



**REPUBLIC OF KENYA**

**NAIROBI CITY COUNTY ASSEMBLY**

**FIRST ASSEMBLY – (FIFTH SESSION)**

**ORDERS OF THE DAY**

**THURSDAY, FEBRUARY 16, 2017 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. Statements

**8. \* COMMITTEE OF THE WHOLE ASSEMBLY**

The Nairobi City County Animal Control and Abattoirs Management Bill, 2016  
(Assembly Bill No. 3 of 2016)

(Hon. Zulfa Hakim, MCA)

**9. \* MOTION – (Chairperson, Sectoral Committee on Health Services)**

**THAT,** this Assembly adopts **THE REPORT OF THE SECTORAL COMMITTEE ON HEALTH SERVICES ON SITE INSPECTION VISIT TO EASTLEIGH HEALTH CENTRE,** laid on the Table of the Assembly on Tuesday 25<sup>th</sup> October, 2016.

**NOTICES****I. THE NAIROBI CITY COUNTY ANIMAL CONTROL AND ABATTOIRS MANAGEMENT BILL, 2016 (ASSEMBLY BILL NO. 3 OF 2016)**

**NOTICE** is given that the Chairperson of the Sectoral Committee on Agriculture, Environment and Natural Resources intends to move the following amendments to the Nairobi City County Animal Control and Abattoirs Management Bill, 2016, at the Committee Stage-

**LONG TITLE**

**THAT**, the Long Title be amended by deleting the words “Nairobi City County Animal Control and Abattoirs Management Bill, 2016” and substituting therefor the following new words- “The Nairobi City County Abattoirs Bill, 2016”.

**CLAUSE 1**

**THAT**, Clause 1 be amended by deleting the words “Animal Control and Abattoirs Management” appearing immediately after the word “the” and substituting therefor the word “Abattoirs”

**CLAUSE 2**

**THAT**, Clause 2 be amended:

- (i) in the definition of “Abattoirs” by inserting the words “purpose of the” before the word “slaughter” and the words “and includes a slaughterhouse approved under section 2 of the Meat Control Act Chapter 356 Laws of Kenya” after the word “consumption”.
- (ii) in the definition of “Approved abattoirs” by deleting the words “director of agriculture” and replacing therefor the words “Nairobi City County director of veterinary services”.
- (iii) in the definition of “County executive”
  - a) by inserting the words “Nairobi City” after the words “means the”.
  - b) by deleting the word “agriculture” and substituting therefor the words “veterinary services”.
- (iv) in the definition of “Department”
  - a) by inserting the words “the Nairobi City” after the word “means”.
  - b) by deleting the words “health and” appearing before the word “services”.
- (v) in the definition of “Director”
  - a) by inserting the words “the Nairobi City” after the word “means”.

...../Notices

- b) by deleting the word “health” appearing before the word “veterinary” and replacing therefor the word “services”.
- (vi) in the definition of “meat” by inserting the words “and includes poultry” after the word “species”.
- (vii) in the definition of “meat inspector”
  - a) by inserting the words “qualified to inspect meat under the Meat Control Act Chapter 356 Laws of Kenya and” after the word “person”.
  - b) by inserting the definite article "the" “before the word “provision”.
  - c) by deleting the words “or products of animal origin by the county executive member” appearing after the word “meat”.
- (viii) in the definition of “executive member” by deleting the words “agriculture, fisheries and livestock” and replacing therefor the words “veterinary services”.
- (ix) in the definition of “officer” by deleting the words “county officer” and replacing therefor the words “officer and meat inspector”.
- (x) by inserting the following new definitions in their proper alphabetical sequence-
  - a) ‘certification’ means inspection, auditing of quality assurance systems and examination of finished products.
  - b) ‘export certification’ means certification of meat and meat products by the National Government”.
  - c) local certification’ means certification of meat and meat products by the Nairobi City County Government”.
  - d) ‘viscera container’ means a container to put all internal organs from an animal’s abdominal cavity.”
  - e) ‘veterinarian’ means a meat inspector or a veterinary officer.

**NEW CLAUSE**

**THAT**, the following New Clause be inserted immediately after clause 2

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**Object and Purpose.**      **2A.** “This Act is additional to and does not derogate from the provisions of the Meat Control Act, the Public Health Act, the Food, Drugs and Chemical Substances Act and the Veterinary Surgeons and Veterinary Paraprofessionals Act, and any other written law on meat hygiene”.

**CLAUSE 3**

**THAT**, Clause 3 be amended-

- (i) in sub-clause (1) by inserting the words “Nairobi City” before the words “County Public Service Board”.
- (ii) by deleting sub-clause (2) in its entirety.

