



OFFICIAL HANSARD REPORT

COUNTY ASSEMBLY OF BOMET

THIRD COUNTY ASSEMBLY

ASSEMBLY DEBATES

Vol. 2 NO. 57

DAILY HANSARD

The Assembly met at the Main Assembly Chamber,

Dr. Joyce Laboso Centre at 2:30 p. m

Third County Assembly- Second Session

Tuesday Afternoon 2nd May, 2023

(The Assembly met at 2:30 p. m in the

County Assembly Mini Chamber at County Assembly Buildings)

[Hon. Deputy Speaker (Hon. L. Rotich) in the Chair]

PRAYER

(Lack of Quorum)

Hon. Deputy Speaker (Hon. L. Rotich) I direct the Serjeant-At-Arms to ring the quorum bell for 10 minutes.

(Quorum bell rung for 10 minutes)

(Members enter the Chamber)

PETITIONS

PETITION ON WAIVER ON THE PENALTIES AND INTERESTS ON PLOT RENT AND RATES

Hon. Deputy Speaker (Hon. L. Rotich): The office of the speaker has received petitions to this assembly on the waiver of the penalties and interests on plot rent and rates. The petitioner is one Dr. Wilson Kipsang from Mutarakwa Ward.

The petitioner in his prayer requires this assembly to humbly offer a 100 percent waiver on the penalties and interests on plot rent and rates. Secondly, to give three months to defaulters to pay the principle amount. Thirdly, to advertise the amnesty in print and air media. He also wants the assembly to audit the bank grants and connect sewer lines starting with the central business district in Bomet town and to develop access roads and water supplies.

The petitioner also wants the removal of stall and scrub vehicles parked along access roads.

I commit this petition to the Committee on County Petitions. The committee should expedite and report within 60 days.

Deputy Speaker (Hon. L. Rotich): There is also another petition by one Henry Soi Belsoi from Chesoen Ward.

PETITION ON HISTORICAL LAND INJUSTICES BY MULTI-NATIONAL TEA COMPANIES

In his petition, wants the assembly to carry out the following;

- i. Examine the legality of the mutation and evolution of this colonial multi-nationals since companies are separate legal entities. The colonial leases should have lapsed after the declaration of the independence of the Republic OF Kenya.
- ii. The implementation of the senatorial select committee on the low price of tea.
- iii. Refer to the politically/corruptly acquired to the local communities intended organization which were thwarted through the same political and big tea business interests.
- iv. Equally sharing of the tea resources since they have had a return on investments.
- v. Implement Africa's Agenda 2063.

I commit this petition to the Committee on County Petitions. The committee should respond within 60 days.

PETITION ON HISTORICAL LAND INJUSTICES SUFFERED BY

TOROBEEK COMMUNITY OF RIFT VALLEY AND WESTERN REGIONS

Deputy Speaker (Hon. L. Rotich) (Chesoan Ward, UDA): There is also another petition on historical land injustices suffered by Torobeek Community of Rift Valley and Western regions. The petitioners' prayer humbly requests the assembly to investigate and address their grievances and saving the community from marginalization and neglect by the government.

They also want the assembly to develop a framework to compensate and settle the community in their respective places in Bomet County. They also want the county government to legitimize their existence in the county and not to approve any allocations until Torobeek issues are addressed.

I commit this petition to the Committee on County Petitions. The committee should respond within 60 days.

PAPERS

THE BOMET COUNTY ASSEMBLY PROGRAM-BASED BUDGET

FOR THE FINANCIAL YEAR ENDING 30TH JUNE, 2024

Hon. W. Kiprotich (Chepchas Ward, UDA): Hon. Deputy Speaker, I beg to Table the following paper;

The Bobet County Assembly Program Based Budget for the Financial Year ending 30th June, 2024.

(Paper laid)

QUESTIONS AND STATEMENTS

ACCESSIBILITY OF PRIVATE AND PUBLIC SPACES BY PWDs

Hon. J. Cheruiyot (Embomos Ward, UDA): Hon. Deputy Speaker, I rise to respond to a statement sought by Hon. Lily Cherotich on the accessibility of public space and places by persons with disability.

