REPUBLIC OF KENYA

COUNTY ASSEMBLY OF LAIKIPIA

THE HANSARD

Thursday, 6th August, 2020

The House met at the Assembly Chambers at 9.00 a.m.

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

PRAYERS

STATEMENT

RESPONSE TO A STATEMENT ON DOLDOL SUB-COUNTY HOSPITAL THEATRE

Hon. Peter Matunge: Thank you, Mr. Speaker. On behalf of the Committee of Health we have a response to a statement. This response had come to this House and because of a number of questions that were requested by the Member and we had not availed, we decided to bring it again today. I hope that today we will not be adding more stories.

Mr. Speaker, Sir, a statement was read on the floor of the House by Hon. Mary Samken on 16th June, 2020 and committed to Health and Services Committee on the same day. The committee responded to the statement in the House on 2nd July, 2020. However the Hon. Mary Samken requested for the following documents which are attached as annexure 1:

- Agreement details on sub construction of works to Web Commercial Agencies.
- Priced Bill of quantities for Famous Irura Building Contractors Limited.

Mr. Speaker, we have tried to be brief on the response because we have attached what was asked for. One of the documents which is attached to this statement definitely is the addendum to Doldol Hospital Theatre. It says that the attached is the price BQ for the Famous Irura and this is the letter from the Department of Health. There is also the irrevocable agreement for construction and completion of works.

The agreement details on sub-construction of works to be done by the Web Commercial Agencies is the completion of all construction works of the entire project, fitting of mechanical requirements as detailed in the BQ, supply and fittings of all the electrical works and any other remaining works that the county engineer may request and all meetings to be confirmed by both the contractor or the client loyal enterprises to be the responsible contractor.

Mr. Speaker, it went ahead to talk on payment. On this agreement it is agreed that the County Government of Laikipia should pay all pending payments to the Famous Irura Building and Contractors upon completion of works inclusion of retention cash withheld by the County Government to joint accounts held by two parties at GTB Bank Nanyuki Branch.

So it is signed and stamped by the Famous Irura and Web Commercial Agencies. The following document is the issue of detailed BQ. We can see that there are numbers there and

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figures but sometimes to translate what is in this BQ and how they arrived to that amount, at times it is the issue of a technical team and auditing. So as a committee we believe that we have adequately responded to the statement. So I leave it for the Member to register her satisfaction. Thank you.

Speaker: Thank you, Hon. Peter Matunge. Hon. Mary Samken is not here. Hon. Patricia, do you have something to say?

Hon. Patricia Muthoni: Thank you, Mr. Speaker. Mary Samken is a bit late and I think that she might not be able to report today but she may be given time to respond next week.

Speaker: Maybe before Mary comes because she did not tell me that she would not be coming, this is a statement that was discussed last time here and so if we still have a member who is interested to make some remarks on the same, this is the time.

Hon. Joseph Suge: Thank you, Mr. Speaker, Sir. I would like to make my contribution in regards to the statement as requested by Hon. Mary Samken on the construction of Doldol sub-county Hospital Theatre. Allow me to first of all congratulate the Committee of Health led by the able Vice Chair, the Hon. Matunge for their quick response towards the statement. My request as the Hon. Matunge will be responding to this statement, I would like to inform the House that the construction of Doldol Theatre is either ongoing or stalled.

The essence of the statement, the Hon. Member was requesting to know whether the completion of the theatre or the project is still ongoing because this is a project that has been allocated quite a lot of money. This is tax payer's money and therefore it is good for the House to also know the status of this project because we have seen the Famous Irura Building Contractors have subcontracted the work. I believe that the project should be on going as we discuss the issue. Thank you.

Speaker: Thank you, Hon. Suge. There are some questions which were answered though I don't have an attachment of the response that was made last week. I can see that they have clarified on some points which they were supposed to clarify only that we don't have the previous one attached. There are a lot of questions which they had answered and there are those which they needed to provide us with more information including the sub contraction agreement which is here and the price BQ. The issue was the BQ and also the sub contraction agreement which is also attached.

So, Hon. Lemerian, had you answered the concern which Hon. Suge is raising because I can remember last time we had an attachment on the statement that we were marking against the questions?

