



REPUBLIC OF KENYA

NAIROBI CITY COUNTY ASSEMBLY

SECOND ASSEMBLY – (FOURTH SESSION)

ORDERS OF THE DAY

TUESDAY, SEPTEMBER 29, 2020 AT 2.30 P.M.

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statement

8. *COMMITTEE OF THE WHOLE ASSEMBLY

Subject: Consideration of the Governor's Memorandum on the Tobacco Control Bill, 2019.

The Nairobi City County Tobacco Control Bill, 2019 (Governor's Memorandum).

(Committee of the Whole Assembly)

⁹Chairperson, Sectoral Committee on Health Services)

9. *MOTION – HON. GRACE NANCY MUTHAMI, MCA***Subject: Mechanisms for affordable fertility care services***

THAT, aware that under the Article 43(1) of Constitution 2010 provides for the right of every person to the highest attainable standard of health including the right to health care services, including reproductive health care; further aware that Part Two of the Fourth Schedule to the Constitution provides for the function of the County Governments which include provision of County health services and promotion of primary health care; acquainted that infertility is one of the key components of Reproductive Health, yet it remains an entirely neglected problem in Kenya whose main priority is to reduce the growing population size through Government and donor funded reproductive health programmes in support of contraception and population control, it is not surprising that Kenya has no provision for public fertility care; concerned that there are devastating consequences of infertility where childless couples face the most severe negative psychosocial consequences and childless women are frequently stigmatized, isolated, ostracized, disinherited and neglected by the entire family and even the local community, which amplifies the guilt and shame felt by the infertile individual resulting in polygamy and severe physical and psychological violence mitigated towards the woman, hence driving some infertile women to suicide; further concerned that most couples in Kenya who are struggling with unintended childlessness cannot afford in-vitro fertilization due to the high cost of Assisted Reproductive Technology services; noting that an affordable cost of Assisted Reproductive Technology would allow couples to seek fertility care early before age related ovarian factors affect favourable outcomes thus reducing the consequences accompanying childlessness among couples in the County, this Assembly urges the County Executive in conjunction with the National Government and other stakeholders to develop mechanisms to provide for affordable fertility care by integrating Assisted Reproductive Technology into the public Sector to give the much needed hope to the now hopeless couples struggling with involuntary childlessness.

I. THE NAIROBI CITY COUNTY TOBACCO LICENSING BILL, 2019**(ASSEMBLY)**

NOTICE is given that the Chairperson of the Sectoral Committee on Health Services intends to move the following amendments to the Nairobi City County Tobacco Licensing Bill, 2019 at the Committee Stage—

CLAUSE 2

THAT, the Bill be amended in clause 2 by deleting “29” appearing immediately after the word “section” and substituting with “16” in the interpretation of the words “specially designated smoking area”.

CLAUSE 9

THAT, the Bill be amended in clause 9(1) on Prohibited places for sale by introducing sub-clauses after (c), (d) public institution and government buildings, (e) prohibited places and (f) prohibited smoking areas as covered under clause 15 to comply with WHO-FCTC, the Tobacco Act and Tobacco Control Regulations.

THAT, the Bill be amended in clause 9(2) by substituting the words “a term not exceeding one month” with “a term not exceeding six months” for universality of offence penalties.

CLAUSE 13

THAT, the Bill be amended in clause 13(2) on Outdoor advertisement by substituting the words “fine not exceeding ten thousand shillings or to imprisonment for a term no exceeding one month” with “a fine not exceeding fifty thousand shillings or six months imprisonment or both for consistency with Tobacco Act 2007.

CLAUSE 14

THAT, the Bill be amended in clause 14(4) on Right to smoke free environment by introducing a new sub-clause 14(5) to provide a penalty “a person who contravenes this section shall be guilty of an offense and upon conviction to a fine not exceeding fifty thousand shillings, or to imprisonment not exceeding a term of six months, or both” for consistency with Tobacco Act 2007.

CLAUSE 15

THAT, the Bill be amended in clause 15(5) by substituting the words “three” appearing after the word “exceeding” with the word “six” to appear before the word “months” for consistency with Section 33(3) of the Tobacco Act 2007.

CLAUSE 17

THAT, the Bill be amended in clause 17(3) on Display of notices by substituting the words “three months” appearing after the word “exceeding” with the words “six months” before the word “or” for consistency with Section 34(6) of the Tobacco Act 2007.

CLAUSE 21

THAT, the Bill be amended in clause 21 on School health programs by inclusion of “tertiary college and universities” to appear immediately after the word “secondary schools” to make provision for comprehensive coverage of learning institutions and to educate the youths on the risks of use of tobacco and tobacco products.

NOTICES

II. The Assembly resolved on Wednesday, 19th February, 2020 as follows: -

- a) **THAT**, notwithstanding the provisions of Standing Order 94(4), this Assembly orders that, each speech in a debate on **Bills NOT sponsored by a Committee**, the Leader of the Majority Party or the Leader of the Minority Party be limited as follows:- A maximum of three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Sectoral Committee, in that Order.
- b) **THAT**, notwithstanding the provisions of Standing Order 103(4), this Assembly orders that, each speech in a debate on any **Motion**, including a Special motion be limited in the following manner:-A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Sectoral Committee, in that Order.

* Denotes Orders of the Day *
