shall prepare and submit to the County Executive Committee Member for Finance and Economic Planning an annual financial statement and report on the performance of the Fund and tabled before the County Assembly within three months after the end of the financial year.

x. Clause 11 (Regulations for the Fund) is amended by deleting the provision and replacing therefore with the following provision:

11. The County Executive Committee Member for Finance and Economic Planning shall, within six months of the commencement of this Act, publish Regulations for the proper management and administration of the Fund including—

(a) the role and appointment of the Fund Administrator;
(b) the manner and forms for cess declaration and payment;
(c) procedures and forms for cess waiver applications and approvals;
(d) disbursement criteria and ceilings of the Fund;
(e) fund accounting procedures and reporting templates;
(f) procedures for public access to Fund performance data.

xi. Clause 12 is amended by deleting the entire provision and replacing therefore with the following:

General Regulations

12. (1) The County Executive Committee Member shall, within six months of the commencement of this Act, make Regulations for the effective implementation of this Act.

(2) Without prejudice to the generality of subsection (1), the Regulations shall provide for—

a) record-keeping and reporting formats by processing plants and inspectors;
b) the format for publication and validation of cess-funded projects;
c) procedure appointment of the representatives of association of Sugar Millers and Farmers contemplated in Section 8(2) (d) and (e)

d) inspection procedures, enforcement protocols, and penalties for non-compliance; and
e) public participation, stakeholder engagement, and grievance redress mechanisms.

(3) The Regulations made under this section shall be subjected to public consultation and shall be submitted to the County Assembly for approval in accordance with the County Governments Act, 2012.

xii. Clause 13 is amended by deleting the entire provision and replacing therefore with the following:

Waiver of Cess

(1) The County Executive Committee Member may, upon the recommendation of the Cess Management Committee, and subject to the approval of the County Executive Committee, waive cess payable under this Act, in whole or in part, for a specific class of persons, products, or producers where—

(a) the persons or producers have suffered loss or damage due to natural disasters, pest or disease outbreaks, or climatic shocks;

(b) the agricultural produce in question is subject to sudden market failure or depressed prices that would significantly disadvantage smallholder farmers;

(c) the waiver promotes recovery and resilience in a declared emergency or disaster-affected area;

(d) the waiver supports the realization of public interest objectives, such as food security, poverty alleviation, or disease control; or

(e) the cess due is uneconomical to collect relative to its administrative cost.

(2) A waiver under this section shall—

(a) be for a period not exceeding one year;

(b) apply only to the category of cess or produce specified in the Gazette notice; and

(c) not be granted retrospectively unless approved by the County Assembly.

(3) The CEC Member shall, upon granting a waiver—

(a) prepare a justification report, including supporting evidence, estimated revenue forgone, and impact assessment;

(b) publish the waiver notice in the *Gazette* and on the County Government website; and

(c) table the justification report before the County Assembly within 14 days.

(4) The County Assembly may, within thirty days of tabling, resolve to annul the waiver if it finds that sufficient justification has not been provided, and the waiver shall stand revoked upon such resolution.

(5) The total annual value of cess waived under this section shall not exceed ten percent of the total cess collected in the previous financial year, unless a supplementary budget authorizing a higher threshold is approved by the County Assembly.

(6) Any person aggrieved by exclusion from a waiver granted under this section may apply to the Cess Management Committee for administrative review within fourteen days of the publication of the waiver list.

xiii. Clause 17 (offences) is amended by introducing new paragraphs immediately after paragraph (e) as follows:

(f) impersonates an inspector or authorized officer for purposes of extorting cess or other unlawful benefit;

(g) being an inspector, demands or receives any unauthorized fee or bribe in the course of duty;

shall be liable on conviction to a fine not exceeding five hundred thousand shillings or to imprisonment for a term not exceeding two years or both."

xiv. Amend bill by introducing a new Clause immediately after Clause 18 as follows:

Right of Appeal against a decision of an Inspector

19. (1) A person aggrieved by the conduct or decision of an inspector may appeal to the Cess Management Committee within 14 days of the act or omission.

(2) The appeal shall be heard and determined within 21 days.

(3) A person dissatisfied with the decision of the Cess Management Committee may appeal to the County Revenue Board for review.

xv. Amendment on the Schedule as follows:

Delete all the agricultural crops provided for in the schedule except Sugarcane/Saccharum spp.

Thank you, Mr. Speaker, and that is the report from the Committee of the Whole House. I would like to call upon Honourable Leader of Majority to second.

The Leader of Majority (Hon. Ooko Kennedy, MCA, Ahero): Thank you, Honourable Speaker, I rise to second, thank you.

The Speaker (Hon. Oraro): Honourable Members, the Chair of the Committee of the Whole House has reported on the deliberations in the Committee of the Whole House, seconded, as per our Standing Orders. There is no debate on that, but I move straight to put a question on the adoption of the report from the Committee of the whole House?