Hon. Daniel Mugweru: Thank you, Mr. Speaker. As you look for last week's response, I want to make my contribution towards this response. First I would wish to congratulate the committee because to me I feel that the questions are well answered. The first one was about the contractor who was awarded a contract for building the theatre which is very clear that is the Famous Irura Contractors LTD. There is a well attached BQ of the said project that was also a contentious matter.

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That means that the second question is well answered. The commencement date, the project had already commenced and therefore it is well answered. Now the completion according to the contract is that the project is ongoing. And therefore automatically we expect it to be complete. On why the theatre is not yet to be complete, we were given the reason that the famous Irura contractor on the way decided to sub contract…

Speaker: Just some interruption. Was there something like it was to be completed by November, 2020 in the previous response?

Hon. Daniel Mugweru: Yes, Mr. Speaker.

Speaker: If that is there then the completion date is also provided.

Hon. Daniel Mugweru: Yes, Mr. Speaker because today most of the questions were answered and that is why I am going quickly. The few that we expected today are the attachment of the BQ and the sub contraction agreement and it is very clear that there was an irrevocable agreement between the Famous Irura and the Web Commercial and the irrevocable agreement is attached here. So If the Famous Irura and the Web Commercial and their representatives agreed that the Web Commercial will complete the said works and the payment would be paid to the Famous Irura, that is none of our business because that is their agreement and it is an irrevocable one.

Mr. Speaker, from now I feel that the County Government has a contract with the Famous Irura and the Irura has a contract with the Web Commercial. For us is upon the County Government to continue pushing the famous Irura to complete the work by November…

Speaker: It is here; I can read it for you. On when the project will be completed and the plans that the County Government has on the completion of the same project, I wish to respond as follows; that the department in consultation with contractor embarked on the process of sub-contraction, now which we have evidence of the works of completion of the building. The sub-contractor has so far been identified as Web Commercial Agencies and he has already moved to the site and has been given up to November, 2020 to complete the project.

Hon. Daniel Mugweru: Thank you, Mr. Speaker. So it is very clear that the completion date is already indicated. The agreement between Famous Irura Building Contractor and Web Commercial is for the latter to complete all the construction works of the entire project, fitting of mechanical requirements as detailed in the BQ, supply and fitting of all electrical works, and any other remaining works that County project engineer may request. All meetings to be confirmed both by the contract or the client. Royal Enterprises is to be the responsible contractor. I am lost because now I have seen another Royal Contractors and I had not seen that the client, that is, Royal Enterprises is to be responsible. I am lost because…

Speaker: What page is that?

Hon. Daniel Mugweru: I am in the irrevocable agreement, the letter from the Chief Officer, Donald Mogoi. Anyway, open the first, second, third, and the fourth page and you will get the Famous Irura Building Contractors letter referenced irrevocable agreement for construction and completion works at Doldol Hospital.

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Speaker: Yes.

Hon. Daniel Mugweru: That is where we are. This is to notify you that due to my medical condition and being the Director of Famous Irura Building Contractor I have made an irrevocable letter of agreement regarding completion of works at Doldol Dispensary between Web Commercial represented by James Macharia and Famous Irura Building Contractor. According to the tender document, a contractor is authorized to sub-contract the work by filling the attached form.

That is where I was and I read in number five that all the meeting to be confirmed both by the contract or the client, that is, Royal Enterprise is to be the responsible contractor. I did not understand that one and I do not know where Royal came from. I feel there is confusion there but everything else from top was quite well apart from now where I have gone to number five which I also did not expect to feature anywhere.

On payments, it is agreed that the County Government of Laikipia should pay all the pending payments to Famous Irura Contractor upon completion of works inclusive of retention cash withheld by the county Government for this project to a joint account held by the two parties at GT Bank, Nanyuki branch. I have advised Silverback Company Limited to get a no objection letter from the County Government of Laikipia in affirmation of the agreement before the commencement of the completion works.

Our concern is because the agreement, if you go down there, you will see the stamp is for Web Commercial System Limited and the Famous Irura Building Contractors. The agreement is between the two and for us as a County Government we are concerned because we will follow Famous Irura then it will be able to follow Web Commercial. From there the payments will be made as said in the agreement in a joint account between Famous Irura and Web Commercial.

