REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Thursday, 5th November, 2020

The House met at the Assembly Chambers at 9.00 am.

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

PRAYERS

PAPER LAID

BUSINESS STIMULUS FUND REGULATIONS, 2020

Hon. Salma Zamzam: Thank you, Mr. Speaker, Sir. I beg to lay the report. That this House adopts…

Speaker: Hon. Zamzam we are laying the papers. Just beg to lay. Read all of it.

Hon. Salma Zamzam: Mr. Speaker, I beg to lay the report on Public Finance Management (Laikipia County Business Stimulus Fund) Regulations, 2020 by the committee on Delegated County Legislation dated 4th November, 2020.

(Hon. Salma Zamzam laid the paper on the Table)

NOTICE OF MOTION

BUSINESS STIMULUS FUND REGULATIONS, 2020

Hon. Salma Zamzam: Thank you, Mr. Speaker. I beg to give notice of the following motion;

THAT this House adopts the report on Public Finance Management (Laikipia County Business Stimulus Fund) Regulations, 2020 by the committee on Delegated County Legislation dated 4th November, 2020.

MOTIONS

EXTERNAL BORROWING BY COUNTY GOVERNMENT

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

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THAT AWARE THAT section 17(6) of the Public Finance Management Act, 2012 mandates the National Treasury to disburse monies to the devolved units at the beginning of every month and in any event, not later than the 15th day from the commencement of every quarter;

FURTHER AWARE THAT continuous failure to disburse monies to counties on time has exposed them to major financial constrains to carry out their Constitutional Functions and in particular Laikipia County;

NOTING THAT these delays have negatively impacted on service delivery in the County Government and to be specific have caused unnecessary delays in respect of payment of salaries to the Hon. Members and staff of the County Government of Laikipia;

FURTHER AWARE THAT deferred and or delay in payments of salaries has caused significant inconvenience to the Hon. Members, staff of the County Government of Laikipia;

CONSCIOUS THAT section 141(2) of the Public Finance Management Act stipulates that a County Government may borrow money only in accordance with this Act or any other legislation and shall not exceed the limit set by the County Assembly;

FURTHER COGNIZANT OF THE FACT THAT section 142 of the Public Finance Management Act empowers the County Assembly to authorize short term borrowing by County Government Entities for cash management purposes only;

NOW THEREFORE, this House APPROVES short term borrowing by the Laikipia County Government as from July, 2020 not exceeding 5 percent of the most recent audited revenues of the County Government as stipulated in section 142(2) of the Public Finance Management Act at the lowest possible cost in the market that is consistent with a prudent degree of risk, while ensuring that the overall level of public debt is sustainable and taking into consideration provisions set out in 140(1) of the Public Finance Management Act for purpose of paying salaries on time whenever there are unforeseen delays in disbursements of funds from the National Treasury.

Bwana Spika, sababu ya kuleta huu mjadala ni mnajua kwa muda mrefu tumekuwa tukipata shida. Mwisho wa mwezi umefika na sio sisi peke yetu bali pia wafanyikazi wa Serikali ya Kaunti. Hakuna kitu kinaweza tendeka bila sheria ndiposa niliona kuwe na mpangilio kwa sababu hili ni Bunge la sheria. Inatubidi tusiwe tunafanya mambo kinyume na sheria. Ninapomalizia ningetaka kuwaambia wajumbe wenzangu kwa miezi mitatu Kaunti zingine ambazo hazina mipangilio na benki ndio wanapata mishahara.

Nashukuru uongozi wa Bunge hili kwa sababu hata kama hatukuwa na sheria walikaa chini na kupanga na benki na ndio maana siku hizi tunaona Kaunti ya Laikipia ikiwa na utajiri. Ni kwa

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sababu wengine wakilia juu ya mishahara sisi hatulii. Tuliona ni vizuri iwe sheria. Bwana Spika ninapomalizia naomba wabunge waunge hili na wanapopinga inamaanisha hawataki mishahara tarehe tano ama kumi. Mheshimiwa Spika, naomba kualika Mheshimiwa kutoka Umande Mugweru aunge mkono mjadala huu. Asante.

Hon. Daniel Mugweru: Thank you, Mr. Speaker. I rise to second this motion specifically short term borrowing. The Hon. Member has elaborated by saying everything that concerns this motion. Mr. Speaker, on short term borrowing, we as an Assembly should set rules and proper guidelines for the same. As the motion states it is short term borrowing, we need to emphasize on that that it should be short term borrowing.

