

**KERICHO COUNTY ASSEMBLY**

**THE HANSARD**

**Second Assembly**

**Wednesday, 20<sup>th</sup> November 2019**

*(The House met at 9.30a .m.)*

*[Speaker (Hon Dominic Rono) in the Chair]*

**PRAYERS**

**The Speaker (Hon. Dominic Rono):** Let's proceed.

**COMMUNICATION FROM THE CHAIR**

**The Speaker (Hon. Dominic Rono):** Honorable members we have received a communication a letter from Bliss Health Care Limited. They are saying that they would like to conduct a wellness activity in form of Medical Camp on 27<sup>th</sup> November 2019. This camp will consist of Blood pressure checkup, Height/Weight / Body mass Index, Random Blood Sugar, Temperature, Pulse, Dental Screening and any other screening if need arises. The venue is here at the Assembly, so they are inviting Honorable members and Staff to attend this medical camp.

Honorable members we have also received Communication from Department of Lands, Housing and Physical Planning. This is for Induction and progress reporting session on the Kenya Urban Support program for the County Executive and County Assembly, we have agreed that the travelling date is 21<sup>st</sup> after tomorrow's session to 23<sup>rd</sup> of November 2019. So this letter serves to invite all members of the County Assembly for this event. The department of Lands will cater for the conferencing and per diems of the Members of the County Assembly attending so what is

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important here is County Assembly members attending and the important dates are 21<sup>st</sup> to 23<sup>rd</sup> of November 2019. Next order!

### **STATEMENTS**

**The Speaker (Hon. Dominic Rono):** There is a statement by Honorable William Soi with respect to ambulance. So Honorable William Soi.

**Hon. William Soi:** Thank you Mr. Speaker for giving me this chance. Before I read my statement I would like to thank all the members who have sent me a word of congratulation because of a school in my ward which had good marks all over the republic that is Kalya Academy. Am the proudest Member of County Assembly. We have one of us who is undergoing treatment in Eldoret. As the welfare chair I do request you for a day that we visit her as the whole House so that she gets happy.

Mr. Speaker pursuant to Section 9 of the County Government Act 2012 and the Kericho County Assembly Standing Order number 45(2) ( c ), I wish to seek a statement from the Committee on Health Services on following issues:-

1. How many ambulances do we have in Kericho County?
2. How Many ambulances have been assigned to offer medical emergency services in Bureti Sub County?
3. What is the cost of transporting a patient from Litein to Eldoret using a County ambulance?
4. What are the rates levied to patients for provision of emergency ambulance services from each Sub County to referral facility in major towns in Kenya?
5. What is the response time from medical personnel to a call for an emergency service?

**The Speaker (Hon. Dominic Rono):** Chair Health Committee? I can see the Vice Chair, maybe if you have information you can just respond right away.

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**Hon. Erick Bii:** Thank you Mr. Speaker as you see, it is actually a statement that may need some intervention from County Executive Committee member. I would like to ask you to give us two weeks. I don't know probably it will get us during recess but in two weeks' time we shall be able to give you the report. Thank you.

**The Speaker (Hon. Dominic Rono):** So we shall require you to bring the response on 3<sup>rd</sup> of December 2019 that is just before we go on recess.

**MOTION BY HONORABLE ERICK BETT**

**The Speaker (Hon. Dominic Rono):** Honorable Erick Bett!

**Hon. Erick Bett:** Thank you Mr. Speaker I wish to move the following motion.

Aware that Kericho County has various types of traders doing their business in municipalities , towns and centers during peak and off peak hours all contributing to the growth of Kericho Economy.

Further aware that The Kericho County Assembly passed a Kericho County Inspectorate Service Act, 2019 that has paved way for recruitment of enforcement officers to support various departments in executing their mandate especially on revenue collection.

Concerned that the enforcement officers have been doing their work discriminately by accepting bribes and victimizing both peak and off peak traders thereby frustrating their efforts to generate income.

Noting that the Kericho County is in a position to control traders in Kericho town and other upcoming towns by way of enforcing fees and charges as per Kericho Finances Bill approved each year both in the peak and off-peak hours without disadvantaging any trader whatsoever.