As at now I feel the response is well done apart from that small section that the committee should also go and inquire much on what it means, that is, number five on Royal Enterprises. They need to consult and get more information on the same because it is showing as if there is another company featuring there. Maybe it was typing error or something of the sort but everything else is well answered and I believe as it has satisfied me I believe it will satisfy many, even the person who requested for the statement. Thank you

Hon. Chris Mark: Thank you, Mr. Speaker and I commend the Committee on Health for doing their part. Mine has just been a question of procedure because I am very conflicted and confused when I look at the way statements are handled from when we started in 2017 to now. A statement is not a report and that we must all agree, right? What is usually the purpose of discussing a statement or even you allowing a statement to be tabled when the person who raised it is not in the House? I have even seen time and again often that you allow the person who had raised the statement to register the satisfaction and still give Members to contribute. If a Member has already said he is satisfied even if we give fifty million contributions they will not change what they have already registered.

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I do not know and this is just seeking clarification from your Chair so you may even do a feedback like you did for us on the chairmanship and vice chair. We need to understand, is a statement supposed to be dealt with when a Member who raised it is not here? I have been looking for Hon Mary Samken who raised it because when she comes again we shall start the whole procedure once again. She will either say she is not satisfied or otherwise then Members will contribute.

I just want that clarification because I may want to contribute but I am thinking since the Member is not there then next week she comes and says I was not satisfied. Probably she was not satisfied because there is a contribution Hon. Mugweru gave or I would have given that would have actually made her understand or get more satisfied. In fact, the reason you give it out for the debate is not for Members to register their satisfaction but for purposes of being informed and debate. That is just my seeking of clarification on procedure of these statements in the House.

Speaker: I think I would also wish to understand the feeling of other Members as far as these statements are concerned.

Hon. Daniel Mugweru: Thank you, Mr. Speaker. My feeling is that any statement that is requested in this House maybe all of us are concerned but it is only that we cannot come here asking everyone to ask. Whenever you ask you do it on behalf of the people of Laikipia and when it comes to this House it stops being your personal statement. It is for us all as a House and maybe in one way or the other you might find that the time you were asking for the response there could be another Member who was even more concerned. It is only that you came first and now that you have tabled it in the House and it has become our document. The information, in my understanding, should be for us all.

You might stay here telling us that you are not satisfied. Whatever I am saying you might choose to hear what you want but not what I am saying. You might ask for a statement maybe out of malice or something else and when you did so even if I continue telling you that this is a glass, you will continue saying that this is a mobile phone. Now that you have brought it to the House it is ours. You might remain here for the whole term of five years not registering your satisfaction but facts are there whether you are satisfied or not. I feel if a response satisfies the Members whether you are not satisfied we cannot leave here saying that you are not satisfied while the whole House is already satisfied with the response. I feel that the response that is brought by the committee is for us.

Speaker: I also think even the other way that you might be satisfied and the Members feel they are not.

Hon. Daniel Mugweru: Exactly. If you needed a response as a person you could have asked it out there but now when you bring it here it is ours. Today if Hon. Mary Samken is satisfied by this I will still say that number five is contradictory. It is not necessarily that when you say you are satisfied that we all shall be or you are not satisfied but we are. I feel it is for all of us. Thank you.

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Hon. Chris Mark: That is why I do not know why you would even open such a thing for debate because there is a difference between a report, petition, and a Member's statement. A Member's statement does not even become a property of the House in terms of Members owning it. In fact, before I came to this House I used to do a lot of benchmarking and I sat in the National Assembly. This statement, I can tell you we are just being generous and doing our own way. A precedence I have followed in Parliament is that even Members are not given this copy. Do your research, you have a research and legal team. This is just given to the person who asked for it. It is only that in this House we have been generous and we supply every Member with a copy. A Member's statement is his but Members can always contribute for the purpose of contribution.

In fact, my issue is not even Members contributing or saying that this person as much as he is not getting satisfied we are. My issue is on the precedence, why would something be discussed when the Member is not here? I have no issue with Members giving their contribution but I am just saying that if you look at parliamentary procedures and all the forty seven assemblies in Kenya are guided by the two Houses of National Assembly and the Senate which we all strive to maybe one sit in there. What I am just trying to say is that I have no issues with Members being given a chance to contribute to a statement. What I am trying to say is what logic by law and even logically, why would you discuss something when the Member who raised it is not there?

