

# REPUBLIC OF KENYA

## MANDERA COUNTY ASSEMBLY

### THE HANSARD

Wednesday 10<sup>th</sup> June, 2020

*The House met at the Assembly Chambers  
County Assembly Buildings, at 2.36 p.m.*

[Deputy Speaker (Hon. Farah Abdi) in the Chair]

#### PRAYER

**Deputy Speaker** (Hon. Farah Abdi): Clerk, skip Order No. 7 and go to Order No. 8.

#### MOTION

ADOPTION OF THE REPORT OF THE COMMITTEE ON APPOINTMENT ON  
THE VETTING OF MANDERA COUNTY PUBLIC SERVICE BOARD MEMBER NOMINEE

**Hon. Abdi Adan** (Neboi): Thank you, Mr. Deputy Speaker, I beg to move; -  
THAT this County Assembly---

**Hon. Yakub Hassan** (Derkhale): Point of order, Mr. Deputy Speaker.

**Deputy Speaker** (Hon. Farah Abdi): Yes Hon. Yakub, what is it?

**Hon. Yakub Hassan** (Derkhale): Mr. Deputy Speaker, you made a ruling that Members should wear masks. Somebody has a mask but he is not wearing. What is the essence of carrying it around if you do not put it on?

**Deputy Speaker** (Hon. Farah Abdi): We have heard you and get back to your seat. Drink water and then cover your mouth. Let us proceed.

**Hon. Abdi Adan** (Neboi): The Minority Leader should make use of the mask. That is why you have it. It is not for beauty.

Mr. Deputy Speaker, I beg to move; -

THAT this County Assembly adopts the report of the Committee on Appointments on the vetting of Mander County Public Service Board Member Nominee

This is the report of the committee and I wish to go through it.

Mr. Deputy Speaker, pursuant to the provision of Standing Order No. 187(4) the Committee on Appointments hereby presents the Report on the vetting of the nominee for Mander County Public Service Board Member, Mander County Government.

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The Committee derives its mandate from the provisions of Constitution of Kenya, County Government Act 2012, Public Appointments (County Assemblies) Approval Act No 5 of 2017 as well as the Mandera County Assembly Standing Order No. 187.

The Committee comprises of the following Honorable Members as constituted by the County Assembly pursuant to Standing Order No. 187

1. Hon. Mohamed Adan Khalif -Chairperson
2. Hon. Abdi Adan Ali -Member
3. Hon. Jimale Abdi Hassan - Member
4. Hon. Abdirashid Maalim Osman -Member
5. Hon. Halima Billow Omar -Member
6. Hon. Issack Dahir Abdi -Member

The Committee derives its power from Standing order No 187(4).

Section 12 of Public Appointments (County Assemblies) Approval Act No 5 of 2017 mandates the Committee to;

1. Summon any person to appear before it for the purpose of giving evidence or providing information during the approval hearing.
2. For the purposes of subsection (1), the committee shall have the same Powers as the High Court to;
  - (a) Enforce the attendance of witnesses and examine them on oath, affirmation or otherwise;
  - (b) Compel the production of documents; and
  - (c) Issue a commission or request to examine witnesses abroad.
3. Any person who is summoned by the committee and who
  - (a) Disobeys any order made by a committee for attendance or for production of papers, books, documents or records; or
  - (b) Gives false or misleading information or refuses to be examined before, or to answer any relevant question put by a committee; commits an offence and shall be liable, on conviction, to a fine not exceeding two hundred thousand shillings or to imprisonment for a term not exceeding one year, or to both.

Pursuant to the provision of section 58(1) (b) (3) & (4) of the County Government Act 2012, section 9 (2) of the Public Appointments (County assemblies Approval) Act, No 5 of 2017 and Mandera County Assembly Standing Orders No. 187(4), we, the members of the Committee on Appointments do hereby adopt this Report on vetting of the Mandera County Public Service Board member and affix our signatures to confirm its accuracy, validity and authenticity on today Monday 8<sup>th</sup>, June, 2020.

Mr. Deputy Speaker, the Committee wishes to thank the offices of the Speaker and the Clerk for the support accorded throughout the vetting process.

I take this opportunity to thank all Members of the Committee for their input and valuable contributions during the deliberations and vetting of the Mandera County Public Service Board Member.

Further the committee appreciates all other stakeholders who participated in the approval hearing. On behalf of the Committee on Appointments and pursuant to Section 9(1) of the Public

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Appointments (County Assemblies Approval) Act, No. 5 of 2017, and the provisions of Standing Order No. 187, it is my pleasure and duty to present to the County Assembly, the Committee's Report on the vetting of the nominee for appointment to the position of Board Member, Mandera County Public Service Board.

The Committee on Appointments is established pursuant to provisions of Standing Order No 187 and is mandated to vet Appointments under Articles 179 (2) of the Members of County Executive Committees, County Secretary and County Public Service Board Members.

Section 4 of the Public Appointments (County Assemblies) Approval Act No 5 of 2017 states that; -

“An appointment under the Constitution or any other law for which the approval of a County Assembly is required shall not be made unless the appointment is approved by the relevant County Assembly in accordance with Public Appointments (County Assemblies) Approval Act No 5 of 2017”.

Mr. Deputy Speaker, H.E. the Governor of Mandera County forwarded to the office of the Clerk of the County Assembly the name of nominee for Board Member, Mandera County Public Service Board vide a letter dated 21<sup>st</sup> April, 2020 REF NO; MCG/ MCA/GOV/2020/009 in accordance with Section 58 of the County Government Act 2012 for consideration and approval of the nominee by the County Assembly as follows-

1. Halima Dahir Abdi, Id No 8760022, Female, Board Member.

The Governor explained that one of the MCPSB Member Mr. Mohamed Alio Issak ID/NO 8760448 declined the offer of appointment despite giving him sufficient time to clear with his employer the Ministry of Education. He further stated that he found it necessary to replace him with the Nominee who is among the applicants who did the interview for the same position and the selection was also based on Community of interest.

On 29<sup>th</sup>, April, 2020 the Honourable Speaker in a communication from the Chair notified the County Assembly that His Excellency the Governor submitted to his office the name of the Nominee for Board Member, Mandera County Public Service Board pursuant to Section 58 of the County Government Act, 2012. The notification of nomination was thereafter referred to the Committee on the Appointments pursuant to the provision of Section 7(1) of the Public Appointments (County Assemblies Approval) Act, No 5 of 2017 and Standing order No.187 (4) for vetting and reporting to the County Assembly in accordance with Section 9(1) of Public Appointments (County Assemblies Approval) Act, No.5 of 2017.

Mr. Deputy Speaker, on 25<sup>th</sup>, July, 2019, the Clerk of the Assembly made communication to the County Secretary through letter REF MCA/CS/GEN/VOL.1(072) on the issues for consideration on the procedure used to arrive for short listing and selection of the nominees, any constitutional or statutory requirements relating to the office in question and the suitability of the nominees for the appointment proposed having regard to whether the nominees credentials, abilities, experience and qualities meet the needs of the body to which the nomination is being made as per Section 8 of the Public Appointments (County assemblies Approval) Act, No 5 of 2017.

The County Secretary through letter to County Assembly dated 29<sup>th</sup>,July,2019 REF MCG/ CS/MCA/2019(005) provided documentation on procedure used for shortlisting and selecting the nominees of the Board Members, Mandera County Public Service as follows-

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- i. The vacant position of the Board Members was advertised on February, 23rd, 2019 on National Newspapers.
- ii. List of all short listed candidates for the position of Board Members, Mandera County Public Service Board
- iii. Provided the criteria used for selecting successful candidates for the position of the Board Members, Mandera County Public Service Board which includes:-
  - Be Kenyan Citizen
  - Holder of first Degree
  - Master's degree as added advantages
  - At least five years' experience in administration and management.
  - Requirement of chapter six of the Constitution of Kenya
  - Gender, marginalized group/special Group
  - Performance and a merit pass mark of 60%

The Panel interviewing Committee recommended the appointment of the Five Nominees out of twenty three candidates who were interviewed based on the qualification, experience, and consideration of marginalized group, Gender and compliance to Constitutional requirements.

