

**COUNTY GOVERNMENT OF BUNGOMA**  
**COUNTY ASSEMBLY OF BUNGOMA**  
**COUNTY ASSEMBLY DEBATES**

**THE DAILY HANSARD**

**WEDNESDAY, 2<sup>ND</sup> SEPTEMBER, 2026**

**Morning Sitting**

**3<sup>rd</sup> County Assembly**  
**Version 00**

**5<sup>th</sup> Session**  
**Revision 00**

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## COUNTY ASSEMBLY OF BUNGOMA

### THE DAILY HANSARD

WEDNESDAY, 2<sup>ND</sup> SEPTEMBER, 2026

The House met at the County Assembly Chamber at 9:30 a.m.

(Mr. Speaker [Hon. Emmanuel Situma] in the Chair)

### PRAYER

### PAPERS

#### REPORT BY SECTOR COMMITTEE OF PUBLIC ADMINISTRATION AND ICT ON THE HALF-YEAR FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31<sup>ST</sup> DECEMBER, 2025

**Mr. Speaker:** Hon. Francis Chemion, proceed,

**Hon. Francis Chemion:** Thank you, Honorable Speaker. On behalf of the Committee on Public Administration and ICT, I rise to table a report on Half-year financial statements as of 31<sup>st</sup> December, 2025, FY 2025-2026.

**Mr. Speaker:** Honourable members, the report by the sector Committee of Public Administration and ICT on the half-year financial statements for the period ending 31<sup>st</sup> December, 2025 is hereby tabled and formally it becomes the property of the House.

Next item,

### NOTICE OF MOTION

#### REPORT OF SECTOR COMMITTEE OF PUBLIC ADMINISTRATION AND ICT ON THE HALF-YEAR FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31<sup>ST</sup> DECEMBER, 2025

**Mr. Speaker:** Hon. Chemion

**Hon. Francis Chemion:** Thank you, Honorable Speaker. I rise to move a notice of motion that this House adopts the report of the sectoral Committee on Public Administration and ICT on the half-year financial statements for the period ended 31<sup>st</sup> December, 2025.

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**Mr. Speaker:** Honourable members, a notice of motion has been duly issued by the sectoral Committee on Public Administration and ICT on the half-year financial statements for the period ending 31<sup>st</sup> December, 2025. I urge the Clerks at the Table to have the same shared with the Honourable members for it is going to come up as a motion on our Order Paper once the same is scheduled by the HBC.

## MOTION

### REPORT OF SECTORAL COMMITTEE ON ROADS, PUBLIC WORKS AND INFRASTRUCTURE ON THE FINANCIAL STATEMENTS FOR THE PERIOD ENDED 31<sup>ST</sup> DECEMBER, 2025

**Mr. Speaker:** Hon. Simotwo,

**Hon. Franklyn Simotwo (Chair, Roads):** Thank you, Mr. Speaker. I rise to move a report of the sectoral Committee on Roads, Public Works and Infrastructure on half-year financial statement for the period ended 31<sup>st</sup> December, 2025.

#### Preface

Pursuant to Section 166(4) of the PFM Act 2012, the County Treasury is mandated to prepare quarterly reports on all County departments and submit the same to the County Assembly not later than 30 days of the succeeding month after the end of each quarter. It is in this regard that the County Executive Committee Member for Finance and Economic Planning submitted the half year Bungoma County financial statements for the period ended 31<sup>st</sup> December, 2025.

The report was subsequently tabled in this House on 17<sup>th</sup> February, 2026. The Honorable Speaker directed that the report be committed to all sector committees for legislative processing and reporting.

The Bungoma County financial statements for the period ended 31<sup>st</sup> December, 2025 report presents budget execution status covering the period 1<sup>st</sup> July, 2025 to 31<sup>st</sup> December, 2025. The Committee has herein comprehensively considered the Financial Statements and presents this as its report for consideration by this House.

#### Acknowledgement

It is now my privilege and pleasure on behalf of the Honorable Members of the Sectoral Committee on Roads, Transport, Infrastructure and Public Works to convey my gratitude to all Members of the Committee for the valuable input throughout its proceedings.