If someone has something to say in my own logical thinking and understanding it should be that this Member is not in the House so this statement will be discussed when he is there and Members who have an input are given a chance. That is just my concern. I have been looking for my Standing Orders because I believe if we start doing things this or that way we shall even do the wrong things rightly and vice versa and that is against parliamentary procedures. That is the issue.

Speaker: I do not know whether there is any other Member who has a different feeling so that we can make a conclusion on the same.

Hon. Catherine Nyawira: Thank you, Mr. Speaker. While I feel that the Standing Orders do not say directly how a statement should be discussed, my personal feeling is that the statement belongs to the Member who raised it. I believe even in the previous Assembly if I had raised a statement and the Agriculture Committee, for example, was answering that statement would only be answered by me and if I was satisfied then it would end there. Other questions that come up with other Members feeling that they want more input into a statement, with all due respect, they should go to the committee Clerk, raise a new statement and create business for this House as opposed to debating a statement. I feel that a statement belongs to the Member…

Hon. Daniel Mugweru: Mr. Speaker, I need clarity from the Hon. Member and also from your Chair. If I find in the order paper it is only a statement from the Hon. Member for Marmanet that is there, would I be in order if I leave the House and leave the Chairperson and the Committee with him alone? Why would he be here? If I read the order paper and see it is

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just a response to a statement that was requested by Hon. Robert Maina why would he be in this House?

Hon. Catherine Nyawira: Mr. Speaker, I feel that any issues arising should be picked up by Members and created to be new statements. The question of being in this House is not about what is being discussed. I believe people in this House are ambitious and not only want to represent wards but would also want to represent the whole county or constituency. It is upon you to be able to understand the issues that affect other wards and constituencies so that in the coming years you can be a Member of Parliament or Governor. Knowledge is power, thank you.

Hon. Chris Mark: Mr. Speaker, I just wanted to clarify something that was asked, that why a statement would be asked by a Member yet other Members are in the House? I would just like to give an example. The other day my good friend who is the Senator for Nairobi stood in the Senate and said that his life is in danger. The Speaker who was chairing at the time is the Deputy Speaker and she said, *"Senator Sakaja you know very well the House has procedure. If you just say without going on record it becomes the same way they used to say in the days of Nyayo that they are roadside declarations"*. There is a reason you as a Member have a privilege of being a Member and in the House so that you can say some things officially and they do not look political or stories

That is why when you bring a statement it becomes an official document that can be recorded in the HANSARD and followed up officially even if there are Members or no Members in the House. This is as compared to when you would say it outside here that you want to understand what happens in the Doldol Sub County theatre. That is why it is a statement even if you are doing it in a House that has 24 Members. It does not become another Member's statement. Other Members can always give an input.

That is why I am saying that if you do research, this document is never given to the whole House. It is reported back to the Member who raised the statement, finds it on his desk and answers it. If Members can pick the issues that they are listening to, they can always do the same procedure. They rise and say something that can go to the HANSARD. They can even come up with another statement that adds more weight to the issue that was asked. Mr. Speaker, I repeat, why would a statement be dealt with when the Member who asked the statement is not in the House? Actually, that is my biggest question and not even these others. Thank you.

Speaker: I think Hon. Chris Mark has given a very good example. It is even more personal when there is an issue of security to a Member. My question is, would wisdom allow or not allow other Members to pull their comments on the welfare of that Member. This would be when it is said that Hon. Matunge has a security issue because he brought a certain bill or maybe he made a certain move that did not please the powers at be.

The Member then comes to this House and raises a statement that he feels his life is in danger. Would it be a concern of the Members or would we just ask the Minister for Internal Security to respond which would be sent directly to him without the indulgence and discussion of the Members? I think we should take that as an example as we discuss.

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Hon. Simon Kanyutu: Thank you, Mr. Speaker. I have tried to refrain myself from engaging this bit by half but at the end of time I then feel that I need to. The concern by Hon. Chris Mark is a good. When a response is made and a Member is absent, the Member will remain claiming that his response was never made. How do we go on to tackle that challenge. Are we capable of having a program at the end of the end of the week by the time that I am going home today I have a list on what we will deliberate on next week?