The committee received a response to the statement via a letter dated 30th March, 2023. In the said letter, the CECM indicated to the committee that the issues of ensuring accessibility of private and public space is a function to be undertaken by the Department of Roads, Transport and Public Works.

The CECM further that the issue has been marked and brought to the attention of the CECM in charge of Roads, Transport and Public Works for response and action.

I therefore request that the committee will deliver a comprehensive response to the Member as soon as the CECM in charge of Roads, Transport and Public Works responds to the issue raised.

The letter in response to the issue has been circulated to all the Members through soft copies.

Thank you.

Hon. E. Kirui (Kimulot Ward, UDA): Hon. Deputy Speaker, I Was expecting that the budget estimates are tabled before the Assembly. However, we have not received and as per the PFMA, the committee expects that the same is Tabled by 30th April each year. Today, is 2nd May, 2023. It is past the deadline and we seek the Chair's direction.

Hon. W. Kiprotich (Chepchas Ward, UDA): Hon. Deputy Speaker. I reiterate the same. What are the implications of a document that is not received on time?

The Member rose because the orders of Papers has been passed. The 30th April fell on a weekend and yesterday was a Labour Day holiday. Therefore, today was the first sitting day after the deadline and it was the day, we expected the Tabling.

The HANSARD is not capturing the Budget and Estimates by the executive. What are the implications of a document that is tabled past the stipulated timeline? Can we say there are people not working on this document?

Deputy Speaker (Hon. L. Rotich): I note the same. We expected that the document would have been tabled by 30th April but since it was a weekend, the only probable date was today. We are only at the mercy of the finance team from the executive. Therefore, the Chair notes that the document has not been tabled as per the law.

The statement answered by the Member from Embomos was clear that the question by Hon. Lily Cherotich was not answered and I further give you 14 days to respond.

Thank you.

Leader of Minority Hon. K. Ngetich (Siongiroi Ward, CCM): Hon. Deputy Speaker, thank you.

Hon. Deputy Speaker (Hon. L. Rotich): I am sorry Member. You are not properly dressed.

Hon. D. Busienei (Chemagel Ward, UDA): Thank you Mr. Speaker I rise to respond to question asked by hon Bernard Rotich on 14th March 2023. Hon Speaker, the committee on lands

deliberated and investigated into the issue and came up with this report. The seeker had queries on current ownership status of land parcel no. Kericho-Kaboson.

Hon. Kibet Ngetich rose on a point of order

Leader of Minority Hon. K. Ngetich (Siongiroi Ward, CCM): Mr. Speaker I want to the matter raised by chair committee on finance.

Hon. Deputy Speaker (Hon. L. Rotich): Hon Member it is past time.

Leader of Minority Hon. K. Ngetich (Siongiroi Ward, CCM): Hon Speaker, I think the CECM finance has failed this Assembly. The document should have been in the Assembly by 30th April. This is Assembly of order. Many people have studied and can do the same work bivalently. Being a member of budget committee, we shall sit down and relook at the issue.

Hon. Deputy Speaker (Hon. L. Rotich): Hon. Members in the next sitting I will give direction on that. We have all the mechanism within our jurisdiction to take necessary action. We will not dwell on the matter.

Hon. D. Busienei (Chemagel Ward, UDA): Hon. Speaker, following a question that was asked by Hon. Bernard Rotich on 14th March 2023, the committee on Lands, Housing and Urban Planning deliberated and investigated into the issues that were raised and came up with this report. In his question, the seeker queried the current ownership status of land parcel number Kericho/Kaboson 347, Public Utility Land. Whether the department is aware that the parcel of land which was earlier reserved for public utilities has since been encroached and/or grabbed by a private hospital. He also inquired on what really transpired on the parcel of land if it's been grabbed and the practical steps that are being undertaken by the County Government to recover the said land and other similarly grabbed public utility land within the County. Hon. Speaker, the committee on Lands, Housing and Urban Planning conducted site visit to Chebunyo Ward to ascertain the status of the said parcel of land and noted that; 1. The parcel of land originally belongs to the County Council of Kipsigis 2. The parcel was originally meant for tree nursery. 3. The contention of the land began in 1988 when the public realized that there were grabbers who were interested with the land. (Correspondences between the locals and County Council of Kipsigis were availed to the committee) 4. The area Chief has in several occasions attempted to have discussion with the management of Tenwek Hospital and no favorable response has been received. However, the hospital CEO at some point informed the chief that the acquisition of the land title was based on the minutes of a meeting held by the Works, Town Planning and Markets Committee on 9th May 2003. Min. No. 37/2003. They finally got the Title Deed from Bomet Land Registry on 1st August 2015. (letter attached) 5. As searched in the Lands registry, the land currently belongs to Tenwek hospital as issued in the year 2015. The emotive nature of this matter was noted

