

**COUNTY GOVERNMENT OF TAITA TAVETA**



**COUNTY ASSEMBLY OF TAITA TAVETA**

**THIRD ASSEMBLY – THIRD SESSION**

**ORDER PAPER**

**TUESDAY, OCTOBER 29<sup>TH</sup>, 2024 AT 9:30 A.M**

**ORDER OF BUSINESS**

**PRAYERS**

1. Administration of Oath;
2. Communication from the Chair;
3. Messages;
4. Petitions;
5. Papers; (*As listed in the Appendix*)
6. Notices of Motion; (*As listed in the Appendix*)
7. Statements;
8. Motions & Bills

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\*Denotes Orders of the Day

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**APPENDICES**

**PAPERS**

1. REPORT OF THE COMMITTEE ON APPOINTMENTS ON THE VETTING OF THE NOMINEE FOR APPOINTMENT TO THE POSITION OF COUNTY EXECUTIVE COMMITTEE MEMBER FOR DEPARTMENT OF FINANCE AND ECONOMIC PLANNING

**NOTICES OF MOTION**

1. **NOTICE OF MOTION: ADOPTION AND APPROVAL OF REPORT OF THE COMMITTEE ON APPOINTMENTS ON THE VETTING OF THE NOMINEE FOR APPOINTMENT TO THE POSITION OF COUNTY EXECUTIVE COMMITTEE MEMBER FOR DEPARTMENT OF FINANCE AND ECONOMIC PLANNING** (Hon. Anthony Mng'ambwa – MCA, Bura Ward, Leader of Majority Party)

**THAT**, this Third County Assembly adopts and approves the Report of the Committee on Appointments on the vetting of the Nominee for appointment to the position of County Executive Committee Member for Department of Finance and Economic Planning, laid on the table of this house on **29<sup>th</sup> October, 2024 Morning Sitting No. 085** and its recommendations thereof.

**NOTICE PAPER I**

**Tentative Business for Tuesday, October 29, 2024.**

**(Published pursuant to Standing Order 36 (1))**

It is notified that the County Assembly Business Committee has approved the following **tentative** business to appear in the Order Paper for **Tuesday, October 29, 2024, Afternoon Sitting.**

**STATEMENTS**

1. RESPONSE TO STATEMENT SOUGHT BY HON. ANISA MWAKIO ON STATUS OF COUNTY EXECUTIVE STAFF MEDICAL COVER  
*(Hon. Isaac Matolo, MCA, Chairperson, Administration, Devolution, Security, Public Participation, Community Services and Drugs Control Committee)*

**MOTION**

1. **SPECIAL MOTION: ADOPTION AND APPROVAL OF REPORT OF THE COMMITTEE ON APPOINTMENTS ON THE VETTING OF THE NOMINEE FOR APPOINTMENT TO THE POSITION OF COUNTY EXECUTIVE COMMITTEE MEMBER FOR DEPARTMENT OF FINANCE AND ECONOMIC PLANNING** (Hon. Anthony Mng'ambwa – MCA, Bura Ward, Leader of Majority Party)

**THAT**, this Third County Assembly adopts and approves the Report of the Committee on Appointments on the vetting of the Nominee for appointment to the position of County Executive Committee Member for Department of Finance and Economic Planning, laid on the table of this house on **29<sup>th</sup> October, 2024 Morning Sitting No. 085** and its recommendations thereof.

**NOTICE PAPER II**

**Tentative Business for Wednesday, October 30, 2024.**

**(Published pursuant to Standing Order 36 (1))**

It is notified that the County Assembly Business Committee has approved the following **tentative** business to appear in the Order Paper for **Wednesday, October 30, 2024, Morning Sitting.**

**NOTICES OF MOTION**

**1. NOTICE OF MOTION: REGISTRATION OF ALL HIV/AIDS PATIENTS TO SOCIAL HEALTH AUTHORITY COVER (Hon. Newton Kifuso, MCA, Wumingu/Kishushe Ward, Minority Party Whip)**

**AWARE** that, Article 27 (4) of the Constitution of Kenya, 2010 provides for equality and freedom from discrimination and stipulates that the state shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, *health status*, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth;

**FURTHER AWARE** that the Fourth Schedule Part 2 (2) (a) and (c) stipulates that the function and powers of the County are; County Health services, including, and in particular County Health facilities and pharmacies; and promotion of primary health care. **FURTHER** Article 43 (1)(a) of the same Constitution dictates that every person has a right to the highest attainable standard of health, which includes the right to health care services, including reproductive health care;