If I have a statement that will be responded to on a certain day, I should then give a directive if am not available. Maybe that can guide us as a House to see on how we progress. You may have now scheduled it to be debated at the end of the day and I am within this town but I avoid coming to this House. How do we go about that?

Mr. Speaker, being our Chair, we need your guidance so that we plan and ensure that this House runs smoothly. I may even forfeit coming to the Assembly because I know that there is a response and I do not want it to be done when I am on the Floor of the House. I would wish that if it is a program that we will make, let it be our own program. It will guide and unsure that if I have a statement that I need to be responded to it should then be my obligation to be in this House. That is my take. Thank you, Mr. Speaker.

Hon. Catherine Nyawira: Mr. Speaker, I believe that this House is guided by rules and regulations. The Standing Orders are here to guide us. It is very clear about a personal statement. It is not about wisdom or favour. It is very clear on Standing Order No. 81 that states on personal statements. That, '*by the indulgence of the Assembly, a Member may explain matters of a personal nature although there is no question before the Assembly, but such matter may not be debated'*. That is not an issue of wisdom or anything. The Standing Order is very clear. The same may not be discussed. Thank you, Mr. Speaker.

Speaker: The reason as to why we say wisdom, is just one word, *'may not be debated'*. At times wisdom may prevail to cause such a matter to be debated. If it was *'shall not be debated'* then there is no room for wisdom to be applied. At times a situation may be very different. It is important for us to understand that we have procedures which we would really wish to strictly follow, following the tradition of the Senate and the National Assembly. In one way or the other, Assemblies are unique and very unique.

We have said here several times that we are not able to put the order paper 24 hours ahead of time for Members to see. At times in our uniqueness and the unique way we are here, we might be thinking of the business to bring that late in the morning. Sorry to say that even on the HANSARD record.

Hon. Kanyutu has also raised another issue. That we come this morning with a statement and the Vice Chair Health has prepared and burnt his midnight oil to come and table a response in this House this morning. The Member who was supposed to receive that response is not present. We then come and say that because we do not have any other order and that the Member is not there, we leave. It means that any time that we have this response statement, the Member who requested for these statements are not there then.

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The case of Mary is unique case. She was given the first chance to register her satisfaction last week. Members are indulging that statement because they also raised some issues last week yet we had given Mary the first chance to do that statement. Hon. Matunge was to say something then I will be able to give direction.

Hon. Peter Matunge: Thank you, Mr. Speaker. I would wish to say this, that I understand the concerns by Hon. Chris and Hon. Mugweru. The issues that Hon. Chris is raising is on the issues of procedures and Standing Orders. We are a House guided by Standing Orders and procedures. If a Hon. Member asked for a statement, it is for that Hon. Member to say that he is satisfied. What she has been looking at in that statement whether it has been answered or not. The other things, that we give people to discuss and talk a hundred times, are privileges or that may be because we do not have business.

What Hon. Mugweru is raising, is on the issue that yes a Hon. Member has asked for a statement and because all of us cannot ask the same statement, we make a comment on the same. I have several times said that this House works through committees. Today, one of the issues that we are discussing on this statement are the issues of a certain work of a certain committee. We are now discussing about the agreements that have been signed outside there by the department or by the contractors. The committee was supposed to investigate and report to this House. The CPAIC Committee was to have picked and reported this work.

Mr. Speaker, most of the times we are discussing statements because we are not working through our committees. I remember sometime back when we were in Nairobi, Kasarani, we went and said that we want to view our progress. I said, how do we review our progress when we do not have any report that says how much a certain committee has done and what it is spending?

I think there are a lot of gaps. A statement is supposed to be Members' statement. The reports have to also come to this House through the committees. We were failing to do the report works. That is why we are saying that this House is lacking business because we are not working through the committees. Mr. Speaker, you are the head of this Assembly together with the Clerk on the other side. I think we need to have a very serious discussion on how we will come back. This is so that Hon. Simon Kanyutu is able to get the program of the House one week earlier or 24 hours before coming to this House. It is very possible.

There is a lot of work going on in this county. There is a lot of work that we all need to do for every committee. There is a lot of work going on in the Committees of Agriculture, Roads, and CPAIC. There are a lot pending reports of the audit issue that has never been reported to in this House. The same thing to the Committee on Health that we have a lot of work to be doing.