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The Committee equally extends appreciations to its members for taking their time to participate productively during the interrogation and scrutiny of these financial statements. The Committee thanks the County Executive Department led by the CECM and Chief Officer for honoring our invitation and providing the required information that was relied upon during the production of this report.

The Committee also appreciates the offices of the Honorable Speaker and Clerk of the County Assembly for providing conducive working environment to enable preparation of this report.

It is therefore my privilege, on behalf of the Honourable Members of the Sectoral Committee on Roads, Transport, Infrastructure and Public Works, to table this report for consideration and adoption.

Report signed by Hon. Franklin Simotwo Chairperson sectoral Committee on Roads, Transport, Infrastructure and Public Works.

## **Legal Framework**

### **1. Constitutional Principles on Public Finance**

Article 201 of the Constitution of Kenya, 2010 enacts fundamental principles that “...shall guide all aspects of public finance in the Republic...” These principles include, *inter alia*, that:

**201(a)** *there shall be openness and accountability, including public participation in financial matters;*

**201(d)** *Public money shall be used in a prudent and responsible way; and*

**201(e)** *financial management shall be responsible, and fiscal reporting shall be clear.*

### **2. Direct Personal Liability**

Article 226(5) of the Constitution of Kenya, 2010 is emphatic that “*If the holder of a public office, including a political office, directs or approves the use of public funds contrary to law or instructions, the person is liable for any loss arising from that use and shall make good the loss, whether the person remains the holder of the office or not*”.

### **3. Obligations of Accounting Officers**

The Public Finance Management Act, 2012 section 149 (1), (2), (a), (f) and (q) states as follows;

*Section 149 (1) an accounting officer is accountable to the County Assembly for ensuring that resources of the entity for which the officer is designated are used in a way that is;*

- *Lawful and authorized*
- *Effective, efficient, economical and transparent*

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*Section 149 (2) in carrying out a responsibility imposed by subsection (1), an accounting officer shall, in respect of the entity concerned;*

*Section 149 (2) (a) ensure that all expenditure made by the entity complies with subsection 1*

*Section 149 (2) (f) bring a matter to the attention of the Executive Committee Member responsible for the entity if, in the accounting officer's opinion a decision or policy or proposed decision or policy of the entity may result in resources being used in a way that is contrary to subsection (1)*

*Section 149 (2) (q) provide information on any fraud, losses, or any violations of subsection (1) and provide explanations for the actions taken to prevent similar conduct in future.*

The Public Finance Management Act, 2012 Section 166 states as follows;

- 1. An accounting officer for a county government entity shall prepare a report for each quarter of the financial year in respect of the entity.*
- 2. In preparing a quarterly report for a county government entity, the accounting officer shall ensure that the report—*
  - (a) Contains information on the financial and nonfinancial performance of the entity; and*
  - (b) is in a form determined by the Accounting Standards Board.*
- 3. Not later, than fifteen days after the end of each quarter, the accounting officer shall submit the quarterly report to the County Treasury.*
- 4. Not later than one month after the end of each quarter, the County Treasury shall—*
  - (a) consolidate the quarterly reports and submit them to the County Assembly;*
  - (b) deliver copies to the Controller of Budget, National Treasury and the Commission on Revenue Allocation; and*
  - (c) Publish and publicize them*

Expenditure by Economic Classification

### **Roads and Public Works**

The Department had a budgetary allocation of Kshs.1,337,414,299 in financial year 2025/2026 compared to Kshs.1,355,884 allocated in 2024/2025 FY. The allocation was broken down as Kshs.45, 759,393 recurrent and Kshs.1, 291,654,906 development expenditure.

During the period under review, Kshs.138, 404, 318 was received broken down as Kshs.12, 905,286 (28%) and Kshs.125, 499,033(10%) for recurrent and development respectively. However, submission from the department indicated that the department received Kshs.137, 932, 659.80 and not the Kshs.138, 404, 318 stated in the submissions from treasury. A variance of Kshs. 471, 658.2 from the recurrent expenditure.

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During interrogation, the Chief Officer submitted that the variance was as a result of documents that had been submitted to the online banking by 31<sup>st</sup> December 2025 since reporting was done on accrual basis which include the following items.