and the committee urged the public to embrace the facility as it offers essential services to the community. It was emphasized that the County Government of Bomet will safeguard all PI lands from private developers and/or encroachment. Hon. Speaker, the committee further sought information from the CEC Urban Planning Department on this matter. In his response, the CEC responded as follows; The parcel of land Kericho/Kaboson/347 of size 1.3 Ha is a public utility land registered in November, 1987 under County Council of Kipsigis (Currently County Government of Bomet) and is reserved for tree planting. The Department has since noted with a lot of concern the purported unprocedural and illegal change of records at the Land's Registry to confer the PI land to Tenwek Hospital as the current proprietor of the above parcel with no regard to any existing laws and regulations. The land Registration Act, The Land Act and the National Land Commission has outlined a clearly legal process on alienations of public land and the same has not been applied in any of these dealings thus rendering the alleged allocation to Tenwek Hospital null and void. The public utility parcel of land boundaries has not been encroached. The original fences and boundary exist as described in Map Sheet 3, Kaboson registration section. The land has not been physically grabbed but ownership records at the Land Registry has illegally been interfered with causing alterations on the public land from the genuine ownership of County Council of Kipsigis to a private hospital. The Department has given firm instructions to the County Land Registrar to correct the anomaly in the current entries within the parcel register, provide a certified search certificate, a certified green card and a Title Deed in respect of County Government of Bomet, reserved for tree planting to reflect the original preservation of the public land. The Department of Lands, Housing and Urban Planning has put in place structured mechanisms to ascertain security of tenure of all public lands within the County. Among the measures and programs established are; a) Surveying and Beaconsing of all identified public Lands 1,850 parcels of public lands have been identified physically at their locations and require authentication upon surveying and beaconsing. At the process of identification, it was noted that all these parcels of lands have been adversely encroached and some developed, causing public outcry.

a) Their Geo-referenced information has been established in terms of Locations, map sheets, Absolute Land reference numbers, Attached registered sizes, Ownership status and wards. To ascertain safety, restorations and management of these parcels of public Land from depletions, the Department has embarked on a County Wide Surveying and Beaconsing exercise of all Public Lands by targeting, for a start, 125 parcels of public land per year, depending on the available budget.

b) Identifications of the remaining Public Land The remaining 1,400 parcels of Public Land need to be identified, Geo-referenced and documented through Public Participation to ascertain the successful implementation of

(a) above hence help salvage further intrusions. To ascertain complete identification within the shortest time frame, the Department intends to identify at least 300 additional parcels of Public Land within the County per year to provide a comprehensive database on ownership details, mapped boundaries, registration status and proposed public purposes. This should be done within a period of five years.

c) Titling of Public Land As stated in (a) and (b) above, the total so far identified parcels of Public Land are distributed across all electoral wards. The Department plans to process Title deeds of these parcels of public land to ensure absolute ownership by the County thus ensuring security of these parcels of Public Lands as provided for in the Land Registration Act 2012.

d) An Inventory of all Public Lands. The Department is in the process of completing an inventory of all public land, securing legal ownership documents and initiating a process of returning them to the original planned use. The Inventory is approximately 80% complete. e)

