REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Tuesday, 12th May, 2020

SPECIAL SITTING

The House met at the Assembly Chambers at 2.30 p.m.

[The Speaker (*Hon. Patrick Waigwa) in the Chair*]

PRAYERS

COMMUNICATION FROM THE CHAIR

REMINDER ON A MEETING WITH THE GOVERNOR

Speaker: Hon. Members, kindly remember the meeting at the Governor's office immediately after the plenary.

PAPERS

Hon. Peter Thomi: Thank you, Mr. Speaker. I wish to lay a paper on

a. The Laikipia County Public Finance Management (Laikipia County Emergency Fund) Regulations, 2020.
b. The Public Finance management (Laikipia County Emergency Fund) Regulations, 2020

Speaker: The two papers stands committed to the committee on Delegated and County Legislation.

BILL

LAIKIPIA COUNTY SUPPLEMENTARY APPROPRIATION BILL, 2020

COMMITTEE OF THE WHOLE HOUSE

[Speaker (Hon. Waigwa) left the Chair]

IN THE COMMITTEE

[Hon. Daniel Nyausi took the Chair]

Chairman: Hon. Members, we are now in the Committee of the Whole House to consider the Laikipia County Appropriation Bill, 2020. The rules of the House have been lowered to allow us to go through this Bill and the clerk will guide us through.

[Clauses without Amendments]

Clause 2, 3 and 4

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(Question proposed)

Chairman: Hon. Members, it is your time to debate on those amendments if any Member wishes so.

Hon. Veronica Ikunyua: Thank you, Mr. Speaker. I support Clause 2, 3, and 4 to be part of the bill.

Hon. Mutahi Muritu: Asante Mheshimiwa Spika. Kwanza najadili kifungu cha pili kwanza kinachosema kwamba '*the county treasury may issue out, out of the county revenue fund and add apply towards the supply planned for the service of the year ended 30th June, 2020, the sum of 7,113, 854 been appropriated from the 1st July, 2019 for the service and purpose applied in the schedule.*

Mheshimiwa Spika, tumeambiwa ya kwamba hii haina mabadiliko na ninarudia tena kwa sababu hili watu wanafaa kulitilia maanani sana. Hizi bilioni saba tuko na kamati zetu zote na ni jukumu letu tuangalie hata kama hakuna mabadiliko. Tutakapoenda katika kamati zetu za kisekta kwenda kuliangalia hili ili tuone kama hizo siku zilizosalia, hizo fedha zitafikia kwa wakati huo ama zipo ama hazipo. Asante.

(Clause 2, 3, and 4 agreed to)

[Schedule]

(Question of the Schedule proposed)

(Schedule agreed to)

[Long Title]

(Question proposed)

(Long title agreed to)

[Short Title]

(Question proposed)

(Short title agreed to)

Hon. Wilson Wakahiu: Thank you, Hon. Chair. I beg to move;

THAT, the Committee of the Whole House do report to the Assembly its consideration of Laikipia County Supplementary Appropriations Bill, 2020 (Laikipia County Bills No. 2) and its approval thereof without amendments.

(Question put and agreed to)

[Hon. Daniel Nyausi left the Chair]

[The House resumed]

[The Speaker (Hon. Waigwa) in the Chair]

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REPORT

Hon. Daniel Nyausi: Mr. Speaker, I beg to report;

THAT, the Committee of the Whole House has considered the Laikipia County Supplementary Appropriation Bill, 2020 (Laikipia County Bills No. 2) and its approval thereof without amendments.

Speaker: Mover.

Hon. Wilson Wakahiu: Mr. Speaker, I beg to move;

THAT, the House do agree with the committee on the said report.

(Question proposed)

(Question put and agreed to)

THIRD READING

LAIKIPIA COUNTY SUPPLEMENTARY APPROPRIATIONS BILL, 2020

Hon. Wilson Wakahiu: Thank you, Mr. Speaker. Pursuant to Standing Order No. 131 (2), I beg to move;

THAT the Laikipia County Supplementary Appropriations Bill, 2020 (The Laikipia County Bills No.2) be now read a third time.

