



REPUBLIC OF KENYA
NYANDARUA COUNTY ASSEMBLY



1ST ASSEMBLY-3RD SESSION

OFFICIAL REPORT

(The Hansard)

Tuesday, 24th March 2015

The Assembly met at the Assembly Chambers at 2:30 PM

The Deputy Speaker, Hon. Edinald Wambugu King'ori, in the chair

Prayer

QUORUM CALL AT THE COMMENCEMENT OF THE SITTING

Speaker: Clerk, confirm whether there is quorum

Clerk-at-the-table confirms that there is quorum

Next order

MOTION

Hon. Peter Maina: Mr. Speaker, I beg to move the following motion:

That aware that education is one of the fundamental rights enshrined in the
Constitution and the Basic Education Act;

Further aware of the high cost of education in secondary schools;

Concerned that there are many bright students in the county who have been denied the chance to this fundamental right due to economic constraints;

Further concerned that the current bursary fund amounts are inadequate to cover for the current expensive costs of education in high schools;

Now, therefore, I do urge that this House does resolve that there be established a County Scholarship and Vocational training Fund to cater for bright and needy students in the County and,

That the County Executive Committee Member in charge of Education does come up with a regulation to give effect to the above provision.

Mr. Speaker the motion comes at a time when we are facing a lot of educational challenges in the county. Many students who pass in the examinations are unable to progress with their education since its cost has gone up. The fact that we have a Nyandarua County Bursary Fund Act is commendable; section 14 (2) of the Act states that any funding shall fully or partially settle the fees. Most of the time, we offer partial funding to our needy students and I now urge this House to formulate a regulation to ensure that the funding will fully settle the school fees for the beneficiaries.

Mr. Speaker, Bomet County Government set aside 10 million shillings to cater for 100 bright students who got admitted to national secondary schools. Apart from the bursary fund, the county government established a special fund for the purposes of sponsoring their very bright students in full.

The county government bursary kitty is not enough to cater for the educational needs of all the needy students in our county. We have, for example, 12 secondary schools in my

ward and the bursary money released to settle the tuition fees for the needy students in those schools is barely enough. That is why I felt it prudent to have another fund to supplement the bursary fund. Without belabouring much on the motion, because it is self-explanatory, I call Hon. Kieru Wambui to second the motion.

Speaker: Yes Hon. Kieru.

Hon. Kieru: Thank you Mr. Speaker, I second this motion.

Speaker: It seems Hon. Kieru was not prepared. However, according to the Standing Orders once the seconder says “I second”, the motion stands seconded. Hon. Members, this motion having been moved and seconded, I now wish to propose the question that this House does adopt the motion:

That aware that education is one of the fundamental rights enshrined in the Constitution and the Basic Education Act;

Further aware of the high cost of education in secondary schools;

Concerned that there are many bright students in the county who have been denied the chance to this fundamental right due to economic constraints;

Further concerned that the current bursary fund amounts are inadequate to cover for the current expensive costs of education in high schools, I now therefore do urge this house to resolve that;

- a) There be established a county Scholarship and Vocational Training Fund to cater for bright and extremely needy students in the county.
- b) That there be a special kitty within the bursary fund set aside for the purpose of (a) above.

- c) That the County Executive Committee Member in charge of Education makes a regulation to give way for the above provisions

Yes Hon. Dorcas.

Hon. Dorcas: Thank you Mr. Speaker. I rise to support the motion. The amount of money we set aside for bursary allocation as a county government is not enough. Providing scholarship to our students is different from giving them bursary funds. Scholarship is better than bursary funds since the former fully settles the entire tuition fees while the latter only complements the tuition fees in most cases.

That the scholarship programme will target the bright and the needy students, as the mover of this motion has said, is a welcome idea that will go a long way in boosting the secondary and vocational education of the beneficiaries. Statistically, children from poor families as well as orphans perform excellently in academics— I do not know what prompts that. It is therefore important that we establish this kitty.

Consultations

Please protect me Mr. Speaker.

Speaker: Order Hon. Thuita!

Hon. Dorcas: Thank you Mr. Speaker. We have seen orphans perform very well in KCPE and KCSE examinations but due to lack of money, they do not proceed with their education. The scholarship kitty will come in handy in helping these children continue with their education.