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Further noting that there are small scale traders selling groceries and non-food items during peak hours on the street who equally contribute toward building the economics of Kericho County. I urge this County Assembly reserve as follows:

1. That the department of trade, industrialization, tourism and cooperative management sets aside time in which enforcement officers should adhere to in conducting their inspection i.e. 8.00 am to 5.00pm during which off-peak traders are allowed to conduct their business on condition that they pay the fees as stipulate in the finance Act.
2. That peak traders are allowed to sell their product after 5.00pm on week days and from noon on Saturday and the whole of Sunday in designated areas for the purposes of supporting such traders and growing the economy of the county; and
3. That the enforcement officers work within the codes of ethics and regulations befitting public servants.

Mr. speaker this motion is coined from the fact that in the last two months we had concern from the traders in this town and another town concerning the business in town during the onset we were hosting KICOSCA games and there was a cleanup in Kericho town to make sure that the traders were relocated to designated areas. Also there was a need of reorganizing and making sure that all who are doing business in town allocated. I note with a lot of concern as MCA for Kericho town that we have had a lot of serious cash flow in Kericho town because the people who contributed mostly are traders who have been selling at off-peak time during 5.00pm up to late in the evening and these are traders who come sell in the evening when members of the public are doing their last minutes shopping they do contribute. They will sell you groceries and vegetables and fruits that has been a key driver of economy in Kericho town. Mr. Speaker when the enforcement officer was recruited there have been a concern that they have been enforcing this even beyond 8pm chasing these people from the town. Ideally the business hours as stipulated in any business set up is from 8am to 5pm. Those are the business hours for any business from Monday to Friday and the business owners who have paid license will be getting the income from 5 o'clock will be closing their shop and this the time now available for those

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traders who cannot afford shop in town where they come sell their wares from those peak hours as they tried to get something for their families. This motion of mine is basically to bring an order and distinction between traders who will sell during normal working hours and those traders who can come in the evening to sell and get something for their families. It has been a concern in this town that a traders who are not able to get licenses as stated in the Finance Bill and are being charged Ksh. 20 per day to sell those wares in Kericho town, this motion is to distinguish the role of these traders Mr. Speaker. The role of enforcement officer after passing this motion will be basically to ensure that traders who sell during the normal working hours are protected because I sometimes see traders who come as early as 10am and they sell their stuff on certain street that is not in order Mr. Speaker. Also there are traders who come at 6 o'clock in the evening. so the function of the enforcement officers basically will enforce this motion once the motion have been passed to protect off-peak and on-peak traders during those working hours. I have defined in this motion that is to say that between 8 o'clock and 5 o'clock the work of enforcement officer is to ensure that there are no traders in Kericho town who are selling their wares in the CBD then from five o'clock they are then allowed to sell as a way of getting in those off-peak hours where they are able to get something small for their families from 5pm to 8pm and I think if we do that the work of enforcement officer will be well defined. There will be no harassment they should strictly know that the Assembly has passed such motion from this time to this time so that they will be aware that this is the time line work and therefore there will be no collusion between traders in terms of when to sell what to sell and where to sell. Lastly, the department of Trade will be mandated to provide the designated areas where the traders can sell for the department cannot allow the traders sell in areas like County Assembly or law courts. The department of Trade should identify the hotspot areas that would really help the small scale traders to get income for their families and properly communicate the areas that they are allowed to sell vegetables for example place like outside Choppies Supermarket and Tuskys supermarket are good hotspot for those women who sell vegetable in the evening hours. You can do your shopping in the supermarket you properly get out there and you want to buy your vegetables, your fruits, you will have helped that woman to sell, it will be a win-win because the

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Supermarket will have gathered the money on this end and when you get outside you get this kind of staff. So we expect the department of Trade to look at that strategic locations by doing a survey to make sure that once this bill has been passed, then they are able then to communicate so that they can be able to take advantage of this particular re-organization of peak and off-peak hours. I want to urge Honorable members to really support this motion because it is a win-win kind of motion for all traders, it is meant to bridge a gap and make sure that Kericho town and other towns will get to realize development in terms of making sure that everybody gets something out of this town especially because every business has its own time and that is why the motion is talking about off-peak traders and peak traders and that is exactly what I want this motion to address in our major towns. I am sure other upcoming towns like Litein, Chepseon and the rest will also be adopting this very soon because I am sure the traders who will sell on the off-peak hours whereby the people to get from that. So Mr. Speaker sir, I will then want to ask my colleague from Litein ward, Hon Alex Bett to second this motion as I beg to move the motion. Thank you.