Mr. Speaker, we should emphasize on the 5% and it should be specifically for salaries so that we may not engage ourselves in other unnecessary borrowing. Mr. Speaker, as it is indicated in the motion it clearly shows and every Hon. Member knows the negative effects that we get in service delivery. When the workers of this county do not get their salaries that is the time they relax in whatever they are supposed to do.

Mr. Speaker, we might find civil servants who do not get good salaries in time engaging themselves in bribes and doing other businesses that are not related to what they were called for. It is also justice that one has done work and be paid for work done at the right time. Mr. Speaker, many people who work for the Assembly and the County Government have engaged their salaries in loans. The institutions do not care whether you get your salary or not. They do not know June and July but we are the ones who understand that the Month of June closes the Financial Year.

The institutions do not understand all this. We will find workers of this county going to pay their loans with unnecessary interest and penalties because of delayed payments. Mr. Speaker, having said that we as an Assembly we will go ahead if Hon. Members supports this. We will set proper guidelines on how to borrow and also when to repay the loans because when we call it short term, it should be short term. It should be a maximum of two or three months so that we may not be told that there are debts of last year or many months ago. Let us do as per short term borrowing regulations. I second and I urge Hon. Members to support the same motion for their own good. Thank you.

(Question proposed)

Hon. Chris Mark: Thank you, Mr. Speaker. I rise to support this motion. It is a good motion especially this time we are facing economic issues in the county. Just like the seconder has spoken, it is very important we have the regulations. When a motion is open like this when we have the PFM Act we usually undergo manipulation because if it is not specified it gives room for manipulation. It is good as a county our salaries are timely courtesy of the agreement between banks.

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There is a caution to that because I recently got two messages in two successions. One from the County Pension Fund saying that they have received my remittances done by the county as gratuity for June. Then two days later I found other ones for July. I did not understand that bank was just paying the net pay. They were not doing the deductions which are very key. Some of the subordinate staff were not able to access NHIF.

I was thinking the leadership that have done a very good job when they recommended and reached out to the banks so that they can look into the issues of salaries should negotiate further. Banks like Cooperative were saying they can pay the statutory. They saw no need of loading money without putting the statutory deductions which are very important like CPF, NHIF and any other deduction done on behalf of this county. I recommend you for that but you should go ahead and negotiate for that.

Apart from those few comments, the issue of regulations is key to this motion to make sure there is no manipulation and also a timeframe as it was earlier said by the Speaker so that we do not extend it. We should not borrow to pay unnecessary things like imprests. With that, I support the Finance Committee for thinking of this motion which is timely and very necessary this time. Thank you.

Hon. Stephen Ndiritu: Asante, Bwana Spika. Pia mimi nasimama kutoa maoni yangu kuhusu huu mswada wa mkopo. Ni vizuri wakati tunasema tunataka kutoa mkopo tuwe na nia njema. Mimi sijajua ni mkopo gani lakini nafikiri Benki ambayo inapaswa kunilipa mishahara ama mfanyikazi yeyote wa serikali inahitaji tu makubaliano na benki ili mshahara ulipwe kabla ikiwa pesa haijaingia.

Naomba tuangalie huu mswada kwa makini tusije tukaweka mashimo ambayo itatumiwa na wengine kutumia fedha za serikali. Katika Kaunti ya Laikipia, yale mambo ambayo huwa tunasema hapa sio mambo ambayo yanatendeka. Kwa mfano wale ambao wanalipwa na UNISON wanapokea pesa yao mapema bila makubaliano. Hakuna muswada ambao tumeweka hapo. Haya ni mambo ya kukubaliana kati ya benki na taasisi za serikali.

Tukisema tukope, kwa mfano tuchukue milioni 300 na benki itupatie mkopo na hisa ya asilimia 14 inamaanisha Serikali ya Kaunti itaongeza pesa zingine zaidi ambayo haikuwa kwa bajeti. Hiyo huenda ikavuruga kaunti hii. Wakati Kaunti zilianzia Gavana walikuwa wanapeleka miswada kwa Baraza la Magavana na kusema waruhusiwe kukopa. Hilo lilileta changamoto. Kwa hivyo naomba Bunge hili liangalie hili kwa njia pana. Najua Gavana ambaye tuko naye ni mzuri na pia wafanyikazi wa Serikali ya Utawala ni wazuri lakini ikifika ni utekelezaji tutakuja kulia.