**Un- Reported documents by the department.**

| S/N | Items                                   | Amount            |
|-----|-----------------------------------------|-------------------|
| 1   | Facilitation for Dennis Nyongesa Simiyu | 78,400            |
| 2   | Hanal Investment                        | 15,000            |
| 3   | ICPAK                                   | 213,258.60        |
| 4   | Safaricom                               | 165,000           |
| 5   | <b>Total</b>                            | <b>471,658.60</b> |

**Expenses in the period include:**

1. General Administration, Planning and support services with an allocation of Kshs.26, 778,485, received Kshs.12, 905, 286 .This expense is recurrent which is 48% of budget. The activities undertaken were;
  - a) Administration services allocated Kshs.16, 756, 876 received Kshs.12, 905, 286 (77 %) absorption against the expected 50%. The expenses incurred are as listed below;
    - Hospitality allocated Kshs.10, 996,000 received Kshs.7, 268,449,
    - Fuel and lubricants allocated Kshs.4, 999,634 received Kshs.4, 958, 255,
    - Maintenance of vehicles allocated Kshs.6, 725,000 received Kshs.3, 110,349.
  - b) Financial services, Planning and Stewardship with an allocation of Kshs.8, 723, 289 did not receive any funding in the period.
  - c) Capacity development with an allocation of Kshs. 1,298,320 recorded zero expenditure during the period.
2. Transport infrastructure Development and Management with an allocation of Kshs.14,048,820 recurrent and Kshs.1,291,654,906 development received Kshs.125,499,033 towards development expenditure which is 10% absorption Major expenses were:
  - a) Construction of Roads, Bridges and Drainage works allocated Kshs.283,263,826 received Kshs.89,690,329 (32% absorption).The projects undertaken are as listed below;

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| S/No. | Name of supplier/vendor  | Project Description            | AMOUNT PAID       |
|-------|--------------------------|--------------------------------|-------------------|
| 1     | Midland Construction Ltd | Misikhu Brigadier road phase 2 | 58,626,690        |
| 2     | Dynacorp Logistics Ltd   | Salmond R.Khalaba road         | 31,063,638.80     |
|       |                          | <b>Total</b>                   | <b>89,690,329</b> |

The Committee noted that payment of Ksh. 31.063, 638.80 to Dynacorp Logistics Ltd was a pending bill.

b) Maintenance of Roads allocated Kshs.14, 048,820 recurrent and Kshs.1, 008, 391,080 development received Kshs.35, 808,704 on development.

a) Of the Ksh 1,008,391,080.00 development allocation Ksh 35,808,704 was received and spend on the projects indicated in the table.

| S/No. | Name of supplier/vendor       | Payment Description                                                                                    | Amount Paid  |
|-------|-------------------------------|--------------------------------------------------------------------------------------------------------|--------------|
| 1     | Experts General Merchants Ltd | Routine Maintenance of Chepsitati Primary - Lukhome Mkt road                                           | 6,945,152.00 |
| 2     | Sinawa Enterprises Ltd        | Construction of Chiliba Pr. School Box Culvert                                                         | 693,680.00   |
| 3     | Inter-Regional Co. Ltd        | Periodic Maintenance Of Roads in Kaptama Ward                                                          | 3,000,000.00 |
| 4     | Yamha Investment Ltd          | Periodic Maintanance of Kaimagul - Kipsikirok Road in Cheptais Ward                                    | 4,148,000.00 |
| 5     | Sweetwell Solution Limited    | Periodic Maintenance Of Omindo - Mwangi Minyali - God's Favor Filling Station - Sawa Road In Ndal Ward | 8,222,080.00 |
| 6     | Civcon Engineering Limited    | Periodic mantainance of Bisunu cattle dip - chebukutumi- Butonge road (Butonge-Chebukutomi             | 2,854,992.00 |
| 7     | Marydam Supplies Ltd          | Periodic maintenance of Chesinende kapchebon                                                           | 2,000,000.00 |

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|    |                                  |                                                                      |                      |
|----|----------------------------------|----------------------------------------------------------------------|----------------------|
|    |                                  | road                                                                 |                      |
| 8  | Ocean-Drop Ventures Limited      | Periodic maintenance of Chelekei Secondary Road                      | 2,644,800.00         |
| 9  | Open Yard Developers (K) Limited | Spot Improvement Of Tuikut-Kaptoboi-Kamarang' Road                   | 3,000,000.00         |
| 10 | Tamati Micro Business Limited    | Periodic Maintenance of Miluki Junction-Kabubero- Mukwa Primary Road | 2,300,000.00         |
|    | <b>Total</b>                     |                                                                      | <b>35,808,704.00</b> |

The Department had an approved allocation of Kshs. 14,048,820 for fuel expenditure. As at 31st December 2025, a total of Kshs. 6,046,308 had been utilized.