**The Speaker (Hon. Dominic Rono):** Thank you, the Honorable Alex Bett?

**Hon. Alex Bett:** Thank you Honorable Speaker or giving me this opportunity also to give my contribution. First and foremost let me take this opportunity to send my congratulatory messages to all students that is in our County. Mr. Speaker we had a very good results and especially part of our members also had children who also performed very well and as I stand we celebrate together. Congratulation to our Honorable members who had their children perform very well.

I also want to take this opportunity to support the motion that Honorable Erick Bett has brought and that we need each and every other member to support. For sure Mr. Speaker Sir, we are going to work a twenty four hour economy. When we go round most of these towns, you will realize that we have traders who come to work in the evening to also try to get a coin here and there. Mr. Speaker this could not only be in Kenya that we have traders but as this thing crossed, I realized that is the opportunity to more people who will be manning our streets and if it is possible let this people be left to do their work during day time. So with this Mr. Speaker Sir I

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want to support the motion strongly and especially when Litein will be a municipality where the same thing happen. You find that small traders are being chased up and down and this is the time when they also come out of their farms after doing their businesses, they come to town trying to look for a coin and as much as we respect the traders who operate shops and all others, we also have those small traders who want to do businesses partly may be between 5 pm and may be any time late in the evening. So let us support them and especially keeping in mind that they will be allowed to operate in certain designated areas. So I support and I urge Honorable members we do the same. Thank you.

**The Speaker (Hon. Dominic Rono):** Thank you very much Honorable members.

*(Question proposed)*

**The Speaker (Hon. Dominic Rono):** The Honorable Gilbert Ngetich!

**Hon. Gilbert Ngetich:** Thank you Mr. Speaker for giving me this golden opportunity to also talk on this particular motion and preferably to also make a maiden speech after visiting China. Mr. Speaker Sir, let me take this golden chance also to congratulate all the pupils who really made us proud in this County of ours by attaining goods marks, who are really, making us to enjoy being parents and also to congratulate our own. Those are the pupils belonging to these Honorable members. Mine will be next year and am sure I will also receive the some congratulatory messages, but I would want to urge that allow us to get to know marks before we make congratulations as I said. Mr. Speaker, because yesterday I came to learn that we should also congratulate those who got 150 marks because they will become Governors in future as they alleged. So congratulatory messages will be all round. Not forgetting that they will become MCAs also.

Now pertaining the motion, I want to support and I am very sure that there are people who are really working hard to make a living and if we really work the way our enforcement team are working, they are really killing some people at a point. I can even quote from the China visit, people do sell things, and hawkers sell things at the center of the city, even at night. So if they

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can work in China at the wee hours of the night at the CBD, what about Kericho? I am saying they should be given time by 5 pm to really sell and get what they are supposed to be using in their homes. So we are really supporting the existence of our enforcement team but let them not to exaggerate their enforcement work because in the long run we have seen many people being chased around here and in the long run losing their properties in which they were selling. So I encourage Honorable members, let us support this motion. I witnessed their chasing last week whereby an enforcement officer was chasing a hawker who was selling sweets costing five shillings. So it was really offensive, I found it wrong and I knew Honorable Erick Bett was still having a case in court. I didn't want to enter the same case. Let us pass this motion to ensure sanity in our county. Thank you and am sure that Honorable member will see to it that we pass this motion as fast as possible. Thank you.