The Committee on Appointments observed that the nominee was among the twenty three candidates interviewed and submitted to the County Assembly. Therefore, she was picked from the list as replacement for Mr. Mohamed Alio Issak who resigned from his position as MCPSB Member.

Mr. Deputy Speaker, on 27<sup>th</sup>, May 2020 the Clerk to the County Assembly placed an advertisement in the Standard newspaper in accordance with Section 7(4) & (5) of the Public Appointments (County Assemblies Approval) Act No 5 of 2017, Section 58 (1) (b) (2) (3) (4) of the County Government Act of 2012, and Mandera County Assembly Standing Orders No. 187(4).

The nominee was required to appear before the Committee on Appointments on Thursday, 4<sup>th</sup> June 2020 in Committee room 1 as specified on print media advertisement for vetting (Notification to the public).

In compliance with the National Government's directive on COVID-19 the Committee invited views regarding the suitability of the nominee from members of the public, stakeholders and other interest groups ONLY in the form of written memoranda accompanied by an affidavit addressed to the Office of the Clerk of the County assembly of Mandera P.O. BOX 408-70300 MANDERA or e-mail to [clerk@manderaassembly.go.ke](mailto:clerk@manderaassembly.go.ke) on or before Wednesday 3<sup>rd</sup> June, 2020, at 10.00am.

Mr. Deputy Speaker, in Compliance with Ethics and Anti-Corruption Commission Circular EACC.7/10/5/VOL.V (44) dated 26<sup>th</sup>, April, 2018 on the vetting of persons nominated for appointments to County Public offices requiring the approval of the County assemblies, the Clerk to County Assembly wrote to the Commission Secretary of EACC vide a letter REF No. MCA/EACC/GEN/VOL1 (077) dated 11<sup>th</sup>, May, 2020 requesting for any information which may be useful to the committee in the vetting of the nominee for the Board Member, Mandera County Public Service Board. The Ethics and Anti-Corruption Commission through letter REF No.

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EACC.7/10/5 VOL.XIX (1) dated 14<sup>th</sup>, May, 2020 confirmed that that they have NOT undertaken any investigation on the nominee as per their records as at 14<sup>th</sup>, May, 2020.

On 11<sup>th</sup>, May, 2020 the Clerk of the Assembly wrote to Kenya National Examinations Council (KNEC) vide letter REF NO MCA/KNEC/GEN/1/VOL.I (012) for KCSE certificate and degree from Kampala University in Uganda. In a letter dated 27<sup>th</sup> May 2020 vide REF No; AR-KU/VRF/05/20/047 Kampala University confirmed that the nominee was bonifide student of the institution and her degree certificate presented to the County Assembly is authentic and true reflection of the original one. With respect to her KCSE certificate the Council did not reply at the conclusion of this report.

The Committee held five (5) meetings in total, two planning meetings prior to the vetting of nominee, the vetting meeting and two meetings to compile this report. The Committee held its sittings on Wednesday 6<sup>th</sup> May and 3<sup>rd</sup> June 2020 with regards to planning, compliance to Chapter Six, and verification of certificates from respective institution of higher learning, Letter to EACC on integrity, setting of Approval Hearing Date and other preparations relevant to the task at hand.

On Thursday 4<sup>th</sup> June 2020, the committee held an approval hearing during which the nominee appeared before it at 9.00am in Committee room 1 and was vetted.

After Approval hearing the Committee held 2 Meetings for compiling the report as required in section 9(2) of the Public Appointments (County Assemblies Approval) Act, No 5 of 2017.

The nominee appeared before the Committee and was vetted in accordance with the provisions of Article 185,195, and 196 of Constitution of Kenya, Section 58(1)(b)(2)(3) and(4) of the County Government Act, 2012, the Public Appointments (County Assemblies Approval) Act, No.5 of 2017 and Mandera County assembly Standing order No 187 on 4<sup>th</sup> June, 2020 at 9 a.m. in Committee Room 1.

In undertaking the vetting exercise the Committee on Appointments applied the requirements of Articles 185,195, and 196(1) (a,) Section 58 1(b) of CGA, compliance to provision of Section 58(2) of the County Government Act, 2012 which states that- “The Appointment of the Members of the Board shall be through competitive process”, Section 58(3) of CGA, 2012, state that - A person shall be qualified to be appointed as a member under Section 58 Sub-Section (1) of CGA, 2012 if that person-

- a. Satisfies the provision of Chapter Six of the Constitution of Kenya
- b. Is not a state or public officer
- c. In case of the Chairperson or Vice Chairperson, possesses a minimum qualification of bachelor’s degree from recognized University and working experiences of not less than ten years
- d. In case of any other members
  - I. Possesses a minimum of bachelor’s degree from recognized university and a working experience of not less than five years
  - II. Is a professional, demonstrate absence of breach of relevant professional code of conduct;

Section 58(4) of CGA, 2012 outlines provision of terms of office for the Board Members and procedures related to removal of the Board Member, Section 8 of the Public Appointments (County Assemblies Approval) Act, No.5 of 2017, provides that;

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The issues for consideration by the relevant House in relation to any nomination shall be:-

- (a) The procedure used to arrive at the nominee;
- (b) Any constitutional or statutory requirements relating to the office in question; and
- (c) The suitability of the nominee for appointment proposed having regard to whether the nominee's credentials, abilities, experience and qualities meet the needs of the body to which nomination is being made.

Further, in conducting the vetting process, the Committee examined the nominee against the following criteria, amongst others, as set out in the second schedule to the Public Appointments (County Assemblies Approval) Act No. 5 of 2017; academic qualifications, work Experience (as it relates to the Position; Compliance with Chapter Six of Cok 2010, interest and knowledge relating to specific position, overall suitability for the position, communication skills, decision making/Problem solving skills and Potential conflict of interest.

The nominee took the members through her career achievement and work experience as follows;

- ID/No 8760022
- Hails from Mandera South Sub-county (El-wak town)
- 2010-2012 - Bachelor of Education (Early Childhood Education-Kampala University)
- 2007-2009 - Diploma in Early Childhood Education –Kitui ECD College
- 1989-1991 -Certificate of Primary Teachers Education – Shanzu Teachers College
- 1984-1987 -Mandera Moi Girls Secondary School
- 1977-1983 - El-wak D.E.B Primary School
- 2012-2020 -ECD trainer in Narok County
- 2009-2012 -transferred to Kitui District as Tutor
- 1997-2008 -promoted to Tutor and posted to Mandera Central District
- 1991-1997 -Teacher in Khadija Primary School in Mandera East
- 30<sup>th</sup> August – 3<sup>rd</sup> September 2006- Training developing inclusive Child- Friendly schools by Ministry of education
- 14<sup>th</sup> August 2011 - Professional development training Programme – Kampala University
- She had no potential conflict of interest.
- She has provided requirement on clearance by the Ethics and Anti-Corruption Commission EACC (self-declaration), Directorate of criminal investigation clearance, Kenya Revenue of Authority on tax compliance, Higher Education Loan Board (HELB) and Clearance certificate from Credit Reference Bureau (CRB) and clearance from Commission of University Education (CUE).

Mr. Deputy Speaker, during vetting, this how she responded to some of the questions; -

*Some of the Devolved functions as per the fourth schedule of the Constitution of Kenya 2010; -*

- i. Water and energy
- ii. Agriculture

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- iii. Health services
- iv. County roads
- v. Trade development
- vi. Education particularly Early childhood

*Composition of the County Public service board,*

- i. Chairperson of the Board
- ii. Secretary to the Board
- iii. Five members

*How she will address gender parity and persons living with disabilities in MCPSB employment opportunities,*

- i. Gender rule is constitutional requirement and will ensure that the one third rule and 5% for PWDS is followed
- ii. Ensure that there is transparency, fairness and adherence to legal provisions that regulate employment
- iii. Encourage PWDS to apply for job opportunities in the County

*Reasons that can lead to dismissal of employee from the job,*

- i. Misappropriation of public funds
- ii. Incompetency
- iii. Engaging in conflict of interest
- iv. Chronic absenteeism

*How to address conflict of interest,*

- i. Follow the law
- ii. Escalate to higher offices and authorities if it arises
- iii. Declare it and record it in conflict of interest register
- iv. Uphold public values enshrined Article 10 of the Constitution of Kenya 2010.