- b) Building standards and Quality with an allocation of Kshs.3,042, 088 did not receive any funding during the period. During interrogation, the department confirmed to have received an allocation of 1,042,088 as opposed to 3,042,088 which had not been spent as at 31<sup>st</sup> December 2025.
3. Public and Transport safety allocated Kshs.1, 890,000 to manage fire risk and Transport safety did not receive any funding during the period.
4. RMLF with a budget of Kshs.184, 554, 999 in financial year 2024/2025 received Kshs.63m that is still on the bank account. As at the time of production of this report, the department submitted that procurement process had been concluded and letters issued to contractors and some had already reported to site.

### Accounts receivables

Roads and Public works had outstanding imprest of Kshs.888, 961. Kshs.488, 961 dates back to May 2023 in total contravention of PFM Act. The imprest was facilitation for a director in the department to attend lake-region Economic block meeting which never took place. The Committee has made several recommendations to recover the public funds but no recovery has been made

### Pending Bills

Documents submitted from treasury indicate that the department had a total of Kshs.679,425,509 pending bills as at 31<sup>st</sup> December 2025, however, documents submitted by the department indicate that a total amount of Kshs.2,403,068,613, broken down as Kshs.29,726,090 recurrent

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and Kshs.2,373,342,523 development. In their submissions, the Department attributed the variance to claims raised by contractors arising from delays in the settlement of payments for completed projects.

The claims include; Kshs. 747,293,027 claims raised by contractor on upgrading Misikhu-Naitiri-Brigadier –Nzoia Road phase 1; Kshs.102, 704, 323 completion of Naitiri-Brigadier-R. Nzoia Road; Kshs.45, 850, 988 upgrading of A1 (Salmond)-Khalaba Road; and Kshs.487, 855,882 for dual carriage way.

The Committee notes with concern that despite the huge pending bill for the Department, only Ksh. 36m budgetary provision had been approved in the 1<sup>st</sup> supplementary budget to settle the pending bills.

### **On-going projects**

As at 31<sup>st</sup> December 2025, a total of 14 projects were on going from previous financial years namely;

Construction of Misikhu Brigadier Road phase 11 at a contract sum of Kshs.525, 999,390 was at 80.88% complete. A total of Kshs.423, 295,066.59 had been paid to the contractor for the works done, which is 80% of the total cost.

Upgrading of Salmond –River Khalaba road at a contract sum of Kshs.174, 606,810 was at 90% complete with a total of Kshs.128, 755,821.54 paid to the contractor for the works done (74%).

Further, a number of contractors awarded contracts had either not moved to site or have stopped work pending settlement of pending bills. Some of the pending bills date back to 2016.

the Committee further noted that some contractors continue to be awarded additional contracts despite having outstanding payments from the County Government. The Committee observed that this practice has the potential to hinder project implementation, as contractors may be reluctant to mobilize to site or commence works until pending payments are settled, thereby affecting the timely delivery of development projects.

They include:

- a) Cards logic Enterprises awarded tenders worth Kshs.7, 497,600 for routine maintenance of Roads in Tuuti/Marakaru, the contractor stopped working pending payment citing financial constraints
- b) Chlovan Building & Construction Ltd has delayed commencement of routine maintenance works at Matulo at Kshs.2, 027, 680, Misikhu Kshs.2,024,200 and Bokoli Kshs.2000000SS due to arrears from prior framework contracts

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The following contractors declined to move to site citing inconsistent payment and outstanding payments.

- i. Besimu Entreprises Ltd ( Sitikho)
- ii. Danline Entreprises (Mihuu)
- iii. Hanal Investment Ltd(Maeni, Kimilili,Tongaren),
- iv. Black Timber co. Ltd (Chepyuk)

Hanal Investment Company is also the contractor maintaining the departments' vehicles, with Kshs. 10,286,793 owing under recurrent expenditure for vehicles repaired between 2023 and 2025.