**ACKNOWLEDGING** that Kenya has an estimated 1.4 million persons living with HIV, translating to a national prevalence of 3.7 per cent. According to the Ministry of Health 1,336,234 people living with HIV (PLHIV) were receiving treatment by December 2023. The National Syndemic Diseases Control Council affirmed that HIV/AIDS drugs costs approximately Ksh.25 billion every year and are mostly sponsored for by donors and it is through this that the National Government, Ministry of Health is implementing the new Social Health Authority (SHA) to cover advanced HIV-Aids, related NCAs and mental health since there medications are costly in nature.

**COGNIZANT** that the National Government through the Ministry of Health rolled out the transfer process from NHIF to the new Social Health Authority Whereby Citizens across the Country are expected to register themselves in order to be able to access health services including HIV/AIDS treatment services. **AWARE THAT**, many HIV/AIDS patients in the County are currently facing challenges of getting medical attention in various health facilities due to the ongoing transition process and that most of the datuzens live in remote areas and are not fully informed on the transition process.

**NOWHEREFORE** this **ASSEMBLY RESOLVES** that the County Executive through the Department of Health Services initiates a Countywide awareness and registration drive in order to ensure that all HIV/AIDS patients who reside in the County are registered with the new Social Health Authority cover to enable them continue getting medical services with ease.

**2. NOTICE OF MOTION: ESTABLISHMENT OF BASIC SOCIAL AMENITIES AND WALKWAYS FOR PERSONS WITH DISABILITIES**  
(Hon. Newton Kifuso, MCA, Wumingu/Kishushe Ward, Minority Party Whip)

**AWARE** that, Article 27 (4) of the Constitution of Kenya, 2010 provides for equality and freedom from discrimination that the state shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, *disability*, religion, conscience, belief, culture, dress, language or birth;

**FURTHER AWARE** that Article 54 (1)(a) of the Constitution dictates that a person with any disability is entitled to be treated with dignity and respect and to be addressed and referred to in a manner that is not demeaning and (c) to reasonable access to all places, public transport and information;

**COGNIZANT** that Section 15 of the Taita Taveta County Persons with Disabilities Act, 2023 provides that persons with disabilities are entailed to a barrier free and disability-friendly environment to enable them to have access to buildings, roads and other social amenities, and assistive devices and other equipment to promote their mobility;

**DEEPLY CONCERNED** that most of the public and private facilities have not considered the well-being of persons with disabilities in terms of constructing access/path ways and provision of basic social amenities like toilets. Most people with disabilities are denied their basic rights to access buildings while seeking for information and services due to lack of ramps and for this reason are unable to get the information or services they require;

**NOW THEREFORE** this **ASSEMBLY RESOLVES** that the County Executive ensures;

- i. That all public and private facilities adhere to the relevant laws in ensuring that persons with disabilities have access to these facilities.
- ii. That all public and private facilities should provide basic social amenities which are disability friendly such as toilets.
- iii. That persons with disabilities are not discriminated in any way in terms of jobs and tendering opportunities in order to improve their social and economic welfare.

**STATEMENTS**

**1. RESPONSE TO STATEMENT SOUGHT BY HON. AMOS MAKALO ON STATUS OF YOUTH WELFARE IN THE COUNTY**

*(Hon. Patricia Mwashighadi, Nominated MCA, Chairperson, Youth and Sports Committee)*

**2. RESPONSE TO STATEMENT SOUGHT BY HON. BRAYSON MWAMBI ON THE STATUS OF OPERATIONS OF RAHASI EPZ CENTRE IN SAGALLA WARD**

*(Hon. Lawrence Mzugha, Chairperson, Trade, Industry and Cooperatives Development)*

**NOTICE PAPER III**

**Tentative Business for Wednesday, October 30, 2024.**

**(Published pursuant to Standing Order 36 (1))**

It is notified that the County Assembly Business Committee has approved the following **tentative** business to appear in the Order Paper for **Wednesday, October 30, 2024, Afternoon Sitting.**