*How to balance work – life,*

- i. She has twenty eight years work experience and therefore she will manage to handle the new position.
- ii. Her children are grown ups and are helping her in household chores.

*Functions of the County Public Service Board,*

- i. Establish and abolish offices
- ii. Submit annual board activities report to the County Assembly every year
- iii. Appointment of persons to offices

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- iv. Exercise disciplinary control over County Public Service Board
- v. Advise the County on human resource issues
- vi. Promote the values and principles of Articles 10 and 232

*Whether she applied for the position or was approached by the appointing authority,*

- i. She applied for the position when it was first advertised
- ii. She was shortlisted and attended the interview

*The success of devolution in Mandera County,*

- i. Improved provision of health care with Mandera County Referral Hospital most improved
- ii. Increased employment opportunities
- iii. Good roads especially Mandera Town
- iv. Urban development with new houses

*Achievements,*

- i. From classroom teacher she rose to the position of tutor and currently ECD trainer;
- ii. In Kitui she was given many appreciations because of her outstanding performance;
- iii. She trains teachers and provides supervisory services; and
- iv. She has nurtured many girls who are today holding important positions in the society.  
The Committee having considered the nominee's curriculum vitae and heard her oral submission during the vetting made the following observations
- i. THAT, as at the time of expiry of submission of memorandum, the Clerk of the County Assembly had not received any from the public contesting suitability of the nominee for appointment to the position
- ii. THAT, she is resident of Mandera County and hails from Mandera South Sub-County
- iii. THAT, prior to her nomination, she served as the ECD trainer in Narok Sub-County
- iv. THAT, she has Bachelor degree in Early Childhood Education-Kampala University which is pre-requisite requirement for appointment to this position as provided for in section 58(3)(d)(1) of the County Government Act No 17 of 2012.
- v. THAT, she has Work Experience with Teachers Service Commission for twenty five years and five years with Narok County Government and has eleven years' experience in administration and management. .
- vi. THAT, she has provided requirement on clearance by the Ethics and Anti-Corruption Commission EACC (self-declaration), Directorate of criminal investigation clearance, Kenya Revenue of Authority on tax compliance, Higher Education loan board (HELB), Clearance certificate from Credit Reference Bureau (CRB) and clearance from CUE.
- vii. THAT, she has exhibited good knowledge of issues touching on the position she was nominated for

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- viii. THAT, the nominee portrayed good communication skills
- ix. THAT, she had very good understanding of the functions of the County Public Service Board and other entities in the County Government.
- x. THAT, she has never been dismissed from office for contravention of the provisions of Article 75 of the Constitution of Kenya, 2010.
- xi. THAT, the Nominee's Bachelor's certificate has been verified and authenticated by kampala University.
- xii. THAT, as per the provision of Public Appointments (County Assemblies Approval) No. 5 of 2017 second schedule, the nominee scored a mean score of 71%.
- xiii. THAT, her nomination is a positive direction towards the achievement of gender mainstreaming.

Having conducted the approval hearing for the nominee and Pursuant to the provision of section 9(2) of the Public Appointments (County Assemblies) Approval Act No 5 of 2017 and Mandera County Assembly Standing Order 187(4), the Committee recommends that, this County Assembly approves the appointment of HALIMA DAHIR ABDI as a Member of Mandera County Public service Board.

Mr. Deputy Speaker, we vetted this madam and we are satisfied as a committee that she can serve as Mandera County Public Service Board Member. She is a great asset. She has been working in Narok County after she left here. And right now she is very happy to come back and serve the people of Mandera County. She is experienced and bonified resident of this county. I request this honorable House to approve her for that position.

I ask honorable Sokorey Maalim to second.

Thank you.

**Hon. Sokorey M. Issackow** (Nominated Member): Thank you, Mr. Deputy Speaker for giving me this opportunity. First, I would like to thank the Committee on Appointments for coming up with a good report.

I want to say few words on Madam Halima. She hails from Mandera County and she is a very hardworking teacher. She is a humble and pious person. Mrs. Halima Dahir taught me while I was in primary school. She is a role model to most of us. During my days when I was in primary school, we used to imitate even her walking style; the way she speaks. If I can be given that opportunity, I can demonstrate. I remember very well, it was a song in Giriama and I remember it very well. If you allow me, I can also sing. Mrs. Halima Dahir has really nurtured most of us especially those who are now working in Mandera County. She has an outstanding performance that made her become a Tutor and then an ECD Trainer and now waiting to be a Board Member. Mrs. Halima Dahir Abdi has working experience of more than 20 years; almost 28 years. She also has experience in administration and management. Her nomination is a positive direction towards gender mainstreaming.

With that, I second her.

*(Question proposed)*

**Deputy Speaker** (Hon. Farah Abdi): You can now debate on this report. Hon. Rafat.

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**Hon. Abdinoor Dakane** (Khalalio): Mr. Deputy Speaker, we have all heard how she is and what she does. I think this is a very important person to us. However, as we have heard all our praises of Mrs. Halima Dahir Abdi, she being an asset to us, we do not need to waste time; I request the House to approve her.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Hon. Bishar. Use the microphone for record purpose.

**Hon. Bishar Maalim Abdullahi** (Takaba): First, I would like to take this opportunity and thank the Committee on Appointments for preparing a good report on this nominee. Mrs. Halima Dahir Abdi has been a school mate in El-wak D.E. B; when I was in class 7, she was in class 4. This is a very exceptional lady. The lady is married to my classmate from Form One to Form Four, Enow Guliye Alio whom we have been in the same Boarding School in Wajir High School from 1981 to 1984. Mrs. Halima Dahir Abdi has been mentored by Mr. Enow Guliye, an educationist, and now seated at TSC Headquarters in Nairobi.

This lady has been a pioneer of Moi Girls Secondary School when it was first initiated in 1984. She was among the first form ones in that Harambee School in 1984 and she was the last batch who did CPE, and thereafter in 1985 KCPE started. She was also the last batch who did the Form Four KCE in 1987. This lady has a vast experience. It is an order of nature that the nominee who was nominated for this position of Mandera County Public Service Board has voluntarily declined that position. And it is through God, that this position was meant for ladies. It is through the will of God and through the County Government that Mrs. Halima Dahir Abdi was nominated.

The experience that is required is 5 times because this lady has a working experience of 25 years. Mrs. Halima Dahir Abdi has a Bachelor Degree from Kampala University but when you see Kampala University, you doubt the integrity of that degree but it has been verified from that University that this degree is authentic. Without element of doubt, I would like to request that you put the question because once Hon. Bishar Maalim has seconded and even contributed immensely about the vast experience this lady has, we are in short of words. Just put the question so that we approve the appointment of this lady.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Thank you. But allow other honorable Members to contribute a bit. Hon. Robow.

**Hon. Robow Mohamed** (Lagsure): Thank you, Mr. Deputy Speaker. I stand to support the nominee. According to the previous speakers who have spoken before me, my uncle, Hon. Bishar Maalim Abdullahi has put it very clear that the nominee's spouse was a classmate. Not only that but they are in the same age bracket. Hon. Sokorey Maalim and the Majority Leader—

**Hon. Ahmed Rashid** (Gither): Point of order Mr. Deputy Speaker. These honorable members are so much dwelling on the age and issue of being classmates, and all these things. I have not finished. I do not know whether age or being classmates is part of the qualification. I think the qualification given for this position is very explicit and the Majority Leader has so much elaborated on it. Defend those qualifications instead of telling us that you are the classmates or age mates.