Mr. Speaker, I beg to move that the Hon. Members to approve this Supplementary Appropriation Bill, 2020 for both the County Assembly and the County Executive to implement the programmes for the remaining two months towards the end of this year. As one of the Members have said, seriously speaking we have a supplementary budget of more than seven billion. It is also important to understand that the same seven billion is still being utilized since July last year when the f/y started. So I beg the Hon. Members to support this report so that it may be read a third time. I request Hon. Kanyutu to second the report.

Hon. Simon Kanyutu: Thank you, Mr. Speaker. I second the Bill for third reading and I do not have much to add because we are same people who deliberated it in this House.

(Question proposed)

(Question put and agreed to)

(The bill was accordingly read the third time and passed)

MOTION

ALTERATION OF ASSEMBLY CALENDAR

Hon. Peter Thomi: Thank you, Mr. Speaker, Sir. I beg to move the following motion;

THAT pursuant to the provisions of Standing Order No. 29 (4), this House resolves to alter its calendar (Regular Sessions) for the fourth session (2020) so as to hold its

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sittings on Tuesdays at 2.00 p.m. to 4.00 p.m., Wednesday at 10.00 a.m. to 12.00 p.m. and Thursdays at 2.00 p.m. to 4.00 p.m. up until Tuesday 30th June, 2020.

Mr. Speaker, I want to be very categorical as I read this motion and as I contribute on it. Hon. Members, you are at liberty but this is the way I have put it. Mr. Speaker, we have a reason as to why we want to alter the calendar. Each and every one of us is aware of what is happening in this county and country and the whole world. As a result, I remember when we suspended the Assembly sometimes back but in a way we have made it back to this Assembly.

Therefore it is important to note that the Assembly has a calendar that clearly as per the Standing Order guides us when to meet. For example every Tuesday at 2.30 p.m. and on Wednesdays from 9.00 am and later in the afternoon at 2.30 pm and again on Thursdays at 2.30 p.m. Mr. Speaker, because of what is happening in this country, we know that there is thus issue of the Covid-19 disease.

As a result we have come into agreement and agreed on when to meet. I said that I want to be categorical because we have got the Standing Order with us and all of us are aware of that but it does not allow that we can move a session that comes on Thursday to Tuesday morning. If we are to meet for four sessions, it is per the Standing Order that we meet at 2.30 p.m. on Tuesday and on Wednesday and Thursday as the sittings are meant to be done.

Mr. Speaker, I had tried but consulted and have come into conclusion that the Thursday session cannot come on Tuesday. Standing Order 28, 29, 31 if the Members have got the Standing Order with them can try to get that as I am saying. Subjects standing to be corrected, that is the position. Asa result, I am requesting the Hon. Members that as we alter this calendar this afternoon is that we can meet on Tuesdays in the afternoon, on Wednesdays during the morning and afternoon and on Thursdays in the afternoon as per the time we have given here.

We have a lot to observe Mr. Speaker and therefore we cannot be in this House with the rules that are there for a very long time. That is why we have put it clear that it is from 2.00 p.m. to 4.00 p.m. which is exactly two hours. We have also indicated when it should start in the morning. So that is the position and I am urging the Hon. Members to contribute on this so that we may agree by the end of this session. I will call on any of the Hon. Member in this House to second the motion because I believe that they understand and have got the Standing Order with them. I wish to call upon the Member representative of people of Umande to second the motion.

(Hon. Daniel Mugweru seconded)

(Question proposed)

Hon. Daniel Mugweru: Thank you, Mr. Speaker. I rise to make my contributions but first to move an amendment on the same motion so as to read as;

THAT this House resolves to alter its calendar (Regular Sessions) for the fourth session (2020) so as to hold its sittings on Tuesdays at 2.00 p.m. to 4.00 p.m., Wednesday at 10.00 a.m. to 12.00 p.m. and still on Wednesday from 2.00 p.m. to 4.00 p.m. and on Thursdays at 10.00 a.m. to 12.00 p.m.

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Thank you, Mr. Speaker. I request Hon. Chris Mark Said to second that amendment.

Speaker: Hon. Member for Umande, sorry I was a little bit interrupted but I got that you requested Hon. Chris Mark to second the amendment.