Vilevile ningetaka tujue wakati tunasema tutakopa kwa Benki tujue kuna wafanyikazi ambao wanastahili kufanya hiyo kazi kwa muda ambao unafaa. Hii ni kumaanisha Idara ya Fedha haitafanya kazi kwa sababu wanajua shida ambayo tuko nayo kubwa ni mishahara. Waheshimiwa wakipitisha hili fedha zao zitakuwa zinalipwa baada ya miezi sita kwa sababu watakuwa wanasema tunapokea mishahara.

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Kwa hivyo tutaweka hawa watu uvivu na tunajua vile mambo yako katika hii Kaunti yetu. Naomba Waheshimiwa waangalie hili na wajue kama miswada ambayo tunapitisha hapa ni ya manufaa kwa mwananchi ama ni njia ya kupoteza pesa. Tutapata hiyo mikopo inaenda kwa fedha za barabara na matukio. Tunajua Kaunti ya Laikipia imekuwa na watu ambao wamezoea kufanya matukio na wanaweza kuwa wakitoa pesa kwa hiyo njia.

Huu ni muswada ambao tunafaa kuwa makini kwa sababu hatusemi watu hawalipwi, watu wanalipwa. Kama Serikali ya Kaunti ingetaka kuwa na mpango na Benki kama ya Cooperative na Equity itakuwa tu ni makubaliano lakini hapa naona tunataka kufanya mambo ambayo si ya manufaa kwa mwananchi wa Kaunti ya Laikipia. Huenda tukaweka mashimo ya kufanya Kaunti yetu ikose maendeleo kwa sababu kuna pesa tutakuwa tunaingiza hapa.

Nataka kutahadharisha Bunge hili kwamba kuna pesa ambazo zitakuwa zinaingia hapo. Tukifanya bajeti tuko na *ceiling* na tukienda kukopa itamaanisha kuna pesa itaongezeka ambayo hatujui itatoka wapi. Itabidi tupunguze mishahara ama mipango ingine ili tuweze kupata hizo pesa. Kwa hayo machache nimetoa maoni yangu kama mbunge ambaye haendi kulingana na njia ambayo inapitwa na wengine. Kama itakuwa mbaya watu wote watajua na kama itakuwa nzuri nitahukumiwa kulingana na yale ambayo nimesema. Kwa hayo machache nimetoa maoni yangu. Asante.

Hon. Daniel Nyausi: Thank you, Hon. Speaker for giving me this chance to support this motion. I congratulate the Committee of Finance and County Planning for coming up with this motion. Mr. Speaker, the last few months we have suffered due to lack of salaries. We have seen our employees have been suffering too. I will not imagine that there is one of us in this House who will think we need to go back there. Mr. Speaker, this country is in crisis and we are straining a lot.

Hon. Members, in today's newspaper we are likely to go back where we were. Up to now the money has not been released to County Governments as we speak and today is 5th November, 2020. If it was not for this agreement none of us would have received salaries. Mr. Speaker, this is not fair. We have many people who depend on us and we are working and other employees are working waiting for their salaries on time. I recommend this and the motion is very clear that it is a 5% of the local revenue being collected. If anyone goes above that, he will face the law. If he asks for 10%, the bank will only have an agreement of 5%.

I do not know where they will get the 6% from yet it is very clear it is 5% of our revenue. We should not fear because the law is there for those who will break. We are just doing what we are supposed to do and I am recommending this House we go as per this request of the committee because the county today deserves this. I wish all the banks we are working with can work with the one the Hon. Member has mentioned. There are some banks who are ready to pay their employees even without their salaries being remitted from the County Government.

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If all banks will go this way and they will be ready to go, even if the County Government do not have money for three months the better. Mr. Speaker, we have not seen many banks doing that and it is very hard to find one Hon. Member in NECCO Fosa Bank in this House. Very few if any of our staff are in those banks. 90% of our people are suffering due to lack of their salaries. We cannot keep quiet and say this is normal and fear that people will break the law.

If anyone breaks the law there will be consequences of breaking it. This is the right way of doing it. Mr. Speaker, we have suffered and I could not think anyone would think we need to go back to that. Our condition is not stable up to this moment. I totally support this and I urge Hon. Members to support this because it is peoples' right. Thank you, Mr. Speaker.

Hon. Catherine Nyawira: Thank you, Mr. Speaker. I support this motion as brought to the floor of this House by the Chairperson for Finance and County Planning Committee. Mr. Speaker, recently the Council of Governors had threatened to shut down counties because of the allocation that was not coming through from National Treasury to run the counties in terms of salaries and projects. This was caused by the delay of CRA when they were negotiating for how much money will come down to the counties.