Fencing of all public land Challenges The Department faces the following challenges in executing the above measures:

a) Inadequate financial allocations towards Surveying and Beaconing of Public Land, therefore the number of parcels of public lands restored yearly are 125 compared to the total required number of 3,250. To purpose a precise surveying and beaoning exercise for a single public land cost approximately Kshs. 20,000 for purchases of cement, Ballast, Sand, Iron rods for survey beacons and labor therefore Kshs 65Million for the entire exercise based on current estimates.

b) The costs of titling all the 3,250 parcels of public land is approximately kshs.32.5 Million. Approximately Kshs.14 Million is required for identifications and public participation on the remaining 1,400 parcels of public land.

c) Transport- There's need for available transport system reserved for surveying and mapping at the disposal of the department daily from 8.00am to 5.00pm to ensure any arising land issues are handled immediately they emerge thus helping to reduce land conflicts. d) Security. Adequate security required for personnel handling parcels of land with conflicts. e) Inadequate records

pertaining to parcels of public land with some records having been tampered with yet some community people are reluctant at giving out information. f) Inadequate personnel to handle issues of public land thus lengthening the process of securing them. Such delays give room to grabbers. g) Lack of modern survey equipment for the department. This slows down the process of securing the parcels of public land.

of securing the parcels of public land.

COMMITTEE'S OBSERVATIONS

Based on the findings of the site visit and the response from the CEC in charge of Lands, the committee observed the following; 1. The parcel of land Kericho/Kaboson/347 of size 1.3 Ha is a public utility land registered in November, 1987 under County Council of Kipsigis (Currently County Government of Bomet) and is reserved for tree planting. 2. Unprocedural and illegal change of records at the Land's Registry to confer the PI land to Tenwek Hospital as the current proprietor of the above parcel with no regard to any existing laws and regulations. The land Registration Act, The Land Act and the National Land Commission has outlined a clearly legal process on alienations of public land and the same has not been applied in any of these dealings thus rendering the alleged allocation to Tenwek Hospital null and void. 3. The public utility parcel of land boundaries has not been encroached. The original fences and boundary exist as witnessed during the site visit. The land has not been physically grabbed but ownership records at the Land Registry has illegally been interfered with causing alterations on the public land from the genuine ownership of County Council of Kipsigis to Tenwek Hospital.

COMMITTEE'S RECOMMENDATION

The committee recommends the following; 1. The department should fast track the revocation of the Land Title for the parcel of land No. Kericho/Kaboson 347 from Tenwek Hospital to The County Government of Bomet. This is because the process of acquisition was unprocedural and illegal. 2. The department should implement the structured mechanisms to ascertain security of tenure of all public lands within the County. 3. More allocations towards Surveying, Beaconsing and fencing of Public Land should be made to remedy the issues raised in the implementation of these functions. 4. Trained personnel should be recruited in the department to aid in the reacquisitions of grabbed PI lands. 5. The residents of Kaboson in Chebunyo Ward should be made aware of the current status of their Parcel of land to avoid uproar and animosity with Tenwek Hospital.

Hon. E. Kirui Rose on a point of order.

Hon. E. Kirui (Kimulot ward, UDA): Hon. Speaker, I loud the Chair Committee on Lands Housing and Urban Planning for the good report. I rise because we have seen the lack of seriousness by committees on questions asked in this Assembly. On 15th Feb this year, I raised the question on the spread of duda weed spreading in Bomet county Kimulot ward and I expected that I would be given a response. I am concerned that we are not getting answers to a dangerous weed threatening the lives of our people. I also request you Hon Speaker that you give directions on that you can direct another Committee to act on the same or directly request that the CECM in charge of Agriculture and the CECM in charge of Environment be summoned to this Assembly so that

they answer directly to the Hon. Members because we are interested to know what actions they are taking and this is a threat to the livelihoods of the people of this county.

Hon. Deputy Speaker, I seek your direction. Thank you.

Hon. Deputy Speaker (Hon. L. Rotich) (Chesoen Ward, UDA): Thank you, Hon. Member. From where I seat, this is the second time you have raised a point of order on the Question you asked on dodder weed, which was committed to the Committee on Agriculture. There are other Questions that came later after you had asked the Question.