Hon. Daniel Mugweru: Mr. Speaker, I was begging to move an amendment of the same motion to read;

THAT this House resolves to alter its calendar (Regular Sessions) for the fourth session (2020) so as to hold its sittings on Tuesdays at 2.00 p.m. to 4.00 p.m., Wednesday at 10.00 a.m. to 12.00 p.m. and still on Wednesday from 2.00 p.m. to 4.00 p.m. and on Thursdays at 10.00 a.m. to 12.00 p.m.

Speaker: I wish to take ourselves to Standing Order No. 55 (1);

1. The proposer of an amendment to a motion shall, before moving it, hand the proposed amendments in writing, signed by the proposer to the Clerk at least two hours before the order is read.
2. Despite paragraph (1), the Speaker may, in exceptional circumstances, allow a member to move an amendment to a motion before the assembly at any time during consideration of that motion.

We have to judge whether the circumstances are exceptional or not but I believe that any other day when we come into this House, we can still be able to move. This does not limit us from moving any other procedural motion to allow us sit as we may wish. I am saying this because I get the attention of Members that they would also wish to sit on Thursdays in the morning so that we can move the Thursday sitting from the afternoon to morning.

The Standing Orders does not prohibit us from altering the calendar. For example if today we alter the calendar, we can still move another procedural motion to alter the same calendar. If it does not stop us from doing that, then either tomorrow morning or in the afternoon we can still move a procedural motion to allow this House to be sitting on Thursday morning because it is a resolution of the House. Is that okay with the House? We are now on the amendment that has been proposed.

I am somehow saying that because we did not foresee that and it is not provided in writing, we can first of all engage in that. The Standing Order does not prohibit us from moving a procedural motion to alter the calendar further to allow us to make some alterations. What was most important with this motion was to get us to adjournment sine die and get us back to the assembly where we can get back here and alter the calendar the way we want.

Hon. Chris Mark: Mr. Speaker I was to second but I don't know whether you said we first hold on to the amendment or we continue with it. Maybe I can get your guidance on that so that I can know what to contribute.

Speaker: Yes, unless you have not seconded because as I said the matter is to be hurried to the clerk at least two hours before but still the other standing order number 55(2) allows the Speaker in exceptional circumstances. The reason why I am saying it is not exceptional

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circumstance is because we are still here tomorrow morning and afternoon and we can still be able to move that procedural motion to allow us to sit on Thursday morning.

We can be able to move another procedural motion to alter the calendar further to bring in the provision of us sitting on Thursday morning.

Hon. Peter Matunge: Mr. Speaker…

Speaker: Yes, Hon. Chris. You had not finished. Go on.

Hon. Chris Mark: Sorry my brother, what I was saying Mr. Speaker, Sir. You know this standing order you quoted that we you can use at your disposal, you have used it before and not during the extraordinary times in the times of Corona, curfew, lockdown, cessation and no allowance and such things, we request you to allow this because I don't see why we should wait until tomorrow to be able to write another motion. In fact, we should actually dispense with it today so that at least tomorrow we go to other businesses. We can see the heading of this motion is alteration of the Assembly Calendar.

Hon. leader of majority said that we cannot go against the standing order but again we are still going against it by not doing the full four sittings that constitutionally are allowed by the SRC. So I would beg that we dispense off this matter today so that at least tomorrow we have another issue because that standing order no. 2 is at your disposal. So please use it so that at least we are able to sit and discuss the many issues that are rising during these days of corona. I know we have a backlog; each committee has a full tray so that we can at least get back to the business of the day. Thank you Mr. Speaker.

Hon. Peter Matunge: Thank you Mr. Speaker, for giving me this opportunity. I wish to say this and quote standing order no.54 on amendment to a motion. This standing order says;

'54 (1) unless otherwise provided in these standing orders, any amendment to a motion which a member wishes to propose in accordance with the standing order may be moved and if necessary seconded at any time after the question upon the Motion has been proposed and before it has been put'.

So Mr. Speaker, according to standing order number 54 the Hon. Member has just done the right thing. I don't see the reason why we have to wait to pass this motion and then come back again and do another amendment or move another motion. This is because we know we are in extraordinary times and I believe I have always said this is the time leadership is needed in times of crisis. This is the time the leadership of this Assembly is needed, I think we have been in this Assembly for the last two weeks coming and going. We have observed the guidelines provided by the ministry of health, the WHO and I think we have been seeing documents coming in this House when members have not got time to go through, they have not had time to digest these matters because after two hours everybody goes his own way.