Hon. Kirumba rises on a point of order

Speaker: What is it Hon. Kirumba?

Hon. Kirumba: Mr. Speaker, I think we are not reading from the same script; what you have read when proposing the question is totally different from what I have in my file. I have noticed that the version of the motion on my order paper is different from the version on another document that has been signed by the mover. I find that contradictory and I therefore, seek clarification from the Chair.

The Speaker consults with the clerk-at-the-table

Speaker: I have been informed by the clerk-at-the-table that the leaf attached to my order paper, part of whose content I have read when proposing the question, contains amendments to the motion. I do not know whether the amendments will be moved. In view of that, in proposing the question, I was supposed to read the motion as it is provided in the order paper without alluding to the amendments in the addendum to my order paper. We would only refer to the amendments at the time of moving them on the floor of the House.

Hon. Peter Maina rises

Yes Hon. Peter Maina.

Hon. Peter Maina: Mr. Speaker, I was to move this motion last week but the House gave me leave, upon seeking it, to move the motion this week with various amendments. But the amendments are not in members' files. So it would be difficult for members to know the amendments.

The Speaker consults with the clerk-at-the-table

Speaker: I have been informed that the Commissionaires are in possession of the papers bearing the amendments, so they can distribute them to the members. Nevertheless, it is very

clear in the Standing Orders that any amendment should be presented in writing. I do not know whether the amendments to this motion were presented in writing to the House Business Committee. May I confirm it from Hon. Kirumba who chaired the committee's meetings last week?

The Speaker consults with Hon. Kirumba

I have been informed that the amendments were not forwarded to the office of the Speaker. Hon. Peter Maina, could you confirm that the amendments were not forwarded to the office of the Speaker?

Hon. Peter Maina: Mr. Speaker, the amendments were presented to the office of the Speaker. In fact, last week the Speaker directed that members present their items for business of this week through the office of the Speaker. In relation to that, the amendments to this motion were forwarded to the office of the Speaker. However, I have not followed it up with the House Business Committee.

Hon. Kirumba rises on a point of order

Speaker: Yes Hon. Kirumba.

Hon. Kirumba: As the House Business Committee, we did not receive the amendments. But since you have already proposed the question, I think we should follow the provisions of standing order 54 (2) not only to guide us through this but also for purposes of record. It would also help us avoid a situation in future where amendments to a motion have been drafted yet members do not have them in their files.

Hon. Kieru rises on a point of order.

Speaker: Yes Hon. Kieru.

Hon. Kieru: Mr. Speaker, should I call mine a different opinion? We are debating on the motion whose question you, as the Speaker, has already proposed. In other words, the motion was moved, seconded and the Speaker proposed the question. Moreover, the members have already started to contribute on the motion. Nevertheless, which motion did the Speaker propose the question upon? The motion the Speaker proposed the question upon is the one with amendments containing parts (a), (b), (c) if I did not get it wrong. That is actually the motion being debated on the floor of the House.

Hon. Kirumba rises on a point of order.

Speaker: Yes Hon. Kirumba.

Hon. Kirumba: Mr. Speaker, in proposing the question, you unknowingly proceeded to read from the leaf containing the amendments that bears parts (a), (b), (c). But, you noted halfway, that you were not supposed to read the amendments in proposing the question, so you terminated the reading of the amendments. So the motion you proposed was the one without the amendments.

The Speaker consults with the clerk-at-the-table

Speaker: Members, the Speaker made an error in proposing the question. However, standing order 54 (1) provides that:

The proposer of an amendment to a Motion shall, before moving it, hand the proposed amendments in writing, signed by the proposer, to the Clerk at least two hours before the order is read.

With regard to this, I proposed the motion with amendments as Hon. Kieru has cited. Nevertheless, Hon. Kirumba raised a point of order to the effect that members had the motion

without amendments in their files. In view of this, I wish now to propose the question that the House does continue debating on the motion as was proposed by the Speaker.

Question on debating the motion as proposed by the Speaker proposed

Question on debating the motion as proposed by the Speaker put and agreed to

Hon. Mumba rises on a point of order

Speaker: Yes member for Wanjohi, Hon. Mumba.

Hon. Mumba: Thank you Mr. Speaker sir. The order paper that was earlier in our files provides for moving of the motion while the one that we have been furnished with after your direction provides for notice of the motion. That is contradictory.