I direct that the Committee on Agriculture be serious with the work they are supposed to do.

(Hon. K. Ngetich rose on a point of order)

Leader of Minority Hon. K. Ngetich (Siongiroi Ward, CCM): Hon. Deputy Speaker, being the vice-chair for the Committee on Agriculture, I do not remember such a Question that was forwarded to our desk. I would like to think that it was committed to the Committee on Water. If it were committed to my Committee, I would have seen it.

Hon. Deputy Speaker (Hon. L. Rotich): Thank you, Hon. Member. It was actually Committee on Agriculture because I seat in the same Committee and I have seen it.

Leader of Minority Hon. K. Ngetich (Siongiroi Ward, CCM): Then the problem is with the clerks. Then they never forwarded it.

(Hon. E. Kirui rose on a point of order)

Hon. E. Kirui (Kimulot Ward, UDA): Hon. Deputy Speaker, I am not accusing the Chair but are you in essence admitting that, as a Member of the Committee you have failed to deliver in your mandate in the Committee, especially now that you are admitting that you have seen it.

(Hon. W. Kiprotich rose on a point of order)

Hon. W. Kiprotich (Chepchas Ward, UDA): Hon. Deputy Speaker, Sir, maybe you can now give the meaning of the phrase ‘shouting yourself on the foot’.

(Hon. K. Ngetich rose on a point of order)

Leader of Minority Hon. K. Ngetich (Siongiroi Ward, CCM): Hon. Deputy Speaker, I am not rising to save you. That question was committed to the Committee on Water. In fact, Hon. Cheptoo mentioned it to me that they had a task.

Hon. Deputy Speaker (Hon. L. Rotich): Thank you, Hon. Member. That will be verified. I seat in the Committee on Agriculture and I am concerned about the way you are. That is the heart of sincerity.

As I was saying, it is not good for Sectoral Committees to fail to answer Questions that have been raised by the Hon. Members. We all agree that this dodder weed is becoming a menace in most

parts of our county. I, therefore, direct that the Committee on Agriculture fast track and answer the question as soon as possible and report to this Assembly within 14 days. I assure you, the Hon. Member from Kimulot, that the response to your Question will be on your table any time from now.

We are happy that you are concerned with the environment and I think the question should also have been handled by the Committee on Water and Sanitation so that they can handle it from the environmental point of view. It will be verified. One Hon. Member has mentioned that it was committed to the Committee on Agriculture. We want the issue of dodder weed to be rested. In 14 days, I will use the powers within my jurisdiction to get the response. I also seat in the Committee on Liaison, a Committee that oversees the other Committees. We will be serious with our work.

Hon. Deputy Speaker (Hon. L. Rotich) (Chesoan Ward, UDA): Hon. Member from Chemaner. I hope you won't be talking about the Question on dodder weed because it has rested.

Hon. R. Ruttoh (Chemaner Ward, UDA): Thank you, Hon. Speaker, for giving me this opportunity. I only seek clarification on a Question raised by Hon. Dancel, which was directed to the Committee on Labor and Public Service. The Chairperson of the Committee was ready to give a response. It was postponed because, unfortunately, the Hon. Member who asked the Question was not present. The two Hon. Members are present today but the Question has not been brought up for answering. Thank you.

Hon. Deputy Speaker (Hon. L. Rotich): Hon. Chairperson, can you respond to that?

Hon. B. Rotich (Chebunyo Ward, INDEPENDENT): Hon. Deputy Speaker, thank you. The report is with us. I wish that it can be slotted in the Order Paper of the next Sitting so that I can prepare for it. Thank you.

Hon. Deputy Speaker (Hon. L. Rotich): Hon. Member, thank you. We expect that Question to be answered as well.

Hon. Members, let us not ignore Questions committed to our Committees. This afternoon, I have committed several Petitions to the Committee on Petitions and I send a warning that there is a lot of work ahead of you. Let us all work diligently in our Committees.

MOTION

(Hon. D. Busienei rose on a point of order)

Hon. D. Busienei (Chemagel Ward, UDA): Hon. Deputy Speaker, I had read the response on the Question asked by Hon. Bernard but before the Hon. Member rose to comment on the response, you gave several other Hon. Members to speak. It is my request that you give the Hon. Member to comment on the response that I read.