**The Speaker (Hon. Dominic Rono):** The Honorable Erick Bii?

**Hon. Erick Bii:** Thank you Mr. Speaker for this opportunity you have given unto me to make some response to the motion, I want to say that us as a County Assembly we were the first people to make a law to ensure that the Chebwagan people get opportunity to work in County. Now through this motion Honorable Erick Bett is alleging that the said enforcement officer is doing a discriminatory job. I cannot support this motion because these officers are doing their job. I want to believe that when we sat down in this House and agreed to employ the Chebwagan enforcement officers, we had a reason and actually the mistake we made is that we never gave them direction. So it is also us that we messed because when we're saying that we want to employ the Chebwagan team, we were to give the directives and procedures on how to work. So we cannot come here again and .....

**The Speaker (Hon. Dominic Rono):** Yes Hon. Gilbert Ngetich, what is the point of order Honorable member?

**Hon. Gilbert Ngetich** Mr. Speaker I just want to make some point of order on the issue of killing the enforcement team, there is nothing like killing in this motion Mr. Speaker, I am trying

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to see probably where even discrimination exist because I don't see the discrimination. I think the only order we are seeing here is that, I don't want to be informed Mr. Speaker. Let me re-read the motion

**The Speaker (Hon. Dominic Rono):** Order! Order Hon. Eric Bii!

**Hon. Gilbert Ngetich:** I am seeing the first point is that the department...

**The Speaker (Hon. Dominic Rono):** He is giving you the information, let's just listen to him.

**Hon. Gilbert Ngetich:** I am reading the motion.

**The Speaker (Hon. Dominic Rono):** Then you can respond to Eric Bii.

**Hon. Gilbert Ngetich:** I may not want to be informed because I have the motion here, now that the department of Trade industrialization, tourism...

**The Speaker (Hon. Dominic Rono):** Point of Order Hon. Eric Bii, I also want to listen to what he is saying, so let me listen to what he is saying first then we can determine whether...

**Hon. Gilbert Ngetich:** Thank you for protecting me Mr. Speaker sir.

**The Speaker (Hon. Dominic Rono):** He is out of order or within the provision of the motion. Let's just listen to him

**Hon. Gilbert Ngetich:** I was reading what the Honorable members urge the Assembly to do, that is; I urge this county Assembly to resolve as follows:

1. That the department of Trade, Industrialization ,Tourism and Cooperative Management sets aside time in which enforcement officers should adhere to in conducting their inspection i.e. 8.00 am to 5.00 pm during which off-peak traders are allowed to conduct their businesses on condition that they pay the fees as stipulated in the Finance Act. So it is a matter of time Mr. Speaker. According to my understanding

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2. That peak traders are allowed to sell their products after 5pm on week days and from noon on Saturday and the whole of Sunday in designated areas for the purposes of supporting such traders now I am trying to say that the hon. member dint kill the enforcement team but only wants to accommodate the enforcement team and the small scale traders in this town. Thank you Mr. Speaker sir.

**The Speaker (Hon. Dominic Rono):** Thank you the Hon. Eric Bii you may proceed.

**Hon. Eric Bii:** Okay Mr. Speaker I think the way of understanding is different and the Honorable member did not read between the lines. There is the word discriminately by accepting bribes and victimizing and what I was saying is we should not use such terms because that is allegations and it is an approved allegation. We should act as Honorable members and also not belief in allegations and when you are quoting things in a motion we should be able to exempt such words. I have to believe that when you use the word discriminatively you are killing and I refer that part discriminately accepting bribes victimizing on off -peak hours. I want to believe there are officers in charge of this enforcement officers. We should have called them and ask them to explain whether these facts are factual or not so that we may not use such terms whenever we are referring something. Mr. Speaker I want to say that it is us honorable members who have done their part and it was supposed to be that it has come in form of statement so that we can do investigations part of it so that we come again and ensure that the department of trade has some procedures on how they are going to regulate these working hours. Number two Mr. Speaker sir...

**The Speaker (Hon. Dominic Rono):** Point of Order! Hon. Eric Bii! This Assembly passed the Kericho Inspectorate Act section 29 to section 32. It states what the enforcement officer can do and what they cannot do. I think the gist of the motion from the reading is that the Hon. Eric Bett is seeking to just say that they would want this traders to be allowed to work between 8.00am to 5.00 pm on Saturday and then from 5.00pm every day. I think that is what he is saying as long as they are able to pay what they are required to pay and is further saying this enforcement

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officer should not harass this traders when they are trading between 8.00 and 5.00pm in their designated streets I think that is what he is saying.