Therefore, I believe most counties were prompted to go ahead and negotiate and find ways in which they could try and run the counties because shutting down counties means wasted time. I believe Laikipia County was one of the counties. We did not lack salaries but only for one month and one bank came on board and offered to pay our salaries while we waited. I believe the counties have continued to do that.

For that reason, I wish to support the initiative of this motion which is very clear that the money to be borrowed will only be for salaries. It will not exceed 5% of the recently audited accounts. Mr. Speaker, not paying people's salaries demoralizes them. As the previous speaker said that it causes them to do bribes and causes shoddy services is because if somebody doesn't have salary for two months and you are expected to commute, eat and pay loans then the whole thing becomes time wasted. I support this motion so that we can continue to give services to the people. They should get their rights in good time. Thank you.

Speaker: I wish to give some information for clarity. You should be clear that the 5% we are talking about should include the interest that will be incurred because when they do that agreement, it gives you the interest you are paying. The 5% should be the money that you should borrow including interest.

Secondly, the reason why this had to come through the County Assembly is because we are not the only county that is borrowing. They are quite a number and therefore it prompted the Controller of Budget. Any money that is spent by the Government, we all know that we have to pass that budget here. It must be approved by the County Assembly. Therefore, from the point the Hon. Ndiritu was raising, assume the County Government of Kakamega went ahead and borrowed and salaries were Kshs.200 million per month.

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Because of the interest it rose to Kshs.205 million. That Kshs.5 million must be approved by the County Assembly so that no coin will be spent without the approval. What we are seeking is the approval of the Assembly on any money spent so that there is no way you can borrow. Even if that money is 5%, when you spend a Kshs. 1,000 shilling that is not approved by the County Assembly it will be wrong. The Controller of Budget advised that this needs to be approved by the County Assembly.

This gives us an advantage that the Executive cannot borrow without our knowledge or us approving. I just wanted to give that information. It is good for us to have it. If there are no other Members, I can call upon the mover to give a reply.

Hon. Joseph Kiguru: Asante, Mheshimiwa Spika kwa kutuelekeza. Kuna mambo mengine ambayo sikutaja. Ukweli wa mambo ni kwamba Kaunti ishirini na nne wameingia kwa mkataba na benki na zingine bado kwa sababu utakuta wengi wamepata shida ya kupokea mishahara. Wengine wanatuuliza tunafanya nini kwa sababu kwetu hakuna shida. Mheshimiwa Spika ameeleza vizuri na nashukuru kwa sababu Mheshimiwa Chris Mark na Mugweru wametaja kuwa Kamati ya Sheria ije na sheria za kuhakikisha hakuna kitu kitaenda zaidi ya vile Bunge hili limepitisha.

Sitaki kuongea mengi ila nashukuru kwa sababu wajumbe wamechangia na kuona umuhimu wa chochote ambacho tunafanya. Tunafanya na isiwe kinyume na sheria kwa sababu ujumbe nilio nayo ni kwamba benki zilikuwa karibu kuachana na haya maneno kwa sababu wanaona ni lazima kuwe na utaratibu wa kuwaelekeza. Wasipotupatia pesa tutarudi kwa shida ambayo tumekuwa tukipitia.

Ni vizuri wajumbe tuwe na mpangilio wa kuhakikisha kuna sheria ambazo zitakuwa zikituelekeza. Naomba wajumbe wapitishe hili ili pawe na utaratibu na mpangilio katika kupokea mishahara yetu. Asante, Mheshimiwa Spika. Naomba wajumbe wapitishe. Asante.

(Question put and agreed to)

CONSIDERED RULING

Speaker: I would also wish to concur with the mover of this motion and some of those who contributed. We need to have some regulations that are specific so that no one can take advantage of that borrowing. Let us have the regulations. It is for borrowing only. Let us capture that 5% to include the interest. On the same, we have been having a number of complains that we have a number of investors and stakeholders in the County of Laikipia but we do not have an investment bill that will require 70% of the people employed by investors to come from the local area.

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When somebody was complaining about the British Army, Ol Pejeta Conservancies and key areas in this county this will be food for thought we develop such bills as we do those regulations.

BUSINESS STIMULUS FUND REGULATIONS, 2020

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

THAT this House adopts the report on the public Finance Management (Laikipia County Business Stimulus Fund) Regulations, 2020 by the Committee on Delegated County Legislation dated 4th November, 2020.

Bwana Spika, kwa niaba ya Mwenyekiti Mheshimiwa Jacob Endom nafikiri kila Mheshimiwa yuko na nakala hii ambayo imeletwa na kamati.