Hon. Deputy Speaker (Hon. L. Rotich): Thank you for reminding me. Hon. Bernard.

Hon. B. Rotich (Chebunyo Ward, UDA): Hon. Deputy Speaker, thank you. First, I thank the members of the Committee on Lands, Housing, and Urban Planning. I am satisfied with the report that they have given. Thank you.

MOTION ON THE FORMATION OF A TEAM OF EXPERTS TO CARRY OUT A RESURVEY OF ALL THE
LANDS HELD BY MULTINATIONAL TEA ESTATES

Hon. W. Kiprotich (Chepchas Ward, UDA): Hon. Deputy Speaker, thank you. We are under Order number eight as read by the Clerk-at-the-Table. The Motion solely belongs to me. I had given a Notice of Motion to this effect.

Hon. Deputy Speaker, I wish to seek that I defer the reading, the Moving, and the discussion of this Motion for the following reasons:

1. I have heard you read a Petition that was written by one Ben Soi, which has touched on so many issues that I am supposed to talk about in this Motion. I, therefore, would like to take a look at the Petition before I come back to the Assembly so that I can be armed with all that I require;
2. I have several documents, which are supposed to support this Motion. I have a big file here with me. I also have the National Land Commission ruling, which was made on 20th February 2019 and a series of other Petitions; and
3. There is a Petition currently held by the Justice & Legal Affairs Committee at the Senate. Luckily, the Senator of Bomet County, Hon. Hillary Kiprotich Sigei, chairs that Committee. Last week, the sent some parties back to the drawing board. I requested him to give me some of this information and he promised to do that tomorrow.

As a result, Hon. Deputy Speaker, Sir, I am requesting your Chair to allow me to postpone to the next available Sitting. Thank you.

Hon. Deputy Speaker (Hon. L. Rotich): Hon. Member, you have been allowed to postpone the Motion because you have given us weighty reasons and the fact that this is an important Motion which all of us should be on board. I also ask the other Hon. Members to also do their personal research on this Motion because it touches more on the historical land injustices.

This Motion will converge somewhere with the Petition that was read this afternoon and therefore, foresee a lot of work ahead of us. Let us all own this so that we can find a solution to the land injustices that have been bedeviling our county.

Hon. Member your request for postponement is therefore granted.

Hon. W. Kiprotich (Chepchas Ward, UDA): Hon. Deputy Speaker, I am obliged. It has just crossed my mind that, when the history of this Third Assembly is written, this will be the first Motion that was Moved that belonged to an individual Member. Hon. Deputy Speaker, Sir, this

Assembly has passed Motions owing to the Papers Tabled in the Assembly. I am glad that I will be the first Member to Move an individual Motion in this Assembly. I urge the Hon. Members to fill the Order Paper with Motions touching on our people.

Hon. Deputy Speaker, Sir, you may congratulate me for being the first.

Hon. Deputy Speaker (Hon. L. Rotich): Hon. Member, I congratulate you. I am also concerned because I can see the way you are interested in the Motion touching on the National Land Commission.

MOTION

PROCEDURAL MOTION TO ALTER THE COUNTY ASSEMBLY CALENDAR

Hon. J. Samoei (Nyangores Ward, UDA): Thank you, Hon. Deputy Speaker. I beg to Move a Procedural Motion, THAT, pursuant to Standing Order No. 28 (4), this County Assembly resolves to alter its calendar so as to adjourn today Tuesday, May 2nd 2023 to Tuesday, 9th May 2023 at 2:30 p.m.

Hon. Deputy Speaker, this Hon. Members are set to proceed on a retreat to write a report from tomorrow to Friday. I urge the Hon. Members to support this Motion for that particular purpose. I request the Hon. Whip to Second.

Hon. R. Ruttoh (Chemaner Ward, UDA): Hon. Deputy Speaker, thank you for this opportunity to Second what the Deputy Leader of Majority has Moved. Hon. Deputy Speaker, I know you have given directions on the many Statements...