**Hon. Eric Bii:** Thank you Mr. Speaker. I have gotten your advisory and allow me to proceed by contributing to this motion

**The Speaker (Hon. Dominic Rono):** Please proceed.

**Hon. Eric Bii:** Number two Mr. Speaker. I was saying that what we have to do also when we are allowing these traders to work on off peak hours in designated areas, we should also consider the safety because if you can say you have to work along the lines of Tuskeys, Uchumi supermarkets, we are going to cause safety risk. We should also consider the risk assessment for these traders so that when they are doing their business along these lines, we should be able to reduce the chances of being injured by moving vehicles along the road. I think Mr. Speaker the off- peak hours after 5.00 we should assess the risk to ensure that traders are safe on their side working selling their properties, goods along that line. So that we should not come again and complain that our people have been injured in the essence that we allowed them to work in that line. We should be cautious enough and be able to regulate if they are going to work in that place what else we can put in place to allow them not to get injured or to allow them not to cause congestion along that line. I understand if you allow them to work along Shivling supermarket there is a risk that may occur.

**The Speaker (Hon. Dominic Rono):** Hon. Eric Bii if you read the second bullet in the motion it says that;

That peak traders are allowed to sell their products after 5pm on week days and from noon on Saturday and the whole of Sunday in designated areas for the purposes of supporting such traders. They have not said anywhere is going to be at Shivling or at Tuskeys, so meaning the department of trade, industrialization and tourism and corporate management would sit down and say this is the street that we are designating for the purpose of this traders. This motion has not said where it is going to be it is for the department to decide where it is going to be.

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**Hon. Eric Bii:** Okay, thank you, so Mr. Speaker let's be clear on that so that we may not cause havoc and risk, thank you.

**The Speaker (Hon. Dominic Rono):** Hon. Grace Betty Koech.

**Hon. Grace Betty Koech:** Thank you very much Mr. Speaker for giving me this opportunity to contribute on the same on this motion. But before doing so allow me also to congratulate the class eight 2019 KCPE candidates for the exemplary results. Am so happy that the girls topped the list. They performed so wonderfully this year. I want to congratulate all the school indiscriminatively because they don't fall under same category. I appreciate the part done by the teachers, the parents and all of us in one way or another, by word of encouragement, prayer and anything else. I support this motion except that I have a concern on the issue that was raised by Honorable Erick Bii. Enforcement officers have been doing their work discriminatively by accepting bribes and victimizing both peak and off peak traders thereby frustrating their effort to generate income. Everything in this motion is so well stated but I am very much concerned with this part because if today I raise this issue and say.....

**The Speaker (Hon. Dominic Rono):** Order! Order! Honorable Grace Koech!

**Hon. Grace Betty Koech:** Allow me to expound because if you....

**The Speaker (Hon. Dominic Rono):** Order! Just one second.

**Hon. Grace Betty Koech:** Yes!

**The Speaker (Hon. Dominic Rono):** Can you propose an amendment

**Hon. Grace Betty Koech:** Thank you very much. So Mr. Speaker sir I want to move an amendment on this motion by...

**The Speaker (Hon. Dominic Rono):** On that part.

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**Hon. Grace Betty Koech:** Yes, on this part that the concerned part that is saying the enforcement officers have been doing their work discriminatively by accepting bribes and victimizing both peak and off-peak traders thereby frustrating their efforts to generate income. If this part is deleted, the whole part of the motion will flow very well. If that is accepted I will call upon the Honorable Hezbon Tonui from Cheplanget to support.

**The Speaker (Hon. Dominic Rono):** Order! Honorable Grace Koech!

**Hon. Grace Betty Koech:** Yes!

**The Speaker (Hon. Dominic Rono):** You see a motion should have a part that starts with ‘concerned that’.

**Hon. Grace Betty Koech:** Concerned, yes.

**The Speaker (Hon. Dominic Rono):** What is the concern? In proposing an amendment to this part...

**Hon. Grace Betty Koech:** Yes.

**The Speaker (Hon. Dominic Rono):** You must then retain the part that starts ‘concerned that the enforcement officers have been doing their work’ and then when we delete the sentence that starts discriminately that ends with income at the end. What are you substituting that part that we have deleted? So if you can just provide the word...