This Mr. Speaker, for us to make the informed decision we have to be in this House so that we can be able to have time to interrogate issues. Today we have just a supplementary budget and we need to look into it and we have to be here so that we can be able to provide our

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oversight role that is needed. According to standing order no.54 the Hon. member has done the right thing.

(Laughter)

Speaker: Maybe before I give to Hon. Mutahi, you see Hon. Matunge has invoked a standing order no.54 which allows that immediately after the question has been proposed, that's the time for you to make an amendment. That gives you the time when an amendment can be done but now there's a way an amendment should come and standing order no. 55 explains that that amendment you can make after the question has been proposed has to be in writing. That's what it means Hon. Matunge if I get it.

Hon. Mutahi Muritu: Asante Mheshimiwa Spika, mswada ulioko mbele yako tulihairisha Bunge, sawa. Mswada uliowasilishwa kwenye Bunge lako unaomba kurejelea Bunge. Swala hapa linalojadiliwa iwe ni Jumanne, Jumatano na Alhamisi, swala ni kurejea Bunge. Lakini kama tunataka kurejea Bunge na tuna majukumu la kufanya ni kusema moja kwa moja kupitia kwa kiti chako Mheshimiwa Spika, sisi Wabunge tunataka kurejea Bungeni, *simple*. Kwa sababu iko Jumanne, Jumatano na iko Alhamisi na kwa sababu mnasema tunafuata sheria upande moja, kulingana na vile mnasema zile maagizo yametolewa, mnasema upande huu na upande mwingine tunataka kurejea Bunge.

Mimi Mheshimiwa Spika, nina ombi hili, kama nyinyi mmeona turidhie turejelee kwenye Bunge ni sawa. Hiyo ni jukumu letu kwa sababu baada ya kuruka ruka na kufanya mabadiliko, ile tutakachofanya ni baada ya wewe kuhairisha ni kutegua. Sisi Bunge tutegue huo uamuzi wa kuharisha Bunge tuendelee na vikao vyetu vya Bunge kuanzia leo mpaka mwisho wa mwezi wa sita badala ya kushinda hapa mara tuweke saa nane, saa tisa lakini pia masharti yafuatwe kwamba sisi kama ndiyo wachunga sheria lazima tufuate kanuni tulizojiwekea wenyewe na pia kikatiba. Hilo ndilo kitu tunajadili Mheshimiwa Spika.

Swala la kusema saa nane, saa tisa, basi kuna haja gani ya kufanya mabadiliko madogo madogo ilhali sheria iko wazi kama tunataka hizo vikao, basi watu warejelee kwenye Bunge kwa sababu Mheshimiwa Spika hakukuwa na hoja. Hili ni kitu kilichojadiliwa sana ikasemekana watu warejelee Bunge tuje tufanye mabadiliko katika kalenda yetu na ni vizuri.

Kama mnaona kuna umuhimu na kuna jambo la dharura ni kuamua siku ya leo kwamba kuazia lea mpaka tarehe fulani aidha mwezi wa sita ama wa tano turejelee Bunge, *simple as that*. Mimi ninaunga mkono turejelee, hata hiyo mswada iliyowasilishwa kwanza, mimi ninaunga mkono. Mimi nikuje siku nne, mbili au vikao vinne halafu nifanye kazi zingine hizo zinazosemekana zimejaa juu ya sahani.

Hakuna mtu amezuiwa kufanya kazi, tuelewane vizuri sana Mheshimiwa Spika na tuendeshe Bunge kwa utaratibu unaostahili kwa sababu hoja yetu ya kukaa kwenye Bunge ni nini? Hakuna. Basi kwenye vikao kila mtu kupitia kwa maandishi wangepitia hata kwenye ofisi yako ya Spika kwamba tunataka kurejelea vikao vya Bunge katika kaunti yetu ya Laikipia, kuna haya na haya, basi tunarejelea na tunaendelea kufanya kazi. Sasa tunabishana nini, hii ni jukumu yetu na ni kazi tumepewa, tuwajibike kwa kazi tunayofanya. Tuko tayari na hatujachoka, asante.

