

THE HANSARD

Wednesday, 20th July 2016

The House met at 2:35 p.m.

(The Temporary Speaker Hon. Beth Ngugi on the Chair)

PRAYERS

PAPERS

MURANG'A COUNTY GOVERNMENT THIRD QUARTER FINANCIAL REPORT FOR
FY 2015/2016

Hon. Charles Kirigwi: Hon. Speaker, on behalf of my chair, I wish to lay on the table the Murang'a County Government Third Quarter Financial report for the FY 2015/2016 today 20th July 2016.

(Paper laid)

STATEMENT

RESPONSE ON CONSTRUCTION OF FOOTBRIDGES IN MUCHUHA AND GITHURI
IN MBIRI WARD

Temporary Speaker (Hon. Beth Ngugi): Seems the chairperson of public works is not in the House today.

Hon. Francis Kamande: Thank you Madam Speaker, we discussed the issue in the committee and engaged the County Executive Committee (CEC) member for Transport who asked the members to be patient so that the engineers prepare the Bill of Quantities then call for submission of tenders. I will request the hon. member to give us one week so that the engineer can finish with the BQ. Thank you.

Temporary Speaker (Hon. Beth Ngugi): Hon. Njoroge the MCA Mbiri is not in the House this afternoon, with the leave of the Speaker, we will give that committee the requested seven working days to respond to the statement.

MOTION

NOTING THE CONTENTS OF THE GOVERNANCE, LABOUR AND SOCIAL
WELFARE, JUSTICE AND LEGAL AFFAIRS COMMITTEE REPORT ON TRAINING
HELD FROM MAY 19TH TO 22ND MAY 2016

Hon. Jane Ndegwa: Before I move the motion, allow me to welcome Bishop Kairu Education Centre in this Assembly together with teacher Benjamin and other teachers.

I beg to move the motion;-

That this Assembly notes the contents of the Governance, Labour and Social Welfare, Justice and Legal Affairs committee on Justice and Legal Affairs Training held from May 19th to 22nd May 2016, laid on the table of the Assembly on Wednesday July 13, 2016.

Madam Speaker, the mandate of the committee as provided in standing order 195 (5) outlines its functions as; to investigate, inquire to the reports on all matters pertaining to the mandate. Management activities and administration

Study the program and policy objectives of the committee, study and review all relation referred to it. To study access and analyze relative access of the committee, to investigate and enquire all matters relating to the committee. To vet and report on all appointments where the Constitution or any law required the County Assembly to approve.

To make report and recommendations to the House as often as possible including recommendation for proposal legislation, we also ensure co-ordinating and participation of communities and location in the government at the local level, and assisting the community and location to develop administration capacity exercise for the power and participation of the governance at the local level.

Background of the capacity development is paramount in any committee in the Assembly and to execute to additional mandate the committee observed an urgent need to the committee capacity improvement. To improve the capacity and expand the mandate the committee recommended that the Assembly legal counsel trains the committee on legal and justice aspects and----

(Hon. Charles Kirigwi rose on a point of order)

Temporary Speaker (Hon. Beth Ngugi): Yes Hon. Kirigwi, what is your point of order.

Hon. Charles Kirigwi: Thank you Madam Speaker, according to our standing orders is the member in order to read the motion as she is doing? Give guidance so that we do it procedurally.

Temporary Speaker (Beth Ngugi): Hon. Jane the mover of the motion, you are not to read verbatim but to summarize, so as to enable you put your motion in perspective. Do not read verbatim.

Hon. Jane Ndegwa: Madam Speaker, I was going point by point, I am not reading the whole report because I know the report is in the members' files. I am just analysing the points somehow. May I continue?

After the training the committee had objectives to understand to consent with justice and legal affairs.

To determine the importance of justice and fairness in principles in the County Government operation

To determine effective and efficiency, a way of exercising oversight that includes; the practice of justice in the County Government

The training topics were covered as course outlines as follows; the history of justice process, principle of justice, procedure and rules governing on legal matters among others.

We also had principles of justice and the session addressed the following principles:-

1. Justice must be seen to be done
2. Treat all as equal.
3. All those who seek for justice must do so with clean hands;
4. Social and economic inequities are to be arranged so that they are to be of the greatest benefit of the rest advanced members of the society.
5. Offices and positions must be open to everyone and consideration of fair equities of opportunities.

Madam Speaker, the committee should focus on developing and using information from the Executive to understand how the system of administrative justice operates, including such matters as how users experience the County Governments system and the implication of forums.

One of our key goals is to seek to ensure that research can be used to enable the systems work as they should; thus change is informed by robust independent research evidence.

Among the issues relevant to administrative justice are; legislation, rules, and policy, decision making by county bodies and their agents, and, complaints handling and review.

Madam Speaker, after the training, we came up with recommendations; that the office of the County Secretary formulates a public service charter that promotes social justice and equality

That the County Public Service Board and the County Public Service department establishes a standing procedure of handling county employees' complaints and appeals

mechanisms that will promote justice without comprising on administrative and public service matters.

That the committee should consider bench marking with the National Assembly committee on justice and legal affairs in order to further enlighten members on operations of the government in line with justice.

With those few remarks, I request Hon. Esther to second the motion. Thank you.

Hon. Esther Ngugi: Thank you Madam Speaker, I am a member to that committee and I second the motion.

(Question proposed)

Temporary Speaker (Hon. Beth Ngugi): Members, the motion is open for debate. Yes Hon. Kirigwi.

Hon. Charles Kirigwi: First I want to thank the committee because this is the first type of report that has been tabled in this House. Being a member of a certain committee and having trained by the tax payer's resources, we have never tabled a report on training; I think we assume so much.

There is a Kikuyu saying that says that a liver is a very soft fresh meat and the knife that cuts through it occasionally needs sharpening. I believe this is the way to go as institution and other committees need to be sharpened like this very able committee on Governance, Labour, Social Welfare and Justice and Legal Affairs and the same should also happen to the County Executives Members.

We find a scenario whereby Members of the County Assembly are well trained while their counterparts at the Executive level are not able to walk in the same pace thereby causing a disconnect between the legislative arm of government and the executive.

I hope that resolutions by this Assembly will be communicated soonest to the executive, so that the County Secretary can enforce them quickly. Thank you, I support.

Hon. Jane Wanjiku: Thank you madam Speaker and the Hon. members for supporting the motion, I request the rest to support.

(Question put and agreed to)

ADJOURNMENT

Temporary Speaker (Hon. Beth Ngugi): Hon. members there being no other business this House stands adjourned until tomorrow 2:30 p.m.

The House rose at 2:50 p.m.