Mr. Speaker, it is a report on the public Finance Management (Laikipia County Business Stimulus Fund) Regulations, 2020 by the Committee on Delegated County Legislation dated 4th November, 2020. On Committee Membership, Mr. Speaker Sir, the committee comprises the following Honourable Members;

1) Hon. Jacob Endom - Chairperson
2) Hon. Zamzam Salma - Vice Chairperson
3) Hon. Joseph Kiguro - Member
4) Hon. Chris Mark Said - Member
5) Hon. Irene Wachuka - Member

On acknowledgment, The Committee wishes to thank the office of the Speaker of the County Assembly and the Office of the Clerk of the County Assembly for the necessary support extended to it in the execution of its mandate. I wish to also thank the Members of the Committee for their participation in the compilation of the report.

Mr. Speaker, Sir, on behalf of the Committee it is my distinguished honour and privilege to present this report of the Committee on Delegated and County Legislation for debate and adoption by the House.

On page 6 we have the committee's observations

1. The power to make regulations

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Mr. Speaker, Sir, for any regulations to have the force of law, it must be shown that they are made pursuant to a provision of the Constitution, a provision of an Act of Parliament or a provision of an Act of a County Assembly (Laikipia County Assembly in our case) which expressly donates the power to make regulations to the authority that makes the regulations in question.

The Public Finance Management Act, 2012 is herein after referred to as" the ACT". The Public Finance Management Act, 2012, under Section 116, confers powers to the County Executive Committee Member for Finance to establish public funds with the approval of the County Assembly.

Subsection (9) of the same section provides that regulations may provide for the establishment, management, operation or winding up of the county public funds under this section. Pursuant to these provisions…

Speaker: Hon. Zamzam you don't have to read the whole thing. You can read the key areas.

Hon. Salma Zamzam: Thank you, Mr. Speaker. On page 7 establishment of the fund. Mr. Speaker, Sir, these regulations seek to establish a public fund and therefore will require the approval of this House. The fund sought to be established the (Laikipia County Business Stimulus Fund) regulations, 2020 seeks to alleviate the negative effects of the COVID-19 pandemic on businesses across the County.

Mr. Speaker, we can all agree that the businesses in the County have been affected and it is prudent for the County Government to step in and help these businesses to recover. It is for this reason that the committee fully supports the establishment of this fund.

Further it is important to note that in the recently passed budget estimates for financial year 2020/2021, this House allocated a significant amount of money for this purpose. Mr. Speaker that is a strong indication of the intention of this Honourable House to have this fund established so as to boost the economy in Laikipia County, particularly, in the wake of this global pandemic.

On management and operation of the funds, Mr. Speaker, Sir, it is noteworthy that the process of drafting these regulations has been a rigorous one. The committees' sentiments and those of other members of this House have been considered and incorporated into the regulations.

The regulations are properly drafted and the management structure of the Stimulus Fund established is clear and well thought out. The management of the Fund has included members of the business community who are a key stakeholder in this fund.

The programs intended under the Fund have been clearly stipulated under regulation 4. The regulations have also provided for a fund administrator under regulation 6 as required under the Public Finance Management Act.

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Committee's Resolutions

Mr. Speaker, Sir, pursuant to section 116 of the Public Finance Management Act, 2012 which requires approval of the County Assembly for the CEC Finance and County Planning to establish a public fund, the committee recommends the following:

1. That this House approves the establishment of the Laikipia County Business Stimulus Fund as provided for in the Public Finance Management (Laikipia County Business Stimulus Fund) Regulations, 2020.

Bwana Spika, nikitilia mkazo mchango wangu kwa ripoti ambayo tulileta kama Kamati ya Sheria katika Bunge lako tuliweza kutupilia mbali wiki iliyopita. Waheshimiwa na kamati husika waliona haziko kamilifu. Kamati iliweza kuketi chini na kufanya marekebisho. Tumeirudisha kwa Bunge ikikumbukwa sisi wenyewe ndio tuliweza kupitisha fedha mamilioni ili wanabiashara katika Laikipia wapate pesa za kufanya biashara katika Kaunti yetu.

Tunajua kulikuwa na janga la COVID-19 ambayo kwa sasa limevuka na ni vizuri waheshimiwa kuweza kupitishia wananchi pesa ili wainue biashara zao ambazo ziko chini. Tunajua biashara zimedidimia katika kaunti yetu. Gavana na wajumbe katika Laikipia waliona ni vizuri wachange pesa ambayo itaweza kusaidia mama mboga ama mtu wa chini ili waweze kuinua biashara zao.