**Hon. Grace Betty Koech:** Allow me now to consult briefly and then I will rise because it was my concern, am concerned with this part so unless now we remove the line starting from discriminately by accepting bribes and victimizing. So unless we put a polite word by saying maybe they are compromising.

**The Speaker (Hon. Dominic Rono):** It is you to give us the sentence.

**Hon. Grace Betty Koech:** Okay, allow me some few minutes.

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**The Speaker (Hon Dominic Rono):** Okay, The Honorable Erick Koskei.

**Hon. Erick Koskei:** Mr. Speaker as the Honorable member is looking for the words to give us some better words here I want to say before I support the motion...

**The Speaker (Hon. Dominic Rono):** The Honorable Grace Koech please take your seat.

**Hon. Erick Koskei:** I want to say unless Honorable member from Kipchebor can explain more unless he has evidence; papers that show exactly that these people have been doing some bribery for them to continue with their job. So if he can support that part alone and give us a very clear picture so that we can continue from there and then we can support otherwise Mr. speaker, just a minute otherwise all other things I have been also very concerned about the hawkers how they have been selling their goods they are looking for little money so that they can be able to run their families but you see Mr. speaker, the first part which is concerned that....

**The Speaker (Hon. Dominic Rono):** It's okay.

**Hon. Erick Koskei:** Unless he can give substantive explanation then we will be able to accept.

**The Speaker (Hon. Dominic Rono):** So the Honorable Erick Bett an issue has been raised as whether this inspectorate officers work in an indiscriminate way and whether they accept bribes and whether you have information on evidence to demonstrate that that is what happens if you do not have the we would suggest that this section is amended to reflect the truth.

**Hon. Erick Bett:** Thank you Mr. Speaker, let me respond by saying that my concern was basically what I have seen in this town and if you were to walk even this moment to Kericho town you will find traders in the CBD some of them are working and they have not been told to leave the place because they have somehow been able to negotiate with the enforcement team to stay and work while others when they want to come they cannot come so this is something that is there. But for the sake of this motion and because I want to address the issues of the members that has been raised, is that I would want to move an amendment to make it as an allegation

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because I do not have photographic evidence to support this particular motion to support the concern of members so I will amend the section that I have said ‘concerned that...

**The Speaker (Hon. Dominic Rono):** Order! Honorable Erick Bett!

**Hon. Erick Bett:** Yes.

**The Speaker (Hon. Dominic Rono):** We cannot victimize a whole motion on allegations so you may just find something because the motion is really about traders and the fact that you want them to operate in some designated areas maybe what you can say is that you are concerned that there are traders who will not make their livelihood because of this or the other instead of having to make the inspectorate officers look bad yet you do not have the kind of information required for you to make that kind of allegations so maybe you can proceed in that manner then we can propose that amendment

**Hon Erick Bett:** Alright fine. Okay then let me then consult on how we are going to frame that section then we bring that amendment

**The Speaker (Hon. Dominic Rono):** The Honorable Grace Koech can then help you with this amendment because she has had time to think about it.

**Hon. Grace Betty Koech:** Thank you very much the Honorable Speaker. My amendment is that we delete this part and then the honorable Erick Bett comes up with a better word because he understands it better. That is the kind of amendment that I will move. That we delete the whole part, then he comes up with a better words that can be friendly at the same time carrying....

**The Speaker (Hon. Dominic Rono):** The only problem that I have with that is that I thought that you will then be proposing the deletion, you then propose also what we are going to add so that the amendment is complete.

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**Hon. Grace Betty Koech:** Thank you very much the Honorable Speaker. The amendment will move like this, concerned that the Kericho County Inspectorate Service Act 2019 was published on 30<sup>th</sup> October 2019 and the same is yet to be operationalized by the relevant department ...