Details of affected works are:

1. Routine maintenance of Butieli secondary –Wamunyinyi road at a contract sum of Kshs.2,503,000,Fr Osianju Road at a sum of Kshs.1,113,000 and Makutano to Wanangali road at Kshs.3,881,600 which was at 60% complete but work stopped by the contractor pending settlement of pending bills to enable mobilize resources.
2. Routine maintenance of Mwalimu House –Makutano road at a contract sum of Kshs.2, 027, 680 delayed commencement due to outstanding arrears from prior year framework contracts causing liquidity constraints to the contractor.
3. Routine maintenance of Wanyonyi Mkinusu –Kisaka road at Kshs.2m, Mzee Namisi road at Kshs.2000000, Namaraya Chwala bridge road at Kshs.1, 705,200, Misikhu main SDA-Chelekei ACK secondary road at Kshs.2, 201, 680, Sephania –Arrows-Binyenya road at Kshs.2, 090, 320 and Ng'aramuk Kapsokom primary-Mpakani-Jipcho road.
4. Routine maintenance of Masieveve road at Kshs.1, 966, 200, the contractor declined to move to site, citing inconsistent payment history and delays in previous works.

## COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

### The Committee made the following observations

1. Despite Roads and Infrastructure being one of the key development sectors in the County, the Department remains heavily dependent on equitable share funding and has no clear framework for mobilization of alternative sources of financing through development partners, grants and Public-Private Partnerships.
2. Pending bills for the Department stood at Kshs.2,332,141,738 as at 31st December 2025, comprising Kshs.37,360,368 recurrent expenditure and Kshs.2,294,781,370 development expenditure.

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3. According to the documents submitted by treasury, the department received Kshs.138, 404, 318 broken down as Kshs.12, 905,286 (28%) and Kshs.125, 499, 033(10%) for recurrent and development respectively. However, submission from the department indicated that the department received Kshs.137, 932, 659.8 and not the Kshs.138, 404, 318, a variance of Kshs.471, 658 from the recurrent expenditure.
4. The long outstanding imp rest advanced to the Mr. Moses Wamalwa Director Roads, to facilitate attendance of the Lake Region Economic Bloc meeting in the year 2023 which did not take place has not been surrendered. The Committee has made repeated recommendations to recover the amount of Kshs.488, 961 in line with PFM Regulations 93 (7) but this has not been implemented.
5. Delayed settlement of contractors' certificates has resulted in substantial claims against the County Government i.e. claims amounting to Kshs.747, 293,027 relating to the Misikhu–Naitiri–Brigadier–River Nzoia Road project.
6. Several contractors had either suspended works or declined to mobilize to site due to outstanding payments arising from previous contracts, thereby affecting implementation timelines and delivery of critical infrastructure projects.
7. Some contractors continue to receive additional framework contract awards despite having substantial unpaid claims against the County Government, a practice that exposes the County to increased implementation risks and project delays.

### **Committee Recommendations**

#### **The Committee recommends as follows;**

1. THAT the department should develop and fast-track the implementation of a Resource Mobilization and Partnership Policy to diversify its funding sources for roads infrastructure and related projects. This policy should outline strategies for engaging development partners, donors, and the private sector through Public–Private Partnerships and grant financing. Additionally, the Department should benchmark best practices from Counties that have successfully accessed external partnerships like Kakamega County.
2. THAT the Department should develop and implement a comprehensive work plan for the phased settlement of pending bills amounting to Kshs.2, 332,141,738, in compliance with the PFM Act. This should include prioritization of genuine and verified bills as a first charge on the budget, integration of pending bills into annual budget estimates, and adoption the pending bill action plan proposed by the CoB to curb accumulation of new arrears.
3. THAT given the non-yielding efforts to recover the long outstanding imprest of Kshs.488, 961 advanced to the Director of Roads and Public Works for the aborted Lake

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Region Economic Bloc meeting in 2023, the Committee recommends enforcing personal accountability measures to ensure recovery of public funds including the surcharge of the full amount from the Chief Officer- Finance for failing to recover the amount from the accounting officer for the Department of Roads. The County Assembly had resolved upon adoption of the Committee's report on the Half year expenditure for FY 2024/25 that the County Treasury recovers the said sum from the Accounting Officer in the Department of Roads, Infrastructure, Transport and Public Works. The action should be reported to the County Assembly within 60 days after adoption of this report.