(Hon. D. Ngeno rose on a point of order)

Hon. D. Ngeno (Kongasis Ward, CCM): Hon. Deputy Speaker, Sir, I am also a whip. I am surprised that the Deputy Leader of the Majority thinks that they are the only ones who have whips. Is he in order to just mention the Deputy Whip without clarifying whether he is the Deputy Leader of the Majority or the Deputy Leader of the Minority?

Hon. J. Samoei (Nyangores Ward, UDA): Hon. Deputy Speaker, Sir, I was referring to the Majority Whip. I also know that the Minority Whip will also contribute to that Motion. Thank you.

Hon. Deputy Speaker (Hon. L. Rotich): Thank you for clarifying. Proceed, Hon. Member from Chemaner.

Hon. R. Ruttoh (Chemaner Ward, UDA): Hon. Deputy Speaker, thank you. To reinforce what the Deputy Leader of the Majority had said, it is well known that the Motion was read by the majority side. That makes it more than obvious that the Whip should come from the majority side. Hon. Deputy Speaker, we are requesting this Assembly to support the Motion since there are many questions that you have committed to the various departments aside from the other businesses that

are still pending. It is our request that we have enough time to transact them. It is therefore vital for us to adjourn the Assembly until the stated date by the Deputy Leader of the Majority.

Hon. Deputy Speaker, I Second. Thank you.

(Question proposed)

Hon. Deputy Speaker (Hon. L. Rotich): The floor is open for debate. Hon. Victor

Hon. V. Rop (Nominated, UDA): Hon. Deputy Speaker, thank you...

(Hon. W. Kiprotich rose on a point of order)

Hon. W. Kiprotich (Chepchas Ward, UDA): Hon. Deputy Speaker, you need to give a ruling to this Assembly. This Assembly is an Assembly of rules and procedures. The Procedural Motion has just been moved and it cannot be undone. My question is what happens to the recess which was supposed to come on the 4th?

Hon. Deputy Speaker (Hon. L. Rotich) (Chesoan Ward, UDA): I agree with the Hon. Member that this Assembly is an Assembly of rules and procedures. The Motion that has been Moved by the Deputy Leader of the Majority is seeking to alter the Calendar but not the scrapping the recess. That is to allow us to adjourn today to Tuesday, 9th May 2023. The issue of the recess will be discussed then.

(Hon. P. Mutai rose on a point of order)

Hon. P. Mutai (Sigor Ward, UDA): Hon. Deputy Speaker, I rise on a point of order on the same ruling you are giving. The Hon. Deputy Leader of Majority has moved an unprocedural Motion that we break today until Tuesday but in between we have a recess. It means therefore that we have to first cancel the recess so as to proceed to Tuesday.

(Hon. R. Ruttoh rose on a point of order)

Hon. R. Ruttoh (Chemane Ward, UDA): Hon. Deputy Speaker, from the definition of the word ‘alter’, it is self-explanatory. We know there is a recess but the Deputy Leader of Majority has requested the Assembly to alter its calendar. This means that if there is a recess, we shall come and define that on 9th May as requested. I believe we are in order.

Thank you.

Hon. Deputy Speaker (Hon. L. Rotich) (Chesoan Ward, UDA): Hon. Victor, you had risen on a point of order.

Hon. V. Rop (Nominated, UDA): Hon. Deputy Speaker, I had not risen on a point of order. I was to raise the issue on recess but I guess, Hon. Kiprotich read my mind and did that.

Hon. Deputy Speaker (Hon. L. Rotich) (Chesoan Ward, UDA): Hon. Member for Siongiroi

Hon. K. Ngetich (Siongiroi Ward, UDA): Hon. Deputy Speaker, thank you. Since we are due to travel and we are still going far, let me request you to read the mood of the Assembly because it looks like all these Members have accepted. Thank you.

Question put and agreed to

ADJOURNMENT

Hon. Deputy Speaker (Hon. L. Rotich): There being no other business, this Assembly stands adjourned to Tuesday, 9th May 2023 at 2:30 p.m.

The Assembly rose at 3.50 p.m