**The Speaker (Hon. Dominic Rono):** Thank you, Hon. Erick Bett, I thought this whole motion was about traders. But maybe we can give a minute to Honorable Erick Bett to come up with a more comprehensive amendment to that particular section.

**Hon. Erick Bett:** Thank you Mr. Speaker, after consultation with the Honorable members, I wish to move an amendment on that section by deleting the entire word that comes after ,concern that, I will add the following by deleting what comes after that , that concern that peak traders have not been able to meet their livelihoods due to,

**The Speaker (Hon. Dominic Rono):** Peak traders?

**Hon. Erick Bett:** Yeah peak traders. In this case peak traders are those traders who sell from 5 pm onwards. Concern that off-peak traders have not been able to meet their livelihoods because of frustrations or because they are not allowed to sell their wares at any time in the CBD. So that is my amendment and I want to ask Hon. Albert to second that amendment.

**The Speaker (Hon. Dominic Rono):** Hon. Albert? Or you want to make it better?

**Hon. Albert Kipkoech:** Thank you Mr. Speaker for this opportunity so that I can support that amendment that at least these off-peak traders in most cases at 5- 8 pm because of revenue officers ,they are not able to make their livelihood. So allow me to second. Thank you.

*(Question on amendment proposed)*

**The Speaker (Hon. Dominic Rono):** The honorable Alex Bett?

**Hon. Alex Bett:** Thank you Honorable Speaker for giving me this opportunity to contribute on the amendment. I am really concerned with the level at which we want to encourage impunity. This motion is good the way it is and I want to really stand to oppose that amendment. For sure,

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this was just a concern that we should all accept that some of these vices are happening in our society. So when we want to doctor our motion, to make our enforcement officers look nice. I don't think this is the direction we want to go. For sure, this is a concern that we want to discourage the main motion and our main concern was to allow the traders to work within the time. So I am really shocked at the way our Honorable members want to protect the fact that one or two enforcement officers have been taking bribes or have been working in a manner that is not ethical. I don't see where I am out of order speaker sir, I am just opposing the amendment.

**The Speaker (Hon. Dominic Rono):** Hon. Erick kosgey?

**Hon. Erick Koske:** The point of order is this Mr. Speaker, how can a member cheat this house and if in case he has the evidence, tangible evidence, let him bring here so that we can support the member properly.

**The Speaker (Hon. Dominic Rono):** Thank you, he is opposing the amendment.

**Hon. Alex Bett:** Mr. Speaker sir, unless my English is not correct , when we talk about concern, we don't need to bring another evidence, we are just trying to discourage these people in future and after all what the Honorable member was urging this house to resolve is not part of this concern, we have not said that we ban enforcement officers from doing their work, in fact the last part of the motion is talking of that the enforcement officers work within the constraints of ethics and regulation of public servants. So there is nowhere where this motion is asking us to really stamp the fact that this enforcement officers have been victimizing. So I really want us to adopt the motion the way it is without putting more amendments so that in future even if these enforcement officers are working, let them work knowing that we have noticed that somewhere somehow there have been issues of bribes taking or victimization of our traders, otherwise if we want to keep this things silent, then even us Honorable members we are encouraging this issue of bribe taking. I oppose that amendment totally.

**The Speaker (Hon. Dominic Rono):** Thank you, is there anyone who opposes the amendment totally? The Honorable William Soi?

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**Hon. William Soi:** Thank you Mr. Speaker for giving me this chance in order to support what the Hon. Alex have said. Alex is correct, I'm a victim, during KICOSCA games my PA was arrested by those boys. He tried to talk to them but they were very harsh. They took my PA to police station. We don't have to amend this thing because I'm the victim. So our Honorable member of Kapsaos is lying to the house. Thank you Honorable Speaker.

**Hon Eric Koske:** Point of Order!

**The Speaker (Hon. Dominic Rono):** There is a point of order, he has finished. What is the point of order?

**Hon. Eric Koske:** Mr. Speaker thanks you so much for this opportunity. Mr. Speaker wants to support the amendment, so that we can have a very clear motion that will go through in the other side. Mr. Speaker it appears people have evidence but not able to produce. Member from Litein said if his English is still correct then he is right, then if my English is still the same, what about the word, "by accepting bribes", it means you are sure that those things are taken. Mr. Speaker, we have accepted may be its there, but we told them to produce evidence so that we can be able to support them. Mr. Speaker I'm supporting the amendment in totality the way my friend did.