4. THAT before commencement of new infrastructure projects, the department of Roads should ensure that adequate budgetary provisions are made for ongoing contractual obligations to prevent the recurrence of pending bills and stalled projects.
5. THAT, The Department should only award new contracts after confirming the availability of funds and the capacity to honor contractual obligations. This will reduce the risk of project delays, contractor withdrawal, and accumulation of pending bills.

We have annexures here members can go through.

All members of the committee signed the report. I wish to call upon Hon. Ipara to second.

**Mr. Speaker:** Thank you chair for moving the committee report accordingly. Hon. Ipara, you have the honor of seconding the committee report.

**Hon. Johnston Ipara:** Thank you, Honorable Speaker. Let me start by lauding the mover of the report who happens to be my chair in the Committee of Roads. I want to start seconding this report by making the following observations. These are departments that receive huge budgetary allocation from the exchequer.

It is Ksh1billion and over. Out of this report if the Honourable members were following together with Hon. Waiti and the team, the budget that was utilized during the period in question was only 38%. That alone can make everybody not even discuss other issues but pay attention to what is being reported in this House. Including Hon. Kikechi who is quarrelling with his neighbor Hon. Allan.

**Mr. Speaker:** Hon. Ipara, they are consulting not quarrelling.

**Hon. Johnston Ipara:** Thank you for the advice.

**Mr. Speaker:** Those are close friends. Let's proceed.

**Hon. Johnston Ipara:** Thank you, Hon. Speaker. One thing worrying me is where the treasury reports a different figure and the department reports a different figure. Here the department reports of receiving 137 and the treasury reports of receiving 138 then we are wondering who

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should be giving the right information, and this means that we are being fed with the wrong information, that is why we are saying even though we are left with very little time, we need to put our both feet on the ground and make sure as we approach the end, we make the right things.

The other thing that should be giving us worry is the Misikhu-Brigadier road. If you looked on the percentages that have been given, it's between 80-88 and I happen to come from that region, that road has been done and what is left is less than 3km just towards Nzoia River; our boundary between Bungoma County and Kakamega. So does that 3 represent the difference? It tells us that we have officers who are not serious with their work and the figures they give us are misleading. When I see Misikhu-Brigadier road, the outstanding balance for that road was Kshs.155, 000,000 and if you look in the report two payments have been made and in the current budget some money is still being asked towards the same project.

We have RMLF which Kshs.63, 000,000 was released on 12<sup>th</sup> August, 2025 and the department kept telling us this money is still in the account, then the Honorable members as you are seated here preparing to adopt this report because it has made very strong recommendations, we should be asking why should this money remain idle in the account and works were advertised and we are supposed to pay them.

I also want to second this report because it convinces me is on framework. You remember last Financial Year the Government was taken to court and the matter was negotiated out of court, the question to ask is, who was wrong, is it the Executive or those who took us to court? The Honorable members must pay attention to such serious matters that have been brought up.

Lastly, there is this imprest which was given to the Director Moses; the attempts and resolutions of this House have not been complied with. I think we should now change the way we do our things. We should now move away from the soft public Relations to a very serious one where deterrent measures should be taken and officers called upon to account for their misdeeds. I want to persuade the Honorable members to approve this report.

**Mr. Speaker:** Thank you, Hon. Ipara. Honorable members, allow me propose a motion for debate.

*(Question proposed)*

What is the color of this mood of the House?

*(Applause)*

Maybe the blue looks like the landlord of this area. Let us proceed Honorable members.

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In view of lack of contribution for the same, that means the mover Hon. Simotwo won't reply to the motion. I put the question for the House decision.

*(Question put and agreed to)*

The ayes have it.

*(Applause)*

The report is hereby adopted by the House accordingly for onward implementation.

### **ADJOURNMENT**

Honorable members, in view of our Order Paper, we will adjourn this sitting and resume at 2:30 p.m. session accordingly.

***The House rose at 10:22 a.m.***

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