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Hon. Catherine Nyawira: Thank you Mr. Speaker for giving me this opportunity to support this motion. I wish to support the amendment of this motion which has been moved by the Hon. Mugweru. I wish to thank my brother, Hon. Matunge who has read for us standing order no. 54. However, Mr. Speaker you have the authority through the standing order to allow this amendment to happen on the floor of the House prior two hours in writing to your office.

It is in your judgement Mr. Speaker and I request that you observe the views of members, their wishes to be able to have four sessions in this House at whichever time. Let us remember that because of these extraordinary times of Covid-19, meetings that were supposed to happen outside this county and country will not happen and hence funds were diverted to other things.

Therefore, it is not fair for you to divert one more session which we can use to discuss issues on Covid-19 and those affecting society. Mr. Speaker, this is also because as a health committee we have reports that are waiting to be tabled before this House. We have matters we need to look into, there is a committee that has been set up through a presidential directive Mr. Speaker. These are things that we do not understand the legal framework and we don't know how to oversight.

I would therefore request you through your Chair to rule through the standing order which gives your authority that this amendment passes so that we have another sitting and we have four sessions. Thank you.

Speaker: Hon. Members, if we are done with the amendments, my advice was we are here tomorrow in the morning and afternoon and tomorrow the House business sits early in the morning. I would be in a position to provide for us to bring another procedural motion because even at the look of this motion. If we are going to be here on Thursday morning, it simply tells us that we also have to consider some committee sittings and therefore we will have to change the whole programme of the committee sittings that we had.

Therefore, Members I would request because there is no one who is saying that we are not going to meet on Thursday we do pass the procedural motion then we come tomorrow and pass another procedural motion that may take care of more things including the amendment that we are talking about and also the committee sittings. If we sit and find it better to go back to the regular sessions as a whole as they were, only moving the afternoon sittings to morning, I don't think there is a problem there. As the Hon. Member for Tigithi said, the most important thing of this motion is to bring us back from where we closed until further notice and now we are back.

We are able to stand in this House and be able to move all the motions that we want including alterations of the calendar because why should we be allowing an amendment which is not in writing and it is not something that must be done today. It can be done tomorrow, I believe that. The ruling is the amendment has to be in writing and since it is not there, we can do a procedural motion tomorrow and be able to be here on Thursday. There is no one opposing a sitting on Thursday, I am also supporting a sitting on Thursday but we can do it tomorrow.

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Hon. Peter Matunge: Mr. Speaker, as much as I wish to agree with what we are saying, for a Member to do and amendment in writing, this House or the HBC has to supply the order paper to Members two hours before the sitting. This is because when I entered this House and sat here, I have not seen the order paper. They were supplied when I was seated here. Mr. Speaker, if we had time to go through this order paper, we could have prepared the amendment on time and presented it to you in writing but we could not have prepared it because we have not seen the order paper and the motion.

Therefore, Mr. Speaker, on this side we follow the rules and procedures of this House, on this side we again do not follow the same. I think it is something that we also need to correct so that we can move in an orderly manner since this is a House of order. Thank you, Mr. Speaker.

Speaker: I do propose and rule that we go back to the motion, the amendments are not there. The mistake might be collective because the order was not provided but now that we are sitting in this House tomorrow and the House business sits tomorrow, let us do the motion to alter the calendar further tomorrow. I don't think the sitting that we are proposing is coming on Thursday. We still have tomorrow to do the same and alter the calendar. Therefore, members it is time to make contributions on the main motion that we have at the table.

Hon. Simon Kanyutu: Thank you Mr. Speaker, I stand to support this motion as it is for us to be in this House. As the Hon. Member has stated, it is good for us to make an amendment but today is a special sitting on a Tuesday but once we adopt this alteration of the calendar and tomorrow we start the normal sittings, from there we can adjust even if we declare that we will go back to our normal sittings as they ought to be that will be in order. So I wholly support this alteration for the Assembly calendar and once we come back here tomorrow, we will be able to do the other amendments as we are proposing.

Hon. Daniel Nyausi: Thank you Mr. Speaker, I wanted a clarification from the Member. He is saying tomorrow we will be here and of course indeed we will be. I don't see the reason as to why we need to keep repeating ourselves, if it's not possible for us to adopt these amendments then why don't we request the Honourable mover of this motion to extend the motion to tomorrow and then we will be having those two hours of putting those amendments…

Speaker: Order! Yes Hon. Kanyutu.