**The Speaker (Hon. Dominic Rono):** Thank you. The Hon Hezbon Tonui, on the amendment.

**Hon. Hezbon Tonui:** Thank you Mr. Speaker for allowing me this chance to rise and oppose this amendment in totality. I don't see the reason why we can amend this motion. I oppose the amendment on the following grounds, there is no way we can accept and say these enforcers can't take bribes, we have seen them going round this town and there is no evidence, we can't table evidence of bribing, so I rise to reject the amendment. Thank you.

**The Speaker (Hon. Dominic Rono):** Thank you, the Honorable Daniel Ngetich?

**Hon. Daniel Ngetich:** Thank you very much Mr. Speaker for giving me this opportunity. I do oppose the amendment since the mover of the motion should have done a lot of research

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concerning this motion. The other day we saw Kericho is 94.5 percent in accepting bribes. So I do reject the amendment. Thank you.

**The Speaker (Hon. Dominic Rono):** The Hon Caroline Soi!

**Hon. Caroline Soi:** Thank you very much Mr. Speaker for giving me this chance. I want to say the motion is good but I'm kindly requesting that we do the amendment so that we support fully, there is no need of putting such harsh words. Thank you.

**The Speaker (Hon. Dominic Rono):** Thank you. Hon Eric Bii.

**Hon. Eric Bii:** Thank you Mr. Speaker. I also rise to support the amendment, what we are doing as legislators we should rightfully give out evidence of what we are alleging. I want to urge Honorable members that, let's accept the amendment and we approve this motion, let's not take a lot of time going round in circles by refusing something which is very small, because as legislators we don't believe in any allegation. And let me tell these Honorable members that when you are working in your ward there are some allegations which are attached to you and sometimes such allegations are not acceptable. So may be let us support this amendment and move on to approve this very good motion. Thank you.

**The Speaker (Hon. Dominic Rono):** Finally can I put the question? Are you are supporting or opposing?

**Hon. Albert Kipkoech:** Mr. Speaker thank you, because of the concern of Honorable members we were having an opinion that may be we change the amendment to read... *(interrupted)*.

**The Speaker (Hon. Dominic Rono):** Only after I put the question.

**Hon Albert Kipkoech:** I think we have a room, because the mover and seconder to change there.

**The Speaker (Hon Dominic Rono):** Only that the proposed amendment has been ventilated on.

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Therefore I must put the question first then if you want to amend you can then amend then we come to the second round of debate.

**Hon. Albert Kipkoech:** Ok no problem but my thinking was may be because the amendment emanated from us then we can change.

**The Speaker (Hon. Dominic Rono):** Let me just put the question, it no longer belongs to you because now it has been ventilated by Members of County Assembly. So I must put the question first.

*(Question put and agreed to)*

**The Speaker (Hon. Dominic Rono):** So Honorable members unless there is anyone who wants to speak to this motion, I can the put the question on the motion. The motion is so amended. Is there anyone who wants to speak to the motion now?

The mover of the motion you can reply.

**Hon Eric Bett:** Thank you Mr. Speaker for giving me this chance to reply. And I wish to thank Honorable members for their contributions even the amendment that has also been noted out. I want to say that I'm happy because my concerns that have been in those resolutions have been dully supported. I want to say I'm thankful because this will go a long way to resolve the issue of the motion that was basically to address the issue of off-peak and peak traders, and that for me as a take away home the concerns that have has been addressed by this particular motion, so thank you so much Mr. speaker and I thank Honorable members for supporting this motion.

**The Speaker (Hon. Dominic Rono):** Thank you.

*(Question put and motion approved)*

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*(Adjournment)*

**The Speaker (Hon. Dominic Rono):** There being no other business the house stand adjourned till 2:30 in the afternoon.

*(The house rose at 11:10am)*

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