Bwana Spika, sina mengi ila naomba Wabunge wenzangu waniunge mkono pamoja na kamati ili tuweze kupitisha ili watu wasaidike na hizi pesa. Naomba Ndugu yangu Mheshimiwa Kiguru kuafiki Mswada huu. Asante, Mheshimiwa Spika.

Hon. Joseph Kiguru: Asante, Mheshimiwa Spika. Nasimama kuafiki huu mswada. Naibu wa Mwenyekiti ameelezea vizuri na tunajua wanalaikipia wamepitia kipindi ambacho kimekuwa na shida sana. Biashara nyingi ziko chini na haitakuwa sawa kama Bunge itasema tulipatiana pesa ili wafungue mikopo. Wakati tulikataana na sheria ambazo zilikuwa zimekuja katika Bunge hili ni kwa sababu kulikuwa na dosari. Nona wamerekebisha na ndiposa tunapitisha hizi sheria ili tufungue pesa ambazo tulipitisha katika Bunge hili ili wanalaikipia wasaidike na biashara zao zifufuke.

Mheshimiwa Spika, sitaki kunena mengi lakini nasimama kuunga mkono na kuomba wenzangu wapitishe hizi sheria ili wanalaikipia wapate nafasi za kupewa mikopo. Asante, Mheshimiwa Spika.

(Question proposed)

Hon. Irene Wachuka: Asante, Bwana Spika. Nashukuru Kamati ya Sheria na kama vile Naibu wa Mwenyekiti amesema tuliteta hizi sheria wiki iliyopita katika Bunge hili na tuliona kuna mambo hawafai kuletea wananchi wetu. Ndiposa tulirudi na kukaa chini na hao mpaka tukapata suluhu. Tulisema ni lazima zirekebishwe na wakati walirekebisha tukasema turudishe katika

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Bunge letu. Hao ndio watu wa mwisho na wakisema ni la ni la na wakikubali sawa. Dunia nzima imerudiwa na janga la CORONA na wafanyibiashara wetu wako chini. Watoto hawasomi kwa hivyo bora wapate chakula.

Tuliona ni vizuri tuilete muichangie ili tuone biashara za mama mboga, makaa na bodaboda wasaidike na pesa. Naomba wajumbe wenzangu wavalie viatu za hao wanabiashara. Tuko hapa kusimama na Wanjiku na naomba waheshimiwa wapitishe hizi sheria. Pesa iko kwa hivyo ni vyema watu wafanye biashara. Kama tutapitisha wajumbe pia wako na haki ya kufuatilia kama pesa zinafanya kazi kulingana na vile zinafaa.

Kama hazifanyi tuko na haki ya kurudi katika hili Bunge na tuambie Gavana pesa yetu haiendi kama vile tulikuwa tunafikiria. Hilo ndilo jukumu letu na tukipitisha sio lazima uulize watu, enda huko mashinani uulize Wanjiku kama amepatiwa hizo pesa. Kama hapati mjadala uletwe tusimamize hizo pesa. Naunga mkono na nashukuru wale ambao wanaunga tusaidie Wanjiku lakini si Gavana ama Serikali. Asante, Bwana Spika.

Hon. George Meshami: Asante, Mheshimiwa Spika. Nasimama kuunga mkono huu mjadala ambao umekuja katika Bunge lako tukufu. Pesa ambazo tunaongelea ni za wanalaikipia. Bunge lako tukufu ndilo limeketi chini na kupitisha hizo pesa zipatiwe wanalaikipia. Wakati umefika wa kupitisha sheria ili hizi pesa zipatiwe wananchi kutoka Laikipia. Naunga mkono na naomba Wabunge wenzangu waniunge mkono tupitishe hizi fedha ili wanalaikipia wafaidike na pesa ambayo imepitishwa katika Bunge lako. Naunga mkono na asante.

Hon. Chris Mark: Thank you, Mr. Speaker. I rise to support and commend the committee led by our able Chair Hon. Jacob Endom. It is just a fortnight ago when in this same House, this committee revoked the same regulations. This shows that this committee will not pass regulations for the sake of passing. This committee scrutinized and realized the mistakes that were there and revoked. Today the same committee has brought the same regulations after scrutinizing so that the people of Laikipia, the microfinance, the SMEs…

Speaker: Hon. Members, consult silently.