Speaker: Remember, Hon. Mumba, that I had already proposed the question on the motion with amendments. Now the House has agreed that we continue with the motion as was proposed by the Speaker. Proceed Hon. Dorcas

Hon. Dorcas: Thank you Mr. Speaker. Compared to the scholarship, the bursary funds given to pupils and students may not be enough to cater for their academic needs. Since the Nyandarua County Bursary Fund is not enough, the scholarship kitty is very vital as a supplement.

We can only nurture the leaders of tomorrow through education. With the experiences from their backgrounds, the needy students would not only make very good leaders but also responsible parents if they are well educated. I beg to support. Thank you Mr. Speaker.

Speaker: Yes member for Kipipiri, Hon. Kirumba.

Hon. Kirumba: Thank you Mr. Speaker. I rise to support this motion. This motion is intended to make the academic lives of our needy pupils and students better. The mover of this motion has cited another county that is doing quite well in supporting the needy students

academically. That is a challenge to us. It is advisable to learn from the successful standards and practices of other counties.

In relation to that, we were supposed to give bursary funds to form one students this year, but the money for that has not been released yet the applicants for the same have already submitted duly filled forms. Remember the parents who have children to take to form one are in more need of the money at the beginning of the year during the admission. We may be going in circles if the resolutions to have such kitties as scholarship are not implemented. The Executive has been failing in not implementing the resolutions of this House.

I do not know when the bursary funds will be released and it is only a few weeks to the end of first term. Those applicants who never received the CDF bursary are still waiting for the bursary funds by the county government to be released. In my understanding, the scholarship kitty will cater for the needs that were not factored in the Nyandarua County Bursary Regulations. We should impress upon the Executive that we cannot afford to be going in circles as a county government with reference to implementation of our resolutions. Otherwise I support the motion. Thank you Mr. Speaker.

Hon. Kieru rises

Speaker: Hon. Kieru, you had a chance to contribute to the motion while seconding the motion.

Hon. Kieru: But I did not give my contribution Mr. Speaker; I just seconded the motion.

Speaker: No member is allowed by the Standing Orders to contribute twice in the same motion Hon. Kieru. Yes Hon. Mumba.

Hon. Mumba: Thank you Mr. Speaker sir. I rise to support the motion. We have many bright children from poor families. We need to increase the Bursary Fund to cater for the many

bursary applications in the files of the members. Even if the bright children pass well, they don't have the means to further their education. Parents always gather in my office hoping to be given Bursaries but the money allocated for this kitty is very little. I suggest we increase the bursary fund and then create a scholarship fund for the needy students, most of whom, as Hon. Dorcas has said, are bright.

The number of students admitted in colleges and universities is rising every year but most of the students do not have money to cater for their studies. We should therefore increase the bursary and create a Scholarship Fund. Thank you Mr. Speaker.

Speaker: Thank you Hon. Mumba.

I want to direct on what Hon. Kieru was trying to do; standing order 78 (1) states that:

No Member shall speak more than once to a question except in Committee of the whole Assembly.

Yes Hon. Nancy.

Hon Nancy: Thank you Mr. Speaker sir. I rise to support this motion. As a teacher, it would be wrong if I didn't support the motion. We know that education is a fundamental human right just like the right to clean water, health, and good food. Education is very instrumental in curbing poverty.

People who live in abject poverty have very limited chances of acquiring formal education. Some go to school for a few days before pulling out due to lack of finances. Some leave school to work in people's farms in order to get money to pay school fees.

Most prominent people will submit that they were brought up in very humble backgrounds but they struggled and made sure they went to school. With education, they salvaged their parents from the fangs of poverty. In relation to that, we have bright but needy children in our county. We have many potential engineers, doctors and other professionals

who cannot realise their potentials simply because they lack money to cater for their education. Consequently, they languish in obscurity.

To be quite sure, we have children in our neighbourhood who could not join secondary school because their parents lacked money. Many drunkards are possibly potential doctors or lawyers, but because of financial challenges they could not afford to continue with education. We can curb this phenomenon by increasing the Bursary Fund and establishing a Scholarship kitty. We can even have people from outside our county contributing towards this kitty. We should make sure that no child in our county fails to acquire basic education.