Thank you.

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**Hon. Robow Mohamed** (Lagsure): Mr. Deputy Speaker, I want to put it very clear that age is a factor when vetting such kind of a person in the assembly because if the lady is not above 50 years then we are vetting a small or inexperienced person in the Assembly. Therefore, age is a factor to be considered.

Secondly, madam taught honorable Sokorey and later she became a colleague; the same case for majority who was also a teacher. We do not require further elaboration on the nominee because Members who are colleagues can understand her better than this House. We have no doubt on the suitability of the nominee. I propose that the nominee is approved.

However, when we resumed, there are guidelines and protocols that have been set that honorable Members above 55 years should not be in the Assembly. The likes of honorable Kulow, honorable Derow, Honorable Rafat, honorable Bishar and honorable Abdi Hassan should not be in the Assembly.

**Deputy Speaker** (Hon. Farah Abdi): Order honorable Robow! Honorable Robow, you are out of order. Hon. Yussuf!

**Hon. Yussuf Maalim Dakane** (Alungu Gof): Thank you, Mr. Deputy Speaker. I rise to support the report on the nominee before the House. Honorable Members who spoken before me are saying they know the nominee despite that I have some reservations. If we go to page 8, the Governor explained that one of the Mandera County Public Service Board member, Mr. Mohamed Ali Issack, declined the offer of appointment despite being given sufficient time to clear with his employer, the ministry of education. There is no evidence of withdrawal or any resignation that shows that this particular nominee has declined this job and it very vital for this report so that this House will know whether that particular nominee declined or not.

We go again to page 10 paragraph 5, in compliance with the National Government directives on Covid-19, committed views regarding the suitability of the nominee from Members of the public, stakeholders and other interest groups to present only written Memorandum accompanied by affidavit addressed to the office of the clerk. Again, the committee has not yet told us whether there is any memorandum or not in favor or against the nominee. Therefore, it is very important for the committee to indicate such evidence in the report in future.

I support.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Thank you, for your observation. Hon. Majority Leader!

**Hon. Abdi Adan** (Neboi): Thank you, Mr. Deputy Speaker. I want to thank the honorable Members who supported, I know they are all in support. The issues raised by my friend honorable Yussuf Member for Alungu Gof ward, no public petition was received. As a committee we have not received any petition from any member of the public. I want to clarify that.

Secondly, the issue he said on the resignation or declining of offer, the employer is the County Government of Mandera and the appointing authority, the Governor of Mandera County, in his letter he did not indicate that. If you go to page 8, the Governor explained that one member Mr. Mohamed Aliow Issack declined the offer of appointment. So, it is not the Assembly to receive his resignation, it is the appointing authority.

With those few remarks, I ask you to put the question.

Thank you.

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*(Question put and agreed to)*

**Deputy Speaker** (Hon. Farah Abdi): Next Order!

### STATEMENTS

**Deputy Speaker** (Hon. Farah Abdi): Honorable Rafat, what do you want to say?

**Hon. Abdinoor Dakane** (Khalalio): Mr. Deputy Speaker, when I peruse through the statements, it looks all the statements are from Lafey.

**Deputy Speaker** (Hon. Farah Abdi): Order!

**Hon. Abdinoor Dakane** (Khalalio): These are one of the reasons our boys in Lafey are very attentive and all these statements came just because they are very active. I congratulate them.

Thank you, very much.

**Deputy Speaker** (Hon. Farah Abdi): Thank you, honorable Member. We start with new statements. We start with the statement to be raised by honorable Yussuf Maalim Dakane.

### DEPLORABLE STATE OF ALUNGU-LAFEY ROAD

**Hon. Yussuf Maalim Dakane** (Alungu Gof): Thank you, Mr. Deputy Speaker. I stand to seek the following statement; -

Pursuant to the provision of the Standing Order 44 (2) (c) I wish to seek a statement from the chairperson of Roads, Transport and Public Works Committee on the following;

a) Whether the department is aware the road between Alungu Gof to Lafey is cut off by the recent flood.

b) Any plan the department has put in place to repair the said road.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Chair of the Committee on Roads, Transport and Public Works, honorable Abdiaziz.

**Hon. Abdiaziz Maalim Dakat** (Arabia): Thank you, Mr. Deputy Speaker. We will respond after two weeks.

**Deputy Speaker** (Hon. Farah Abdi): You said two weeks?

**Hon. Abdiaziz Maalim Dakat** (Arabia): Yes.

**Deputy Speaker** (Hon. Farah Abdi): It is okay. We go to the next statement. It is still for honorable Yussuf Maalim Dakane.

**Hon. Sokorey M. Issackow** (Nominated): Point of information!

**Deputy Speaker** (Hon. Farah Abdi): Honorable Sokorey.

**Hon. Sokorey M. Issackow** (Nominated): Mr. Deputy Speaker, the statement that the honorable Member wants to issue and the one that needs to be responded to are similar.

**Deputy Speaker** (Hon. Farah Abdi): Which one?

**Hon. Sokorey Maalim Issackow** (Nominated): Go through it. It is on the isolation.

**Deputy Speaker** (Hon. Farah Abdi): Hon. Sokorey, these are two different statements. Honorable Yussuf, you are on the floor, proceed.

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**Hon. Yussuf Maalim Dakane** (Alungu Gof): Mr. Deputy Speaker, these are two different statements.

**Deputy Speaker** (Hon. Farah Abdi): No, do not respond. Go to the statement and read it.

NUMBER OF QUARANTINE AND ISOLATION FACILITIES IN THE COUNTY,  
NUMBER OF PERSONS QUARANTINED AND ISOLATED AND  
MITIGATION MEASURES ON COVID-19 IN THE WARDS

**Hon. Yussuf Maalim Dakane** (Alungu Gof): Thank you, Mr. Deputy Speaker. I can see you are protecting her very much. Pursuant to the provision of Standing Order 44 (2) (c) I wish to seek statement from the chairperson of Health Service Committee on the following;

- 1) The total number of the quarantine and isolation facilities in the County.
- 2) The number of persons quarantined and those who are placed in the isolation centers since confirmation of Covid19 cases in the County.
- 3) Whether the department has put in place mitigation measures to combat Covid-19 pandemic in the 30 wards of the County.

Thank you, Mr. Deputy Speaker.

**Hon. Abdi Hassan** (Malkamari): Point of order Mr. Deputy Speaker!

**Deputy Speaker** (Hon. Farah Abdi): What is your point of order honorable Member? Is it a point of order or point of information?

**Hon. Abdi Hassan** (Malkamari): Point of information, sorry.

**Deputy Speaker** (Hon. Farah Abdi): Then what is your information.

**Hon. Abdi Hassan** (Malkamari): About the statement raised by the honorable Member for Alungu Gof, the concern by honorable Sokorey, I think is there. If you go to page 3, statement to be responded to, both the statements are similar. So, that concern is genuine.

**Hon. Yakub Hassan** (Derkhale): Point of clarification!

**Deputy Speaker** (Hon. Farah Abdi): Hon. Yakub.

**Hon. Yakub Hassan** (Derkhale): Thank you, Mr. Deputy Speaker.

**Deputy Speaker** (Hon. Farah Abdi): Please, cover your mouth.

**Hon. Yakub Hassan** (Derkhale): Thank you, Mr. Deputy Speaker. Unless you clarify, I am sure this statement itself is misplaced because there is an Ad Hoc Committee on Covid-19 formed in this House and all questions and inquiries concerning the same must be addressed by the Ad Hoc Committee. Raising this to the department or the sectorial committee is unfounded. Give clarification on that Mr. Deputy Speaker.

**Deputy Speaker** (Hon. Farah Abdi): Honorable Adan!

**Hon. Adan Maalim Abdullahi** (Township): Thank you, Mr. Deputy Speaker. I oppose the opinion given on statement on page 3 and 2. A statement is deemed same or different when it has been responded to. When a statement on page 3 is responded to question one which is similar to this one of honorable Yussuf, then we turn to believe that the statement or the particular question which are similar are responded to. As at now this statement is valid. We have no response from the department. We will still pursue as a House. The statement sough is still valid in my view.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Hon. Member representing Rhamu.