Mr. Speaker, I think you should not do us a favour by giving us time to waste here by giving statements even whereby the Hon. Member is not in the House to register satisfaction of that statement. We should have brought a report to this House concerning those issues that we are saying here. Mr. Speaker, we need a lot of serious guidance and leadership from your Chair. This is so that we are able to sit and discuss where we are failing, where we lost track and how can we come back to the track. Thank you.

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Speaker: Hon. Robert, do you want to say something so that we finish.

Hon. Robert Maina: Asante, Mheshimiwa Spika. Nafikiri yale ambayo Matunge amesema ndiyo niliyokuwa niongee. Aliyeuliza taarifa hayuko Bungeni. Ili Mheshimiwa aliyeitisha taarifa aridhike, wakati taarifa ilisomwa na Naibu wa Mwenyekiti Matunge, wa pili kuongea ni mwenye kuuliza taarifa. Waheshimiwa wanaingia na kuchangia ule mjadala kama hajaridhika. Vile Matunge amesema, ni kukosa biashara katika Bunge.

Wakati niko na taarifa huwa napigiwa simu na Karani. Mheshimiwa, uko na taarifa kesho saa nane na nusu. Kama sipatikani hiyo inaahirishwa na tunaleta biashara ingine. Mheshimiwa Spika, kupitia kwa kiti chako tukuwe na biashara. Tuko na kamati na mambo yamelala. Hata kamati yangu iko na mambo mengi ingawa hatuna pesa za kuenda mashinani kufanya *oversight*. Biashara zinafaa kuwa zimejaa katika hili Bunge. Asante, Mheshimiwa Spika.

CONSIDERED RULING

Speaker: Thank you, Hon. Members for the contribution. We were supposed to have two response statements this morning. One by the ICT and the other by the Health Services Committee. When called upon the Member who was to respond, I do not know whether it is the Chair for the education response, was not available. The one for the Health Services Committee, the person who raised the statement is not available to register a satisfaction. As a much as I provide leadership I cannot get people from their homes to come and attend sittings here. That is one.

You all remember that last week there was a statement. I think to do with a classroom from Ol Moran. The department was well prepared but the person who raised that statement was not in the House. There is no need for a program to tell somebody that you will be having this statement at this time. When we are here we usually give time on when the statement will be responded to. The Chair does that.

I remember Hon. Matunge reminding me the other day that you did not give time for that statement. You give time that the statement will be responded to in fourteen or fifteen days or after one month. It is upon that Member and the committee Clerk in that department to remind the Chair that you are supposed to respond to this after twenty eight days. Since it is an issue of concern, the Member who raised that statement records in his or her dairy that my statement was pushed in twenty eight days to come. We have that program.

Two, sorry that the Chair of Chairs who is our Hon. Deputy Speaker is not here. I have made this communication not once or twice on the pending reports. This is that we need to handle these pending reports. The committees are sitting on very many reports which have not been brought to this House yet some of them are last year issues. Not once have I said here that this statement that we are discussing, may be on a certain day, was raised in the year 2018 November or 2019 June and it is an issue of bursary or an enterprise fund which has been overtaken by a number of events.

We have done a lot of meetings and one of them being the one that Hon. Matunge has said, in Nairobi, regarding the issue of businesses in this House. The question is, as a Chair in

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that scenario of when we do not have business, will you then let the House that may be having a response statement to discuss and a Member will not be present, will wisdom allow us to come in and walk out. We must balance between the procedure and what we are doing.

When we are discussing the issue of the theatre in Doldol, it is an issue that we can come here because of procedure and leave because the person who raised the statement is not there. When the answers are there, we just leave. We come next week and the person is not there then we leave. The people in Doldol continue suffering because they still need that theatre.

They continue asking what our role is as far as oversight is concerned. Unless now the committee also say, Mr. Speaker some of the issues to be addressed by this statement we have decided as a committee, we are going to bring a comprehensive report. So as to respond to this as a matter of oversight.

I would continue saying that the Assemblies are unique in their own ways. We have different problems affecting different County Assemblies. For us, we are affected with some of these issues. For the last and whole of this week we have not done a substantive motion. Either as a report or a Member could have brought a motion. We have taken Members for training. We have done all that was supposed to be done as far as facilitation and capacity building of the committees and also the members is supposed. We have done quite well.

