



REPUBLIC OF KENYA
SECOND COUNTY ASSEMBLY - THIRD SESSION
THE COUNTY ASSEMBLY OF LAIKIPIA
ORDER PAPER
TUESDAY 30TH JULY, 2019 AT 2.30PM

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motions(As listed in the appendix)
7. Statements

**8*MOTION- REPORT ON A STATEMENT ON DELAY IN
ISSUANCE OF COUNTY ENTERPRISE LOANS TO
BENEFICIARIES**

Mr. Speaker Sir, I beg to move the following motion:-

THAT, this house adopts the report by the Committee of Trade, Tourism and Cooperatives on a statement on delay in issuance of County Enterprise Loans to beneficiaries dated 20th June, 2019.

**(Hon. Stephen Ndiritu, Chairperson, Trade, Tourism and
Cooperatives Committee)**

-----*Denotes Orders of the Day

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APPENDIX

1. NOTICES OF MOTIONS

a. Notice of Motion- MOTION ON PAYMENT OF HOUSE ALLOWANCES FOR THE MEMBERS OF THE COUNTY ASSEMBLY

That, Aware that the Devolved Governments are a key component of governance in the republic of Kenya established under article 11 of the Constitution of Kenya; **Further aware that** the office of Member of the County Assembly has been strongly anchored as a fundamental component in the county government administrative system; **Cognizant of** the remunerative needs of each public and state officer to ensure adequate facilitation for successful execution of their duties and mandates; **Further cognizant of** the existence of disparities within the state offices within the republic on remuneration of the office holders, particularly the payment of house allowances to which the members of the County Assembly have to their detriment been deprived of; **Noting that** the High Court in the republic has in Constitutional Petition No 328 Of 2016; **Council of Governors versus Salaries and Remuneration Commission pronounced** that denying some state officers similar benefits enjoyed by other state officers is discriminatory, unjustifiably selective and contrary to Article 27 of the Constitution; **Acquiescing that** such conduct is a violation of the

fundamental rights of the state officers which such conduct is desirous of denunciation by the Members of the County Assemblies ab initio; **Whereas** the **Governing Council of the County Assembles Forum** has resolved that the non-payment of housing allowance for the Members of the County Assembly is a fundamental breach of the rights of the members; **Whereas** the Governing Council has further resolved and directed that there be effected payment of Housing allowance for the Members of the County Assemblies in tandem with the High Court finding; **And whereas** the resolution of the Governing Council finds precedence and relative applicability from the Parliament of Kenya's payment of housing allowance to its members despite lack of the Salaries and Remuneration Commission directive in affirmative of the same;

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It is now therefore **resolved** that this house does approve and adopt the resolution of the County Assemblies Forum Governing Council that;

- i. The Members of the County Assembly be paid a housing allowance in tandem with the ideal and adequate endowment;
- ii. That the payment of the House allowance be effected and implemented as of the date of issue of the ruling of the High Court in Constitutional Petition No 328 Of 2016 being the 5th day of October, 2018; and

iii. That the implementation of the payment of the house allowance to the members of the County Assembly be commenced with immediate effect.

(Hon. Peter Thomi, MCA Representing Githiga Ward)