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**Hon. Kulow Alio** (Rhamu): Thank you, Mr. Deputy Speaker. I want to thank the honorable Member for Alungu Gof for coming up with numerous questions. I know this has happened after he became a corporal. Of late there many changes taking place on his physical appearance also. We thank him for that. That is on a lighter note, it is just a complement I am complementing my honorable Member.

**Hon. Adan Maalim Abdullahi** (Township): Mr. Deputy Speaker, the Member should withdraw that.

**Hon. Kulow Alio** (Rhamu): It is a complement, he has not complained.

**Hon. Adan Maalim Abdullahi** (Township): Mr. Deputy Speaker, we have complained as honorable Members. That statement should be withdrawn by the Member against the honorable Member for Alungu Gof.

**Hon. Yussuf Maalim Dakane** (Alungu Gof): Point of order Mr. Speaker!

**Hon. Kulow Alio** (Rhamu): Thank you, Mr. Deputy Speaker for defending me. I think according to the Standing Order any matter that is before any committee for investigation or for inquiry cannot be talked about on the floor of the House until the said committee tables its report. This issue of Covid-19 is a matter that we are investigating as a committee and it is one of our mandates that we need to achieve. We do not want this to be preempted by the Chair of health or anybody else. I think the Standing Order is very clear and I think that statement is out of order.

**Hon. Abdi Adan** (Neboi): Thank you, Mr. Deputy Speaker. I request you to indulge into this matter and give a ruling because this House formed an Ad Hoc Committee and we tasked that committee to do the work on our behalf on all issues concerning Covid-19 including this quarantine centers the Member has sought, isolation centers, the money used, the distribution of food and everything. When we were giving the mandate to the committee we gave so many things including these issues.

I request you to intervene on this matter.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Honorable Wariyo!

**Hon. Ibrahim Ali Wariyo** (Shimbir Fatuma): Thank you, Mr. Deputy Speaker. I think what the honorable gentle man is trying to know and the administration has accepted it, we need not stop it here. I know we have formed an Ad Hoc Committee but this Member wants to know the position before that committee. The Constitution defines anything you need to know you must be told. Any information you require by any person from this county should be availed. What is the essence of stopping honorable Member for Alungu? When is the Ad Hoc Committee reporting to this House? Even the timeline is not clear. So, let us not stop honorable Member from raising this statement. If you feel you do not require this information, honorable Member is at liberty to have this information and he is supported by the Constitution. Let us not try to oppose what he wants to know as an individual belonging to this House.

Thank you.

**Hon. Shaban Hassan** (Ashabito): Thank you, Mr. Deputy Speaker. I think honorable Kulow has quoted that Standing Order. This issue is being handled by the Ad Hoc Committee on Covid-19. Last week I was not there but there was a request by the Covid-19 Committee that they will present a report on Covid-19 in two weeks' time and most of these things can be captured in that report.

Thank you.

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**Hon. Hussein Adan** (Takaba South): Thank you, honorable Deputy Speaker for giving me this opportunity. We are getting confused between the Committee on Health and the Ad Hoc Committee of Covid-19. There is a guideline that was given that the two committees have their own roles but the Committee of Covid-19 was given an opportunity to bring the report. But for this one, we will get it from the Committee Chair on Health. There is a mandate given in the Standing Orders which guides the committee. The Ad Hoc Committee was given the opportunity to bring the report and they are investigating what is happening on this issue of Covid-19. This statement was addressed to the Committee on Health and there is no matter that can stop that one. We cannot address this to the Ad Hoc Committee.

**Hon. Abass Abdille** (Nominated): Thank you, Mr. Deputy Speaker. When the Ad Hoc Committee was formed there was specification, and the specification which was given was the question given by Honorable Member for Alungu. I can confirm we are undertaking this responsibility. It is in the logical mind that we cannot pre-empt what is coming. We requested for two weeks. Mr. Deputy Speaker, I request, with your indulgence, to give us a chance to report to the Assembly. We are investigating most of these things. So, it is not prudent for us to bring information like isolation wards and those things and you expect a report from us. So, for this to be appropriate give us the mandate which we have already been given.

Thank you.

**Hon. Abdullahi Siyad** (Lafey): Mr. Deputy Speaker, the committee is like the High Court and it enjoys the powers of the high court and anything before a high court cannot be discussed anywhere. I beg you to refer this statement to the Ad Hoc Committee to bring the full report.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Let me give the last chance to honorable Yussuf and I will give direction because there is a lot of business for us.

**Hon. Yussuf Maalim Dakane** (Alungu Gof): Mr. Deputy Speaker, first and foremost the Ad Hoc Committee that was formed by this House is just an extension of the House and they have failed and abdicated their duties because we are waiting for a report from them and they have not submitted anything.

**Deputy Speaker** (Hon. Farah Abdi): Order! At this time we cannot say the committee has failed. We gave them two weeks to bring a report and we are waiting for them. So, do not say they have failed.

**Hon. Yussuf Maalim Dakane** (Alungu Gof): Mr. Deputy Speaker, we were expecting a progress report and up to date they have not brought any report.

**Deputy Speaker** (Hon. Farah Abdi): Order! Honorable Abass, get back to your seat.

**Hon. Yussuf Maalim Dakane** (Alungu Gof): Mr. Deputy Speaker, this is a valid statement addressed to the Committee on Health. I have the right to know anything that I want to know from any department. I, therefore, ask your indulgence on this matter.

**Deputy Speaker** (Hon. Farah Abdi): Thank you, the Member for Alungu. It is true that the honorable Member has all the right to raise statement whenever it is necessary. It is also true that we formed an Ad Hoc Committee which is investigating issues concerning Covid-19. Honorable Members, considering your contributions, I will not commit this statement to the Committee on Health service but I will like the Ad Hoc Committee chair to consider the issues he raised on this statement.

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**Hon. Abass Abdille** (Nominated): Clarification Mr. Deputy Speaker. What do you mean by consideration? Are we supposed to capture what he said in our report?

**Deputy Speaker** (Hon. Farah Abdi): I think you said you have considered all this in your report.

**Hon. Abass Abdille** (Nominated): Good.

**Deputy Speaker** (Hon. Farah Abdi): That is what I mean.

**Hon. Abass Abdille** (Nominated): So, we will include it in that report?

**Deputy Speaker** (Hon. Farah Abdi): Yes.

**Hon. Abass Abdille** (Nominated): That one is ok.

**Deputy Speaker** (Hon. Farah Abdi): But you will not respond as statement but capture it in your report. These are obvious questions and clear. Order honorable Yussuf! We go to the next statement because we have made a ruling on that. Hon. Abdullahi Siyad!

STATUS OF MONEY IN THE ACCOUNT OF  
DEFUNCT WATER USERS ASSOCIATIONS

**Hon. Abdullahi Siyad** (Lafey): Thank you, Mr. Deputy Speaker. I want the Chair and Committee of Water to answer the following questions; -

- a) The amount of fund that is in the account of the defunct water users association
- b) Whether any amount was used for any other purpose and any documentary evidence to proof such?
- c) If there is no money used why is the money lying in bank account while many boreholes cannot offset debts accrued from fuel and maintenance
- d) What plans does the department have for the utilization of the said monies?

**Deputy Speaker** (Hon. Farah Abdi): The Chair for Water Committee, Honorable Wariyo.

**Hon. Ibrahim Wariyo** (Shimpir Fatuma): I thank the honorable gentleman who sought this statement from this department. But I want some clarity in some of the questions raised. The member said the amount of fund that is in the account of the defunct water users association, to my knowledge there are so many water users association. I want him to clarify the one he means.

**Deputy Speaker** (Hon. Farah Abdi): Yes, Honorable Abdullahi.

**Hon. Abdullahi Siyad** (Lafey): Thank you, Mr. Deputy Speaker, sometimes back the CEC for Water disbanded all water users associations. I am not talking about a specific one but all across the county.