Hon. Chris Mark: They can be able to be accessing these loans. With that said, I support these regulations and I urge my colleagues to support this because it has been widely spoken in Laikipia by the Governor that there is a fund but this fund would rather delay but when it comes, it will come properly regulated and managed to the sense that anybody can access it. It is open and clear because this is tax-payers money. I support and thank you Mr. Speaker.

Hon. Wilson Wakahiu: Thank you, Mr. Speaker. I rise in support of these regulations for Laikipia County Business Stimulus Fund Regulations, 2020. For sure public money does not belong to anybody. That is why we come up with laws to ensure that money is utilised prudently to serve the purpose it is supposed to serve. In the month of July we approved the budget estimates in this House for this Financial Year.

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In the budget there was a program to assist our business people because of the effects of COVID-19. Because the money is there the program cannot be executed having not approved these regulations. I think this is the high time having taken more than four months since them. It is important the remaining period of eight months we have these laws so that the money may be used within the shortest time possible. We should make sure that there will be no delay when we come to the end of the Financial Year.

I am in support of this because many of our people have closed their businesses because of the effects of this disease. This is the high chance of reviving their businesses. Let us give the County Government of Laikipia some money to boost their businesses. I believe this is one of the regulations that are important for us to approve in this House and adopt. I support.

Hon. Daniel Mugweru: Thank you, Mr. Speaker. I rise to support today's motion having gone through the one we had before and the one we have today. One of the concern I had the other day has been addressed. One part 7(f) about the committee may appoint two people from business community but for this one they have included two persons representing the Laikipia Business Community who shall be appointed by the County Executive Member for Trade.

I feel the business community is represented. We pray when the business community is represented, we are boosting the small businesses. We also need to hear that those representatives should come from the small businesses so that we may not find the big fish are the ones who are representing the small fish. With that it is a great plus because they are the ones who understands the downfall. They have been affected all through by this COVID.

Mr. Speaker, we set this money and having done that in the budget our intentions was to give that money to the business people to boost their businesses. Mr. Speaker, when we retain that money and we are the ones who set the money in the budget and we do not distribute, doesn't make sense. If we have a heart to help our people, let us distribute this money because we already set it in the budget. Let our people get this.

As we have passed the regulations, we need to hear someone who have a small business that is worth Kshs. 5,000 Kshs in Umande or Sosian getting this money. We do not want to find ourselves that the money that have been given out is only benefiting the big fish in this county leaving the small businesses. We need to hear the kiosks in our local areas benefitting from the same money. We need to hear local saloons and hawkers getting this money. If I give an example of Umande Ward this money that was set was a lot to boost these businesses.

If we divide this money in different wards depending on the population and the businesses that are there, if Umande Ward gets 5 million, I can assure you that every business will get something. In Nanyuki Town, Igwamiti Ward and Rumuruti Ward, we have hawkers and if you give them Kshs. 5,000 each they will benefit from this money.

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Mr. Speaker, let the committee that will be formed concentrate much on the small businesses because Kshs.1 million can benefit all the hawkers in this county. Another Kshs.1 million can benefit another business unit. Kshs.2 million can benefit the bodaboda operators. The small shopping centres in Chumvi cannot even use Kshs. 300,000 shilling. This is a lot of money if at all we are going to concentrate on small traders.

If you look at the senior business people, you will find them getting millions which could have benefitted all the hawkers in this county. Mr. Speaker, having prepared to pass the regulations, we pray that the committee will concentrate much on small businesses so that many people will benefit. Those are the people who make the economy grow. As we are seeing the economy of this country is going down if Laikipia will put small businesses, we might help Laikipia County economically grow. I support and thank you.

Hon. Peter Matunge: Thank you, Mr. Speaker. I rise in support of the regulations. When we were in the Aberdare Cottages we made a lot of proposals to the amendments of these regulations. I believe the committee and the people who are pushing for the regulations have considered them. I have gone through it although that time was short and we were able to see that at least they were able to address some issues that we had including the structure of the Administrating Firm in these regulations.

I have seen they have looked at the functions of the committee. One of them is advising on the policies of CECM. I am comforted because immediately after COVID-19 pandemic I moved a motion here addressing on the issues of Economic Stimulus. I am happy these regulations are one of the measures they are taking to implement that motion. The reason why we were doing that is because our business and the economy of Laikipia is going down. The only we can improve is by finding ways of reviving it.

Because other development partners have come on board to enable the County Government of Laikipia and us to support our businesses, I think we are in a position to pass these regulations so that these funds can be able to serve and benefit the people of Laikipia. Mr. Speaker, I hope going forward other issues will be improved because we had the issue of the grace periods of these loans. It was based on assumptions and I was proposing whether we can have a guiding policy or categorise groups of businesses so that biasness can be eliminated.