Since every child has a right to education, they should be educated in order to realise their potential –this is even recognised as a regulation by the United Nations Education, Social and Cultural Organisation (UNESCO). So if we do not support our children's education by creating such funds as Bursary and Scholarship, we would be discarding an international obligation; that could even lead to our being sued in the international court of law.

I therefore support this motion and request that its resolutions be implemented as soon as possible, unlike most of our previous resolutions that have been shelved. By targeting the educational welfare of our children, this motion will help in boosting the economy of our county a great deal. Education critically influences economic growth. By going to school our children acquire skills that, upon practice, enhance economic progress. It is therefore suitable to conclude that if we do not support our children's education, our economy will lag behind. It is the high time we established the Scholarship Fund. I support the motion and I call the motion mover to respond. Thank you Mr. Speaker.

Speaker: The motion mover, Hon. Peter Maina.

Hon Peter Maina: Thank you Mr. Speaker. Before I respond, I seek your indulgence that I give my seconder just one minute to contribute to the motion.

Speaker: Hon. Peter Maina, parts (1) and (3) of standing order 78 provide that;

(1) No Member shall speak more than once to a question except in Committee of the whole Assembly.

(3) The mover of a substantive Motion may surrender all or part of his or her right to reply to another Member or Members nominated by him or her who have not already spoken to such Motion.

So respond.

Hon. Peter Maina: Thank you Mr. Speaker for that guidance. I thank the House for supporting this motion. The Committee on Education, Labour and Social Services in collaboration with the CEC Member in charge of Education should now come up with a policy on the Scholarship kitty. It is difficult to tell who, from our county, benefits from other scholarships programmes like Cooperative Bank Scholarship, Equity Bank Scholarship and Presidential Scholarship. It is laudable to create our county government's scholarship programme and formulate a regulation that two children from every ward will be benefitting from it every year. I beg to move. Thank you Mr. Speaker.

Question on the adoption of the motion put and agreed to

Next order.

Hon. Kirumba on a point of order

Speaker: Yes Hon. Kirumba.

Hon Kirumba: Mr. Speaker, I wish to seek leave of the House that I read the Notice Paper now since last week it was neither read nor uploaded on the county assembly website.

Speaker: Proceed. Hon. Kirumba.

Hon Kirumba: Thank you Mr. Speaker. My fellow members, I wish to read the Notice Paper for this week starting 24th to 26th March 2015:

THE NOTICE PAPER: 24TH – 26TH MARCH 2015

| DATE | BUSINESS | MOVER |
|---------------------------------------|--|--------------------------------|
| TUESDAY 24 TH 2.30 pm | | |
| | Papers Notices of Motion Motion 1. Motion on establishment of a Scholarship and Vocational Training Fund | Hon. Peter Maina |
| WEDNESDAY 25 TH 9.00 AM | | |
| | Papers 1. Report on the Geta Integrated Trout Project by Committee on Agriculture, Livestock Development and Fisheries Notices of Motion | Hon.Samuel Kimani Njiraini |
| WEDNESDAY 25 TH 2.30 PM | | |
| | Papers Notices of Motion 1. Notice of Motion on the Report on the Geta Integrated Trout Project by Committee on Agriculture, Livestock Development and | Hon. Samuel Kimani Njiraini |

| | | |
|--------------------------------------|--|--|
| | Fisheries | |
| THURSDAY 26 TH 2.30 PM | | |
| | <p>Papers</p> <p>Statements</p> <p>Notices of Motion</p> <p>Motions and Bills</p> <p>1. Report on the Geta Integrated Trout Project by Committee on Agriculture, Livestock Development and Fisheries</p> | <p>Hon. Samuel Kimani Njiraini</p> |

The reasons for lack of much business of the House for this week were communicated to the House by the Speaker last week. The assembly diary is not tight and the members should appreciate the little business we have. Thank you.

Speaker: Thank you Hon. Kirumba. Actually there is less business to transact this week. The offices of the Speaker and the Clerk's as well the House Business Committee will solve the issue of lack of business in the House. Next order.

ADJOURNMENT

Speaker: Hon. Members, there being no other business, this House stands adjourned to tomorrow 25th March 2015 at 9.00 a.m.

The House rose at 3:20 p.m.