**Deputy Speaker** (Hon. Farah Abdi): Honorable Wariyo, do you need more clarification?

**Hon. Ibrahim Wariyo** (Shimpir Fatuma): Thank you for clarification. We will include the word ‘all ‘in our first question and we will respond in two weeks’ time.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Two weeks is very fair. What do you want to say honorable Hussein?

**Hon. Hussein Adan** (Takaba South): Mr. Deputy Speaker, the other time we formed an Ad Hoc Committee concerning the same issue of water users association. We were referred to the department of water and they were unable to answer. We were again referred to health---

**Deputy Speaker** (Hon. Farah Abdi): That committee no longer exists. Order! Now it is

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the committee.

**Hon. Hussein Adan** (Takaba South): Mr. Deputy Speaker, we may not get this answer still.

**Deputy Speaker** (Hon. Farah Abdi): Order! Please get back to your seat.

**Hon. Abdi Hassan** (Malkamari): Point of information Mr. Deputy Speaker.

**Deputy Speaker** (Hon. Farah Abdi): What is information do you have for us?

**Hon. Abdi Hassan** (Malkamari): I want to inform the honorable Member that that Ad Hoc Committee was not formed in this session. That session has elapsed and this statement is new. The Ad Hoc Committee is already dead. I think the question is in order and the department has to own it. That is the information that I wanted to give.

**Deputy Speaker** (Hon. Farah Abdi): Thank you for your information. Two weeks is very fair. Mr. Chair, we want the response before the House after two weeks. We go to the next statement.

#### STATUS OF ONGOING MEGA PROJECTS IN THE COUNTY

**Hon. Yussuf Maalim Dakane** (Alungu Gof): Pursuant to the provision of the Standing Order 44 (2) (c) I wish to seek statement from the chairperson of Roads, Public Works committee on the following-:

(1) The status of the ongoing mega project in the County with regards to County Rest house, County Headquarters and the Governor's residence.

(2) The amount going to the contractors so far.

Thank you.

**Hon. Yakub Hassan** (Derkhale): Mr. Deputy Speaker, this statement was raised sometimes back. It was incorporated in the report of the Committee on Roads. The House was satisfied with the same and passed the same recommendation as the committee brought it. There is no essence of repeating the same.

Thank you.

**Hon. Hussein Adan** (Takaba South): Mr. Deputy Speaker, this is another new session. The honorable member is raising the same issue I raised before. This is a new session and he has to share that one.

**Deputy Speaker** (Hon. Farah Abdi): Honorable Abdullahi!

**Hon. Abdullahi Siyad** (Lafey): Thank you, Mr. Deputy Speaker. The questions are valid because these are ongoing projects. They are live projects that are being implemented as we are seated here. So, the honorable member is in order to ask these questions because whatever happened last time whether adopted or rejected is neither here nor there.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Honorable Wariyo. Mr. Chair, you will be given but not now. You will be the last.

**Hon. Ibrahim Ali Wariyo** (Shimpir Fatuma): Thank you, Mr. Deputy Speaker. I want to agree with the gentleman representing Derkhale Ward. We both happened to be members of this House in the first Assembly. I raised statement of this nature more than two times. If a member wishes to have this information, this is a House of records and he can have it from the Assembly.

Mr. Deputy Speaker, the status of ongoing mega projects have been deliberated in this

House and approved. It is as if we do not know what to ask and we keep on asking the same things day in day out. I want to appeal with the honorable Member representing Alungu that the statement has been raised before him more than five times. I request him to go back to our records because this is a House of Records. Let us dwell on other things and not on one item for the coming 8 years.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Let me give chance to Honorable Teno.

**Hon. Abdinur Diisow** (El-wak South): Mr. Deputy Speaker, with regard to the question raised, I am for the opinion that the honorable member is in order to know the status of these projects unless or otherwise we will see the launch of the completion of this mega projects like the one in Makueni or Machakos. We believe this project is still ongoing and in respect to that the member who raised it is absolutely in order to know the current status of these projects unless it is finished.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Honorable Shaban is the last and then we will give direction.

**Hon. Shaban Hassan** (Ashabito): Mr. Deputy Speaker, the statement raised by the Member for Alungu is valid. This is an ongoing project and the contractors have not finished and handed over to the County government. We need to know the status of these projects where they have reached. The report the members are talking about by the time it was brought most of those projects were 50% to 60% complete. We want to find the current status.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Thank you honorable members. Thank you for your concerns too. I think the statement is very genuine and it is in order. Honorable Members, I think after we passed the report the project is still ongoing and what he is asking is the current status and the status has already changed from where it was when we were passing the report. Now I think this is a very simple question and the committee can also get a response properly. Honorable Chair, how long do you need to respond to this statement?

**Hon. Abdiaziz Dakat** (Arabia): Mr. Deputy Speaker, I agree with my colleagues that this is a House of rules and procedures.

**Deputy Speaker** (Hon. Farah Abdi): I think we are not discussing the rules and procedures of the House. Order honorable member!

**Hon. Abdiaziz Dakat** (Arabia): How can you give a ruling when I being the spokesman of the committee have not given my opinion?

**Deputy Speaker** (Hon. Farah Abdi): No, you will be given, you have the floor. Order honorable chair! It is true that this is a House of rules and procedures and you must know that when the Speaker is on the floor you should not speak. Honorable Member, you are the spokesperson of the committee but you are not the spokesperson of the executive and this statement is directed to the department. You should know that. Knowing that, give us your views and you tell us the time.

**Hon. Abdiaziz Dakat** (Arabia): Mr. Deputy Speaker, you should give us time to give our views. We are in a democratic society and not in a dictatorial society.

**Deputy Speaker** (Hon. Farah Abdi): Order honorable Chair! You are in a democratic society but please there are rules and procedures in this House.

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**Hon. Abdiiaziz Dakat** (Arabia): The rules you are talking about should also apply to us. Give us chance so that we give our honest opinion about this statement because I am the chairperson of the Committee on Roads and Public Works.

**Deputy Speaker** (Hon. Farah Abdi): Then proceed.

**Hon. Abdiiaziz Dakat** (Arabia): Mr. Deputy Speaker, we are not in a different Assembly. We are in one Assembly. This Assembly has adopted the report of these mega projects just three months ago. How can you now in your own wisdom allow this kind of statement?

**Deputy Speaker** (Hon. Farah Abdi): Order honorable Chair! Do not give misleading information.

**Hon. Abdiiaziz Dakat** (Arabia): No I am not giving misleading information.

**Deputy Speaker** (Hon. Farah Abdi): Order! Let me correct you first.

**Hon. Abdiiaziz Dakat** (Arabia): In fact, Mr. Deputy Speaker the principle clerk was even our clerk when we were writing that report. So, it was just some three months ago that we adopted the report in this House. The clerk should advice the honorable Members.

**Deputy Speaker** (Hon. Farah Abdi): You will be given chance. Get back to your seat first. For information purpose let me correct the honorable Chair who is on the floor. Order honorable member! Get back to your seat. Get back to your seat! You are out of order. Honorable Wariyo, you are out of order! Honorable Chair, we passed that report six months ago. It was in December. Actually it was before December. So, you should note that it was not three months ago. Still you have the floor.

**Hon. Abdiiaziz Dakat** (Arabia): Mr. Deputy Speaker, it is true that the projects are ongoing but it is within the financial year. The financial year has not ended. How do want the projects to be completed when the contractor has not been paid? Everybody knows that their small things were not paid.

**Deputy Speaker** (Hon. Farah Abdi): Order honorable Member! You are out of order. Honorable Members, we are in breach of our Standing Orders.