Hon. Simon Kanyutu: Mr. Speaker, the Hon. Deputy Speaker might be misleading this House. If we amend then we will have to wait for another special sitting to do this amendment. If we alter the calendar now, tomorrow we will be in this House and we will continue. If we do not amend we will wait for another day when the Assembly will gazette a day for us to come to this House and do the amendments. So Mr. Speaker, I would wish we first of all adopt it as it is then tomorrow we deal with it as per our requirement on how we wish the calendar of the House to continue.

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Hon. Daniel Nyausi: Thank you Mr. Speaker, I would like to inform my Hon. Member that tomorrow with or without this motion we will be having a sitting. That is not a negotiation matter…

Speaker: Yes Hon. Mutahi.

Hon. Mutahi Muritu: Mheshimiwa Spika kuna kitu inanishtua kidogo na uniruhusu kupitia kiti chako tukufu. Kanuni zetu zinatueleza Mheshimiwa Spika akishatoa uamuzi hakuna mjadala mwingine unaojadiliwa. Sasa nashangaa naibu wa Spika na ni msaidizi wako na anajua kabisa kanuni kwamba Spika alishalitolea uamuzi lakini bado baadaye na mzungumzaji ashakaa chini, bado tunauleta mjadala. Cha muhimi zaidi Mheshimiwa Spika ili tuweze kusonga mbele na kuleta masilahi kwa Bunge hili na wananchi wetu, nakuomba utoe mwongozo kupitia kiti chako tuweze kusonga mbele tulijadili kama tutakuwa na mengine. Hata mabadiliko za kanuni zetu za Bunge tukitaka tunaibadilisha kwa hivyo Mheshimiwa Spika…

Speaker: Order! Hon. member for Tigithi, I did give a ruling that we are not allowing the amendment and I think the issue that Hon. Deputy Speaker is raising has been responded to by the Hon. Member for Marmanet that we cannot postpone this debate because these motions allow us to come back to the House for the time specified here. So we cannot be able to sit here tomorrow morning unless we have adopted this motion so that when we come here tomorrow then we can be able to amend the calendar further.

Hon. Members, I would still insist that there might be more things that we may want to amend tomorrow because it allows us to come and sit and look more things. Hon. Mary Samken, I am saying when we allow ourselves time to be here tomorrow it will give us more time to have met and deliberated on a number of things which may even help us to amend it further.

Therefore, I am requesting that we alter the calendar further tomorrow through another procedural motion so that we don't do some few amendments here and still tomorrow we may also need other amendments. It may give us time to come and sit together to the House then we will be able to make an alteration that will be quite okay with all of us and also give time for the committee sittings and the rest. Hon. Deputy Speaker, you may continue.

Hon. Daniel Nyausi: Thank you Mr. Speaker, and thank you Members for putting more information and I will kindly request the Hon. Members that we support this motion and of course I am still supporting for more amendments which we have agreed that it will be done tomorrow because we still need more amendments on this particular motion. Then we can support and then be ready and go to records that tomorrow we are bringing more changes and amendments that will favour our members. Thank Hon. Members and please support it.

Hon. Daniel Mugweru: Thank you Mr. Speaker, I want to make my contribution on this motion. Since you have chosen to use your power not to allow amendments, having read the standing order very clearly that you had power it to move now but we have chosen not to and which we also agree to because it is…

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Speaker: Hon. Mugweru, the standing order is very clear. It says exceptional circumstances, as far as I am concerned, I don't see any exceptional circumstances. We are here tomorrow and we have time to do so. There is nothing exceptional.

Hon. Daniel Mugweru: *(Audio Distortion)* … thank you Mr. Speaker, let me not say that because I thought that there are some people who are fighting the same from behind. Mr. Speaker, ours is that we were interested to come back to the session and continue with our business as usual. Having an opportunity to come back to this House that sometimes back we just went without any information on when or where to come back, now we have an opportunity to come expecting that tomorrow we will have the same amendments. This is because it is the will of members and this House should serve the interests of these members and their wish.

They are the ones who want to come back, they want to be here and Mr. Speaker it's upon the House to listen to all the members whether there are amendments after moving the amendment, then we will go as per that. For now, I support this motion to allow us to be here for plenary waiting for tomorrow to move the same amendments. Thank you.