The whole of this week we have continued to rely on responses. When we meet as the House Business Committee, we have not received anything from the Liaison Committee which is chaired by the Deputy Speaker for it to bring business to be scheduled by the Committee. The House Business Committee cannot schedule business that is not there or is not available.

I agree with what Hon. Matunge is saying and also what Hon. Robert Maina is saying that we might not have money to go for this oversight. My question is, what about the oversight visits that we went to some time back and yet reports have not come to this House? We still need to look at it. I will be giving a comprehensive communication of the same come on Tuesday including that of pending reports and the question that Hon. Christopher Mark raised. For him it was a matter of procedure. I will be able to respond on all that on Tuesday at 2.30 p.m.

Hon. Peter Matunge: Thank you, Mr. Speaker. As much as I appreciate what you have just said and what you are preparing to do, I am a worried Member. When I was brought in this House, I was brought so that I can deliver. When I cannot be able to deliver it makes me have a lot of concern to the people of Laikipia.

One, I have heard what you are saying. Mr. Speaker, in any organization issues of training and capacity building is never enough. It is never enough because when we were in Kasarani, the reason we did not continue with that meeting is because we went to that meeting without an agenda. When we say, ‘where do we start’? When I asked the Chair for Agriculture to do a presentation of the Agricultural Committee he does not know where to start from. He does not have any report, he has not prepared any progressive report.

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Mr. Speaker, there is what we call evaluation. You evaluate yourself, that for the last two years as a committee I have managed to report this amount of reports to the House. I have managed to respond to this amount of statements to the House and I have this amount pending. If we see a committee that is not able to do that, then we should ask ourselves, what is wrong in that committee. We should be able to evaluate ourselves.

The moment we cannot be able to do and reflect on ourselves to see how much we are doing as a committee. A Chair of Infrastructure can sit thinking he is doing a lot of work. Having just responded or tabled two or three reports in this House. If you were to do some evaluation you will find he is below the average mark. Mr. Speaker, what is needed as to sit and see this thing? The so called SWOT, our strengths and our weaknesses and how do we then build from there.

Let us see the Committee of Agriculture has managed to do how many reports and managed to respond to how many statements. Even look at the timeframe it has taken for them to respond to a statement. If they have asked for two weeks, are they able to respond within the two weeks? If they have gone for an oversight visit, have they been able to table the report within a month or a year or so?

Mr. Speaker, if we can be able to look at all those factors, we can be able to ask ourselves why we are not able to perform our work. Is it because there are no adequate finances in our committees? Is it because we are not putting finances to our oversight role? Or we do not have adequate staffing or we lack some skills in our committees that can enable us to do that work? Or we do not have a good working relationship among ourselves as Members, or among Members and staff? Or we do not have a good relationship between Members, staff and the leadership? Those are the questions we need.

Mr. Speaker, the reason why organizations go for team building is so that they can work as a strong team to move together. There are a lot of issues in this House and yourself you have heard. Between Members of the same committee and their chair, between Members and staff, and those are the things we need to look at. Training and capacity building are never enough, they are never enough. Meetings in an organization are never enough.

We can do as much as possible, as much as we want to achieve what we want to achieve as an Assembly. Those are the issues, if you are planning to do this communication those are things I need you to put in your diary and in your mind. How then do we go forward from now so that we do not have a full week all of us depending on a statement? Members are requesting for statements then we come here and debate them. The Executive are doing projects and we are not auditing them.

Mr. Speaker, those are the things that have been disturbing me for a long time. As I finish because the Hon. Member who asked for the statements is not here, I just want to say these issues, one or two things about the issues of theatres. We have continued to build projects that are going to be white elephant projects. We cannot be able to monitor and monitor our budgets.

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The theatres that have been built in Laikipia so far are four and none is going to be functional. We have not been able to make them functional. It will continue to be a white elephant project. If today Web and Irura completed the Doldol theatre it will continue to be a white elephant project. This is the case of many dispensaries and maternity wards. We put today a dispensary then the next budget we put another dispensary, in the next budget we put another dispensary and we do not provide money for equipping those dispensaries and maternity wards, again with those theatres.