**Hon. Abdi Adan** (Neboi): Thank you, Mr. Deputy Speaker for giving me the chance. I respect my Chair for Roads and Public Works. I do not know what is going on. An honorable Member is seeking for a statement from the Department of Transport, Roads and Public Works Committee through the chair. The department of Public Works, Roads and Transport is not in this Assembly. They are somewhere else. One honorable Member elected from Alungu Gof ward by the people of Alungu---

**Hon. Abdiiaziz Dakat** (Arabia): Point of order Mr. Deputy Speaker.

**Deputy Speaker** (Hon. Farah Abdi): Get back to your seat. I think there is no need of making noise. This is an honorable House and we expect you to behave honorably. Order honorable members! Majority Leader, get back to your seat. Hon. Minority Leader and Hon. Abdullahi, get back to your seats first. You must know that this is not a committee discussion. This business is before the House. You know we have even the new members who have been here for over three years and again this time round we must know many things about our Standing Orders. What we are discussing is not a business before the committee. This is a business before the preliminary. The honorable members have all the right to say their opinion. Get back to your seat, honorable Abdiiaziz. We have to learn to respect each other's opinion. Let me give chance to the honorable Member to finish his statement.

**Hon. Abdi Adan** (Neboi): Let us give each other a chance so that we can move

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**Deputy Speaker** (Hon. Farah Abdi): There is another Member on the floor. Hon. Bishar, you will be given the chance. Majority Leader!

**Hon. Abdi Adan** (Neboi): I am on the floor.

**Hon. Bishar Maalim** (Takaba): Mr. Deputy Speaker, you are setting precedence here.

**Deputy Speaker** (Hon. Farah Abdi): Honorable Member, I have not made any direction. Give chance to the Majority Leader and then you will be given the chance to speak.

**Hon. Abdi Adan** (Neboi): Yes, you will be given the chance to speak. Hon. Bishar, you will speak. Hon. Members, let us listen to one another.

Mr. Deputy Speaker what I said when I started, I said as much as I respect my chair I think you have heard what I said when I started. What I am coming to might be a precedent next time. An honorable member, for example somebody like me, wants to ask a question which is of interest. I do not know what interest he has in asking that question. It might be something very important to his people or himself as a representative of Mandera County. We are not the people who are going to write this response. I do not know why members are aggrieved. We are not the ones writing the response because somebody has been employed sitting in an office earning salary from tax payers of this county to respond to such queries. Mr. Deputy Speaker, your ruling is in order

**Hon. Jimale Abdi** (Guba): Mr. Deputy Speaker, it is the right of the honorable member to ask any question on any matter that he or she is not comfortable with.

Secondly, it is the work of the office of the clerk to check if the statement has been asked repeatedly. Hon. Yussuf Maalim has the right to ask questions. It is also the right of the honorable chair to inform this House that such statement was raised before. If the response of that previous statement is not well responded to then it is now the work of the Speaker to clarify. But for the ordinary members, I think this is not supposed to be even a debate. It is just between the person who raised the statement, chair and the speaker. We are not supposed to debate about this issue. Let us not debate on something that is not supposed to be debated on.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): Honorable Wariyo!

**Hon. Ibrahim Ali Wariyo** (Shimbir Fatuma): Thank you, Mr. Deputy Speaker. It is very true that we need to respect the Speaker's ruling but the Speaker's ruling will set precedence. Mr. Deputy Speaker, in today's sitting you ruled that the information the honorable Member for Alungu is seeking to know is before a certain committee. Why we trying to challenge this? I need to be heard. If I cannot be heard, I do not know why Members need to be heard. I am on the floor Mr. Deputy Speaker.

**Deputy Speaker** (Hon. Farah Abdi): You have the floor but I have to remind you that.

**Hon. Ibrahim Ali Wariyo** (Shimbir Fatuma): Before you remind me Mr. Deputy Speaker---

**Deputy Speaker (Hon. Farah Abdi)**: Order honorable Wariyo! Get back to your seat, honorable Yussuf. A member is on the floor. Honorable Wariyo, I want to remind you and the entire House that reports issued in the past is a thing of the past. What we are discussing is the current status of this response.

**Hon. Ibrahim Ali Wariyo** (Shimbir Fatuma): Mr. Deputy Speaker, I want to seek your indulgence that the debate is meant for members and if the Speaker will debate and challenge every member, we are losing a direction. I understand our Standing Order which says the speaker

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is deaf and blind until notified. So, you arguing with every statement every member will raise, we may not have a space to say anything. With regard to your ruling, I am on point of order and I do not require information.

**Deputy Speaker** (Hon. Farah Abdi): Order honorable Members! Please get back to your seats.

**Hon. Ibrahim Ali Wariyo** (Shimbir Fatuma): I am on point of order Mr. Deputy Speaker and I want to finish what I want to say. In regard to your ruling in today's sitting, we need to have a direction. You ruled on the issue of health that this matter is before another committee. If we say that this matter has been discussed and adopted by this House, where are we going wrong? I think your ruling has to stand properly and we are here to defend.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): I will give the last chance to honorable Bishar Maalim then I will give out a direction.

**Hon. Bishar Maalim Abdullahi** (Takaba): Mr. Deputy Speaker, I think today we are setting precedence which we have not experienced for the number years and months I have been in this House. At no one time have I ever heard a member of a certain committee's opinion precedes the opinion of the spokesperson of the committee. Mr. Deputy Speaker, that had never happened on this plenary.

Secondly, the statement generated by honorable Yussuf is a statement that has been before this House and responded to lately during the last session during the progress report because I was in the Transport and Roads Committee under the able chair of honorable Dakat. I remember because my memory is intact despite being old. What I want to tell this House is that that report was very detailed and it was given from the time of initiation of that project and the number of enormous amount of money that has been injected by the county government of Mandera into those projects. That report has been handled by that committee for almost six months. When the report was tabled, we had given intricate details on the progress of those projects because that statement was generated by honorable Abdi Hassan of Malkamari. Mr. Deputy Speaker, that was just recent and it is not good for this House to bother statement of this mega project with the same committee. Give us a direction on this. There is no way a member supersedes the sentiments of the able chair of Public Works committee.

**Deputy Speaker** (Hon. Farah Abdi): Order honorable Members! You were heard and your point is very clear. Hon. Chair and honorable Gabnan, get back to your seats. Honorable members, I will give out a very proper direction on this issue but before that, honorable members, I want to remind you that this is a House of rules and procedures. This is a House that is guided by the Constitution and our Standing Orders. When we are here it is not proper to behave like we are somewhere else. That is why we have specific way of dressing and specific places designated for sitting. Honorable Members, let us respect the views of others as much as possible the Speaker will listen to whatever you are saying and I will give out a lot of consideration about what you are saying. But if you start making unnecessary statements and noise, I think you misguide, create unnecessary tension and we may lose the focus.

Honorable Members, this is one arm of the government mandated to oversight and whatever we are doing here is going into record. So, for this statement I think the honorable member raised it and the chair of that specific committee must say the time when he will bring the response from the executive. And before this statement finds itself before the honorable

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members, it has to go through the technical committee of this Assembly so that it can technically be checked. Honorable Members, there is no need of making a lot of noise about business that is already on the floor of the House. Honorable Chair for Roads and Public Works, now you have the floor, tell us when can you bring a response before this House.

**Hon. Abdiaziz Dakat** (Arabia): Mr. Deputy Speaker, you know when you are a speaker you are a judge. Before you give a ruling you must listen to everybody. You know we do not have divergent opinions. I am the chair of Roads and Public Works and as the chair of Public Works you have given out a ruling before listening to me.

**Deputy Speaker** (Hon. Farah Abdi): Now you have the floor say it.

**Hon. Abdiaziz Dakat** (Arabia): What I am saying is, you said you have repeated more than five times that this is a House of rules and procedures. The same rules and procedures must apply to honorable members raising questions. You cannot allow honorable members to ask repetitive statements every now and then. Let me finish Mr. Speaker, allow me to finish.