Hon. Peter Matunge: Thank you Mr. Speaker, I wish to echo the words of Hon. Member from Umande. Mr. Speaker you have continued to clarify the reason why we cannot move the amendment today. Just for the sake of allowing us to be in this House, I wish to stand and support this motion because when we adjourned this House last time, we didn't get the opportunity to debate and decide what to do Mr. Speaker.

I remember when we were at home, I saw what the Senate did. They moved a motion of adjournment and they were able to discuss and agree as members. We have a House of order and rules, so that we continue to prepare ourselves anytime so that when we need a motion or an amendment to a motion it is only justice that we can be given the opportunity to have the order paper on time.

Just give me some time to quote a standing order here so that we don't apply this standing order double standards. Mr. Speaker, standing order number 39 requires that;

1. *The Order Paper shall be prepared by the clerk, showing the business to be placed before or taken by the Assembly and the order in which it is to be taken, including a notice paper showing the business for each sitting day of the week, together with such other information as the Speaker may from time to time direct.*
2. *The Order Paper shall be published and made available to members, at least twelve hours before the Assembly meets, but a supplementary order Paper shall be made available at least one hour before the Assembly meets.*

Doing so, this can only enable us to prepare the amendment on time so that we don't come here to move an amendment and be told we were supposed to have done a written submission to the Speaker an hour before. For the fact that we want to come to this House and allow us to move other alteration of the calendar in our next sitting Mr. Speaker, I support the motion.

Speaker: May I call upon the leader of the majority party to give a reply.

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Hon. Peter Thomi: Thank you Mr. Speaker, I want to thank the members because they have understood and as I started I said I beg to move the motion. Members, I still plead with you that we consider this motion and approve it as it is because there is tomorrow and even next week. As we have always been doing it, let us today move from the special sittings because we know this is a special sitting after we approve this motion.

As from tomorrow we will come up with another motion in whichever style but we move from the special sittings. So Hon. members, I still beg you to approve this motion. Thank you.

(Question put and agreed to)

CONSIDERED RULING

Speaker: I just want to make a clarification to you Hon. Members. You see that time that this motion made there was a consultation on the same, it was because we thought we sit on Tuesday morning and therefore the issue was we have two sittings on Tuesday and two sittings on Wednesday.

In two days, we are able to dispense with the four sittings or the same. Now that we cannot move a sitting from another day and we had consulted, I did as the leader of majority party to make sure that also he consults and also from the views that were given by members that we need to be here at least two days so that we cover the four sittings in those two days. Therefore, now that we are able to come back to the house we still need more consultation that will also help us to make sure because the timetable that we had for the committees was running from Monday to Friday, do we go back to the previous kind of committee sittings? Therefore, the main business of today was getting us back to the House then tomorrow we can be able to bring a procedural motion which now after all that consultation because what we have here has partly consultation.

We therefore have to come back and say now that it is not possible to sit on Tuesday morning, what other time do we need to meet? Everyone here has his own right to speak because each of us even though the majority have their way and the minority have their say, it is also good to consider the views of every other person.

Because we are here tomorrow, let the majority leader also consult further and get to see apart from the Thursday sitting, what else do we need to amend from the same option. Do we say 2 p.m. to 4 p.m. or 2 p.m. to 3.30 p.m.? All those are things that need amendments if we feel that we want to do so. I believe no one is hindered doing an amendment and there is nobody who is trying to block a sitting of the Members of the Assembly on Thursday. The issue is let us do it tomorrow so that we don't do it in a hurry and we will also have consulted and if possible tomorrow morning or in the afternoon but I believe the HBC will have scheduled that sitting.

ADJOURNMENT

Speaker: Even before we adjourn, there's also something I was to think about. You see when we thought we would do the same, we captured the Wednesdays time at 10 a.m. because

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that is what we have been used to in the previous two sittings. If we sit down and we see because we will wish to do all our committees in the days we are here. If we sit down and agree, this will also convince some committees to meet.

We can still take it back to 9.00 a.m. and I think that is why it is important for us to consult further so that when we bring our procedural motion, it has taken care of all our needs including the timetable for the committee sittings. Hon. Members, you may rise. This House now stands adjourned until tomorrow Wednesday at 10.00 a.m.

House rose at 3.36 p.m.

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