Mr. Speaker, I think those are the issues we all need to be looking at so that we see what we budget. We need to synchronise what we do with our budget and the output of our budget. Thank you, Mr. Speaker.

Speaker: Thank you, Hon. Matunge. The good questions you have raised are the questions that each one of us should ask. Only that you forgot two very important questions. That, whether we fail to perform because of putting welfare ahead of Assembly business or does politics overshadow the business of the House.

For us to be able to run as an Assembly, we have a very important committee called Liaison. When we have the Liaison Committee that has the chairpersons who sit and bring all the pending business to the Liaison for that to be later on brought to the House Business Committee for scheduling. If today and I think the best evaluation will be that, let us request for the minutes of all committees that have sat on a certain business for the previous year. This is so that we see what are these things that are discussed.

If you are paying Members money for attending committees, what is it then that happens in these committees yet we do not have that business coming to the House? Could it be Members have transacted business but that business never finds its way to this House. So that we know whether it is the Office of the Clerk, the Office of the Speaker, or the Members who are failing us. We should see if this committee handled business *a, b, c, d, e* and finished with that business but that business has never found itself to this House.

It should be and it is simple mathematics. Most likely this week all committees have had a sitting and last week the same committees had a sitting. The week before last week, the committees had sittings. What is it that they transacted so that we do not have business today in the House? This way we are able to understand, is it that things have been discussed but they have not found themselves here? If we evaluate ourselves that way, I think we will get to the right way. Hon. Matunge, it seems you have something to say. Maybe you want to raise an issue.

Hon. Peter Matunge: Mr. Speaker, I know we are on HANSARD. I wish if those questions you are asking can be discussed in a *kamukunji*.

Speaker: Okay. Yeah we will ask ourselves in a *kamukunji*.

Hon. Peter Matunge: So that we can be able to ask ourselves those questions one on one but not in this House when we have the HANSARD.

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Speaker: Okay. Hon. Robert or you do not have anything? I thought you also wanted to say something, reading from your body-language.

Hon. Robert Maina: Sijui leo yale maneno nataka kutamka Matunge anaongea kwa sababu nilikuwa niseme hayo ni mambo ya *Kamukunji*. Pia niseme sijui kama ni Katibu wetu wa kamati pia wamelala. Ili biashara ipatikane katika Bunge, wakati tulipitisha bajeti kuna ile miradi ambayo iliwekwa katika Wadi ya Ngobit iwe ya Ukulima, Maji au Barabara. Huyo Katibu ndiye anayefaa kuitisha zile *BQ* kwa idara yoyote. Ili tujue huu mradi unaendelea au umeisha ili twende tukakague.

Bwana Spika, hata wao wanapata changamoto. Wakati wanaenda kwa hao wakubwa wao wanaambiwa hakuna pesa. Hakuna pesa ya kuenda kukagua na hakuna nini. Hata wao wanakuwa na wakati mgumu. Ni vizuri tuitishe hiyo *kamukunji* ambayo Matunge amesema ili tuweze kujadili haya maneno na tuweze kukamilisha. Asante.

CONSIDERED RULING

Speaker: Well, I agree with Members that we make this discussion during a *kamukunji*. There is no harm in us mentioning the issues of welfare in our HANSARD. I do not think there is harm. That fear is what has restrained us to speak to on some of very important issues. Lastly, we had a meeting in Nairobi. That meeting, one of the reasons is given by Hon. Matunge that that meeting maybe there was no agenda.

I would say it also turned out to become something else. A matter that I would not want to mention this much but a matter we also do value. Last evening we had a meeting here. We should have a number of these urgent meetings also to discuss this business. So that it does not become an interest of few Members when it comes to the business of the House let us be interested all of us. Hon. Matunge has been very aggressive on the issues of matters business.

If all of us would be so aggressive that in this House we want more business, and it becomes an issue for all of us then I believe we shall get into the right track. I will be calling for that *kamukunji* next week probably on Wednesday so that we can be able to discuss fully and then I will be able to give my direction and guidance on the issue raised by Hon. Christopher Mark on statements, on Tuesday at 2.30 p.m. That brings us to the end of that statement.

ADJOURNMENT

Speaker: Hon. Members, you may rise. This House now stands adjourned until Tuesday, 11th August, 2020 at 2.30 p.m.

The House rose at 10.05 a.m.

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