The other thing is addressing the issue of equal distribution so that this fund will benefit all the corners of this county. We cannot be able to see what we have been experiencing in enterprise fund. There has always been an issue in some wards being side-lined by benefitting very little. I know Hon. Members have spoken on the issues of us focusing on small businesses. Large Businesses are pushing the economy of this county and I think this fund can be able to be distributed in all levels of businesses.

I also believe big businesses in this county create a lot of employment and they support many stakeholders and households so they should also be given an opportunity. The tourism sector

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have been greatly affected by the issue of COVID-19. Many hotels have been closed, other are running half a day and others have poor capacity and they need these funds for them to come back. They have employed many Laikipians.

We should not only focus on small businesses and we should contribute equally to all levels of business and other investors who will come on board. With those few remarks I support the report. Thank you.

Hon. Daniel Nyausi: Thank you, Hon. Speaker for giving me this chance I support the motion. It is a good motion and timely. I recommend the committee because this report was here last week and Hon. Members suggested they do some changes and indeed they did. As I support this committee's report, the respective committees needs to follow this money because I am very hopeful it will be approved so that it gets to the right people at the right time.

Time is one of the resources that we need to manage. Now that we have curfew, we are not utilising all the time. It is very wise for the committee to make sure that they have pushed the department and ensure that they have started distributing the money equally to our people so that they continue with their businesses. It is the same House I am sure they will bring any negatives like misuse of these funds once they occur although we do not wish.

I am sure the Hon. Members are aware and they will be on the lookout once they see anything that is not going in favour of our people. I am sure they will ensure that the department will stick to the recommendations of this House. I support this and request Hon. Members to support this. Thank you, Mr. Speaker.

Hon. Catherine Kibue: Thank you, Mr. Speaker. I rise in support of the Committee on Delated County Legislation Report. First I want to congratulate the committee for timely reports and for bringing friendly regulations where the concerned parties are included. Secondly, I call upon the Trade Committee to make sure that these funds benefits the right business people so that they can be able to boost their businesses which have been affected by this pandemic and hence ensure growth of our economy. Thank you, I support.

Speaker: Hon. Jacob Endom, kindly make a reply.

Hon. Jacob Endom: Asante sana, Bwana Spika. Kwanza nashukuru Wabunge katika Bunge hili kwa sababu ni watu ambao wanaangalia sheria ambayo imekuja hapa kwa makini. Wakati tulileta hii sheria kwa mara ya kwanza, kulikuwa na makosa na waliangalia na kutuambia iko na makosa. Sasa kwa sababu wamerekebisha, wamekubali kuangalia na kuchangia vizuri. Nashukuru kwa sababu wako na haki ya kuangalia.

Katika kamati ambayo niko huwa nasema wabunge wana haki ya kupelekewa sheria na kuangalia. Wakiona makosa nawasikiza. Bwana Spika, kulingana na kamati ambayo inasimamia hii pesa ni vizuri wakigawa waangalie sehemu zote katika hii Kaunti. Mwaka jana pesa ambayo

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iligawa, Wadi ya Sosian ilifaidika kwa watu wawili. Tumeleta hii sheria kwa sababu watu ambao wako chini wapate kufaidika na uchumi wa Kaunti ya Laikipia uende mbele. Nashukuru na najua kazi itaendelea. Najua watapata pesa kwa sababu janga la COVID liliofanya wengine kufunga kazi zao lakini najua kwa sasa watafungua. Asante.

(Question put and agreed to)

COMMUNICATION FROM THE CHAIR

JERUSALEMA CHALLENGE

Speaker: We have come to the end of this sitting. Today we have a lot of happenings although we have not shared with them what it is. We can be able to configure our WhatsApp group to be the same. Two Members Hon. Wakahiu and Hon. Mugweru are always on WhatsApp. If they would respond the same and give that it will be very wonderful.

Secondly, on the same WhatsApp group I saw Hon. Members asking whether they will do the Jerusalema Challenge and I thought Hon. Wakahiu could lead this if he is willing to do that. I hear that he is a good dancer and his voice is of a good musician. Hon. Wakahiu you can take the challenge if you want us to do the Jerusalema Challenge, with the help of Hon. Meshami we can put some little Maasai culture in there. *Mama yao* can give the tenor and we can do it.

ADJOURNMENT

Speaker: This House stands adjourned until Tuesday, 10th November, 2020 at 2.30 p.m.

The House rose at 3.46 p.m.

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