**STATEMENTS**

- 1. STATEMENT: STATUS OF BACHUMA LIVESTOCK BREEDING AND EXPORT PROCESSING ZONE (Hon. Amos Makalo, MCA Kasigau Ward, Chairperson, Public Accounts and Investment Committee)**
- 2. RESPONSE TO STATEMENT SOUGHT BY HON. BRAYSON MWAMBI ON THE STATUS OF MBEERE TREE NURSERY, SAGALLA**  
*(Hon. Lilian Mwangoi, Chairperson, Environment, Natural Resources, Forestry & Mining)*

**MOTIONS**

- 3. MOTION: REGISTRATION OF ALL HIV/AIDS PATIENTS TO SOCIAL HEALTH AUTHORITY COVER (Hon. Newton Kifuso, MCA, Wumingu/Kishushe Ward, Minority Party Whip)**

**AWARE** that, Article 27 (4) of the Constitution of Kenya, 2010 provides for equality and freedom from discrimination and stipulates that the state shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, *health status*, ethnic or social origin, colour, age, disability, religion, conscience, belief, culture, dress, language or birth;

**FURTHER AWARE** that the Fourth Schedule Part 2 (2) (a) and (c) stipulates that the function and powers of the County are; County Health services, including, and in particular County Health facilities and pharmacies; and promotion of primary health care. **FURTHER** Article 43 (1)(a) of the same Constitution dictates that every person has a right to the highest attainable standard of health, which includes the right to health care services, including reproductive health care;

**ACKNOWLEDGING** that Kenya has an estimated 1.4 million persons living with HIV, translating to a national prevalence of 3.7 per cent. According to the Ministry of Health 1,336,234 people living with HIV (PLHIV) were receiving treatment by December 2023.

The National Syndemic Diseases Control Council affirmed that HIV/AIDS drugs costs approximately Ksh.25 billion every year and are mostly sponsored for by donors and it is through this that the National Government, Ministry of Health is implementing the new Social Health Authority (SHA) to cover advanced HIV-Aids, related NCAs and mental health since their medications are costly in nature.

**COGNIZANT** that the National Government through the Ministry of Health rolled out the transfer process from NHIF to the new Social Health Authority Whereby Citizens across the Country are expected to register themselves in order to be able to access health services including HIV/AIDS treatment services. **AWARE THAT**, many HIV/AIDS patients in the County are currently facing challenges of getting medical attention in various health facilities due the ongoing transition process. Most of the datuzens live in remote areas and are not fully informed on the transition process.

**NOWTHEREFORE** this **ASSEMBLY RESOLVES** that the County Executive through the department of health services initiates a Countywide awareness and registration drive in order to ensure that all HIV/AIDS patients who reside in the County are registered with the new Social Health Authority cover to enable them continue getting medical services with ease.

**1. MOTION: ESTABLISHMENT OF BASIC SOCIAL AMENITIES AND WALKWAYS FOR PERSONS LIVING WITH DISABILITIES (Hon. Newton Kifuso, MCA, Wumingu/Kishushe Ward, Minority Party Whip)**

**AWARE** that, Article 27 (4) of the Constitution of Kenya, 2010 provides for equality and freedom from discrimination that the state shall not discriminate directly or indirectly against any person on any ground, including race, sex, pregnancy, marital status, health status, ethnic or social origin, colour, age, *disability*, religion, conscience, belief, culture, dress, language or birth;

**FURTHER AWARE** that Article 54 (1)(a) of the same Constitution dictates that a person with any disability is entitled to be treated with dignity and respect and to be addressed and referred to in a manner that is not demeaning and (c) to reasonable access to all places, public transport and information;



**COGNIZANT** that Section 15 of the Taita Taveta County Persons with Disabilities Act, 2023 provides that persons with disabilities are entitled to a barrier free and disability-friendly environment to enable them to have access to buildings, roads and other social amenities, and assistive devices and other equipment to promote their mobility;

**DEEPLY CONCERNED** that most of the public and private facilities have not considered the well-being of persons with disabilities in terms of constructing access/path ways and provision of basic social amenities like toilets. Most of our people living with disabilities are denied their basic rights to access these buildings while seeking for information due to lack of ramps and for this reason they end up losing much information as enshrined in the CoK, 2010;

**NOW THEREFORE** this **ASSEMBLY RESOLVES** that the County Executive ensures;

- i. That all public and private facilities adhere to the relevant laws in ensuring that persons with disabilities have access to these facilities.
- ii. That all public and private facilities should provide basic social amenities which are disability friendly such as toilets.
- iii. That persons with disabilities are not discriminated in any way in terms of jobs and tendering opportunities in order to improve their social and economic welfare.