**Deputy Speaker** (Hon. Farah Abdi): Order honorable member! Honorable Abdiaziz, do not misuse the privilege that you have. Remain as the chair of this committee. As the spokesperson of this committee when you take somebody's responsibility you know it is dangerous. Let me tell you one thing, there is no need of arguing with the Speaker. The issues are not us responding to each other. If you cannot give out time lines, then the speaker still has that power to give the committee specific time to respond to this House and we move on because there is a lot of business before the House. Honorable member, I gave you a privilege to respond.

**Hon. Abdiaziz Dakat** (Arabia): Mr. Deputy Speaker, we respect your opinion and your decision but do not be partisan like members. Let me finish Mr. Deputy Speaker. How do you want me to respect you when---

**Deputy Speaker** (Hon. Farah Abdi): Order honorable Member! Honorable Abdiaziz, get back to your seat. You are out of order! Get back to your seat. Honorable Majority Leader! Put on your mike.

**Hon. Abdi Adan** (Neboi): Mr. Deputy Speaker, I know my chair is wrong and I take this opportunity to apologize on his behalf.

**Hon. Abdiaziz Dakat** (Arabia): Point of order Mr. Deputy Speaker.

**Deputy Speaker** (Hon. Farah Abdi): Order honorable chair! You are out of order. Order honorable Abdiaziz! Honorable Members, this statement before this honorable House is genuine and in order. It is straight forward questions and can be answered easily and I therefore direct the Committee on Roads to respond to this statement in two weeks' time.

Honorable Members, we go to the next statement; these are old statements. The first response is a statement raised by honorable Yussuf Maalim to the Committee on Health.

Honorable Chair for health!

**Hon. Shaban Hassan** (Ashabito): Mr. Deputy Speaker, we have a response from the department but it is not up to date. When I say it is not up to date the honorable members seek this statement on the first week of March and the response was brought to the committee on 17<sup>th</sup>. This is when we never heard any index case of Covid-19 patient in the ward. So, from there, there is a lot which has happened and we will bring updated response next week. So, we defer this response to next week.

**Deputy Speaker** (Hon. Farah Abdi): Thank you, honorable chair for health. I think it is true and one week is very fair. We go to the next statement and this is a response to statement

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raised by honorable Gabnan to the Committee on Agriculture and Livestock. Chair!

**Hon. Bashir Ibrahim** (Kiliwehiri): Thank you, Mr. Deputy Speaker. These statements were sought on March and we have brought two responses. Now I am going to read for you the latest response because the first response is overtaken by time.

Reference is made to your later Ref No; MCA/ALF1/VOL/1054 regarding the mysterious case of death of camels in Waranqara ward. Attached here please find additional comprehensive report. Now I am going to read for you the comprehensive report.

Question number 1; the honorable member asked whether the department is aware of reported mass death of camels in Waranqara ward for the last one month due to the outbreak of mysterious disease. The department is aware of cases of unknown disease that may have affected areas of Lafey Sub County the mostly affected areas are Alungu and Waranqara. The clinical signs exhibited are stiff neck, swollen head, nymph and nodes, head raised, fronting mouths, nervous signs/staggering, ineptness, failure to chew curd, recumbence and death after one week. The disease had initially been detected in herds that had migration history from Somalia

Question number two; the honorable member asked whether the cause of the disease has been established. The cause of the disease has been established. The sample of blood has been taken. The following samples were taken and submitted to CVIL Kabete and the result is as follows; the samples were delivered to CVIL Kabete and requested testing for hemorrhagic septicemia, wry neck and Trypanosomosis.

Result; the primary result from the laboratory is isolation of clostridium ssp through bacterial culture, (isolation and identification) from whole blood (year 2020 submission number 342). There was also identification trypanosoma ssp under microscopy at Mandera laboratory. So, the result has been known and the cause of the disease has been known.

Question number three; The honorable member asked what measures has the department put in place to stop the death and avoid the spread of the killer disease to other parts of the county. The county procured drugs to help the affected areas to respond to the disease situation. We have sent a team to Alungu and Waranqara to carry out treatment of the camels and supervision of the community. The team is also advising the pastoralists on what caused and treatment regiments that are recommended by the department.

The following drugs were issued to Lafey sub county veterinary officer and a vehicle to carry out the treatment; Drugs 10% Albendazole, one liter, 500ml Ectopor, 20% 100ml Oxytetracycline, 100ml Tylosin , 100ml Penstrep, 50ml Ivermectin, 100ml Dexamethosine and 50ml Triquin.

We have also advised the isolation of the affected animals. Mr. Deputy Speaker, attached are the results from Waranqara which had been taken to Kabete and the result is here on page 3 of 3. Samples list for positive for this bacterial culture isolation and identification, that is the disease which is killing our camels and the drugs have been submitted. All those are results and the test. The first response which was in March was overtaken by time because at that time the disease was not known. Now the cause of the disease has been known and the action taken has been outlaid.

Thank you.

**Hon. Ahmed Gabnan** (Waranqara): Mr. Deputy Speaker, I wish to thank the chair for Agriculture for responding though late. We expected this much earlier but at long last at least he has delivered to the House. Mr. Deputy Speaker, I agree though I am not a medical doctor and I

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may not be familiar with such terms like trypanomiasis, those biological terms but from the report I know I am satisfied.

The other thing is that I wish to thank the department that they at least took some steps and made the recommendations to the pastoralist, but to say that they have sent the team to treat, they have done little and some officers may be could have been sent to the ground just to inform the pastoralist that they should buy these drugs. The department so far has not availed enough drugs to the pastoralist. They just made recommendations and the drug they recommended has helped a lot. So, we humbly request the department through the committee to push the department to avail enough drugs to the pastoralist.

I am satisfied with the response Mr. Deputy Speaker.

Thank you.

**Hon. Shaban Hassan** (Ashabito): Thank you, Mr. Deputy Speaker. I thank the department for this prompt intervention. Already we have found the cause of death. Under the same disease there is an outbreak and the public outcry in Takaba and areas of Gither. I urge the committee headed by able chair honorable Bashir, now that we have found out the cause and causative agents the department should take drugs to the affected areas like Gither, Eymole and Kiliwehiri.

Thank you.

**Hon. Bashir Ibrahim** (Kiliwehiri): Mr. Deputy Speaker, I want to inform the House that the veterinary department is already in Gither, Kiliwehiri, Eymole and part of Takaba town doing vaccination and giving the drugs to our herders.

Thank you.

**Deputy Speaker** (Hon. Farah Abdi): I think the response is very satisfactory. We therefore go to the next order. Clerk!

**Hon. Ahmed Gabnan** (Waranqara). Mr. Deputy Speaker, if you allow me, I wanted to make a request to the speaker.

**Deputy Speaker** (Hon. Farah Abdi): On what?

**Hon. Ahmed Gabnan** (Waranqara): On personal issues regarding sitting arrangements and such if you can.

**Deputy Speaker** (Hon. Farah Abdi): Go ahead honorable Gabnan.

**Hon. Gabnan** (Waranqara): Mr. Deputy Speaker, I am sorry I was late today for around five minutes, when I came I found at the parking we have a lot of problems. I wish through your office we remove all the stated preserved packing so that anybody cannot park at those reserved spaces. Otherwise, we have a problem on the parking issue. I came on time but I delayed because I had difficulty. There are some people who do not have parking they are disturbing us.

Secondly, in parliamentary practice the Whips have a preserved seat though it may not be clearly or explicitly stated in our Standing Order. In commonwealth practice, we have a designated area to sit and we have clearly stated role to play in this House. Because of the covid-19 measures we do not want to be told you have no seat today. You know the space is filled. Today I was in the office and you may need our services urgently for unforeseen matters. So, I want through your chair to exclude us from members who will be restricted from getting access into the House that the Whips just like Majority and Minority leaders their seats should be preserved and excluded from the members who will not get space in the event they come late. Kindly, it is my humble request Mr. Deputy Speaker.

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Thank you.

ADJOURNMENT

**Deputy Speaker** (Hon. Farah Abdi): Thank you, very much. Hon. Members, we are now going to adjourn the House to next week Tuesday 16<sup>th</sup> June 2020, at 2:30 p.m.