(Question put and agreed to)

The Speaker (Hon. Oraro): Honourable member, the report from the Committee of the Whole House is adopted and forms part of the Bill. Thank you.

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

MOTION

ADJOURNMENT ON DEFINITE MATTER OF URGENT COUNTY IMPORTANCE, SECTOR DELIBERATIONS ON THE KISUMU COUNTY PROPOSED BUDGET ESTIMATES FOR THE FINANCIAL YEAR 2025/2026 UNTIL THE 21ST OF MAY 2025 AT 9.00 A.M.

BY

HON. KENNEDY OOKO, MCA, AHERO

(LEADER OF MAJORITY)

The Speaker (Hon. Oraro): Honourable Leader of Majority.

The Leader of Majority (Hon. Ooko Kennedy, MCA, Ahero): Thank you Honourable Speaker, I rise to move a motion for the Adjournment of the County Assembly on Urgent Matters of Definite County Importance, that is Sector deliberations on the Kisumu County Proposed Budget Estimates for the Financial Year 2025 to 2026.

Honourable Speaker, as the Kisumu County Proposed Budget Estimates for the Financial Year 2025 to 2026 was duly tabled before this Honourable House on Wednesday, 07th, May 2025 at 02.30 p.m. And in accordance with the provisions of Orders No 222 (3) of the Kisumu County Assembly Standing Orders, the Budget Estimates were subsequently committed to the respective Departmental Committees to consider, discuss, and review the estimates and submit their reports and recommendations to the budget and appropriations committee within 21 days.

NOTING THAT, the House Business Committee at its sitting held on Tuesday, 13th, May 2025, resolved that it is prudent to adjourn the County Assembly sitting for Tuesday, 20th, May 25 at 2.30 p.m. for this course. Recognizing that, the critical importance of the comprehensive and effective deliberations between Departmental Committees and respective line Departments to ensure a well-informed and fiscally responsible budget for the benefit of the residents of Kisumu County.

NOW, THEREFORE, I rise, pursuant to the provisions of Standing Order No. 26(3) of the Kisumu County Assembly Standing Orders to move that this House now adjourns until Wednesday, 21st, May 2025 at 09:00 a.m. to allow sufficient time for the aforementioned crucial Departmental deliberations on the Proposed Kisumu County Budget Estimates for the Financial Year 2025-2026. I call upon Honourable Oginga to second. Thank you.

(Honourable Oginga seconds by bowing)

The Speaker (Hon. Oraro): Honourable Members, now that the Leader of Majority has moved a motion for adjournment on the County Assembly on Urgent Matters of Definite County Importance, which is Departmental Committee deliberation on the Proposed Kisumu County Budget Estimate Financial Year 2025/2026, I want to refer to the same Standing Order that he has used, Standing Order No. 26 (3), which is basically on adjournment on a day, not necessarily the next sitting.

Honourable members, the Standing Order provides that when that motion is moved, it shall be debated and it reads that;

For 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 Majority Party or the Leader of Minority Party or another member of the County Assembly 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. So the motion is open for debate.

The Speaker (Hon. Oraro): **Yes,** Honourable Nyaoke.

Hon. Nyaoke (MCA, North Nyakach): Thank you Mr. Speaker, looking at the mood of the House, I wish to call the mover to reply.

The Speaker (Hon. Oraro): I have not seen any Member on his/her feet, so I'll allow the Leader of Majority to reply.

Leader of Majority (Hon. Ooko Kennedy, MCA, Ahero): Thank you Honourable Speaker. I would like to emphasize the importance of Members attending the meeting scheduled for Monday 19th and Tuesday 20th May, 2025. It is essential that we engage with the line departments to thoroughly deliberate on the Proposed Kisumu County Budget Estimates Financial Year 2025/2026. This budget holds significant importance for all of us. I therefore urge all Honourable Members to ensure their attendance and active participation in these discussions.

Honourable Speaker, as this motion has received the full support of the House, I wish to conclude by stating that I formally reply. Thank you.

The Speaker (Hon. Oraro): Honourable members, let us be upstanding, Honourable Members. In the strength of the said Standing Orders that I've read, the provisions of Standing Orders 26 (3), and I read again;

"That 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 majority, the leader of minority, or another member of the County Assembly Business Committee shall move a Motion of Adjournment which shall be debated for not more than three hours after which the county assembly shall be adjourned without question.

ADJOURNMENT

The Speaker (Hon. Oraro): Honourable member, in that regard, the House stands adjourned until Wednesday, the 21st of May, 2025 at 09.00 a.m. Thank you.

(House rose at 05.05 p.m.)

Addendum

The Hansard Team

Zablon Otiende – Assistant Director, Hansard Services

Hansard Reporters

Fanuel Okode - Chief Hansard Reporter

Edward Odanga - Senior Hansard Reporter

Patrick Okoyo - Senior Hansard Reporter

Jackline Otieno - Senior Hansard Reporter

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