**NEW CLAUSE**

**THAT**, the following New Clause be inserted immediately after clause 3

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<b>County Director of Veterinary Services</b>	<p><b>3A</b> 1) There shall be appointed a Director in charge of veterinary services who shall be the head of the department in charge of veterinary services in the County.</p> <p>2) The Director shall be a veterinarian.</p> <p>3) The Director shall be responsible for the control and inspection of slaughter and processing of livestock ensuring that any person operating an abattoir observes the appropriate hygienic requirements in the abattoir.</p> <p>4) The Director may in writing designate official veterinarians, meat inspectors and other officers to carry out any function under this Act.</p> <p>5) The Director shall specify the health standard requirement for all persons working in an abattoir including the requirement for routine medical examination for all persons working in an abattoir.”</p>
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**CLAUSE 4**

**THAT** Clause 4 be amended-

- (i) by introducing a new title before clause 4 as follows: -  
“PART III – REGISTRATION OF AN ABATTOIR”
- (ii) by deleting the words “requirements as spelt out in the first schedule” appearing after the words “complies with the” and substituting therefor the words “prescribed form”.

**CLAUSE 6**

**THAT**, Clause 6 be amended by deleting the clause in its entirety.

**CLAUSE 7**

**THAT**, Clause 7 be amended by deleting the clause in its entirety.

**CLAUSE 8**

**THAT**, Clause 8 be amended in sub clause (2) by deleting the word “department” appearing at the end thereof and substituting therefor the words “County director”.

**CLAUSE 9**

**THAT**, Clause 9 be amended in sub clause (2) by inserting the word “County” immediately before the word “director”

**CLAUSE 10**

**THAT**, Clause 10 be amended by deleting the clause in its entirety.

**CLAUSE 11**

**THAT**, Clause 11 be amended by deleting the clause in its entirety.

**CLAUSE 12**

**THAT**, Clause 12 be amended by deleting the title appearing before clause 12 as

“PART III- REGISTRATION AND LICENSING OF MEAT PROCESSING ESTABLISHMENTS” and replacing therefor the title “PART IV: LICENSING OF ABATTOIR ESTABLISHMENTS”.

**CLAUSE 13**

**THAT**, Clause 13 be amended in sub clause (2) (a) by deleting the words “a processing” appearing before the word “issue” and substituting therefor the words “an abattoir”.

**CLAUSE 21**

**THAT**, Clause 21 be amended-

- (i) In sub-clause (1) (b) by deleting the words “at the point of slaughter” appearing at the end thereof and substituting therefor the words “in an approved abattoir”.
- (ii) In sub-clause 3 by deleting the sub-clause in its entirety.
- (iii) In sub-clause 5 by deleting the words “and is removed from the premises of the abattoir and treated” appearing after the words “contagious diseases” and substituting therefor the words “shall be condemned and destroyed in accordance with the prescribed procedure” and further by deleting the words “such animal may be allowed in the abattoir upon satisfaction by the veterinary officer that the animal is healthy” appearing at the end thereof.

**CLAUSE 22**

**THAT**, Clause 22 be amended by deleting the clause in its entirety and substituting therefor the following new clause: -

“Equipment and utensils used for preparing, processing or otherwise handling carcasses and meat shall be of such material as will make them easily cleaned, and disinfected and shall, except for chopping blocks and handles of utensils made of metal or other durable material as prescribed by a veterinary officer.”

**CLAUSE 23**

**THAT**, Clause 23 be amended in sub clause (2) by deleting the words “any abnormal cutting or” appearing after the words “in the event of”

**NEW CLAUSE**

**THAT**, the following New Clause be inserted immediately after clause 23-

**Duties of 23A** (1) The meat inspector shall: -

- a meat inspector** (a) brand or stamp with the official stamp mark of the department in such places and in such ways as they deem advisable or necessary all carcasses and meat submitted for examination and passed as healthy and fit for human consumption.
- (b) at the time of inspection, issue an inspection certificate which shall be displayed at the Butchery sale point.
- (c) apply and enforce the provisions of the code of hygienic practice for meat that is set out under the Public Health Act and Meat Control Act.
- (2) A person shall not, other than an authorized officer, stamp, brand or mark or attach to or impress on any meat or offal with any official stamp or mark or similar marking.
- (3) A person shall not attach to or impress on any meat or offal any forged stamp or mark or any stamp or mark intended or liable to deceive the public or induce the belief that such meat or offal has been inspected and approved by regulations or slaughtered at the abattoir.
- (4) All carcasses declared fit for human consumption shall be tagged and stamped by a meat inspector or veterinary officer, according to the standard prescribed by the department.

**CLAUSE 24**

**THAT**, Clause 24 be amended by deleting the clause in its entirety and substituting therefor the following clause-

“A meat inspector shall, upon declaration of meat to be unfit for human consumption, order that such meat be destroyed by burning or such other means of disposal as soon as possible. A written notice and reasons for so doing shall be issued to the owner of the animal and the abattoir or his agent.”

**CLAUSE 25**

**THAT**, Clause 25 be amended: -

- (i) by introducing new paragraphs in the existent list as follows: -
  - a) the identity number of the animal or the number of the lot,
  - b) the movement permit number ,
  - c) the name of animal owner or supplier
  - d) the identity of the vessel that delivered the animals.
- (ii) by deleting paragraph of the existent list.

**CLAUSE 26**

**THAT**, Clause 26 be amended-

- (i) in sub-clause (3) by deleting the words “the county executive may apply to the Court for an order” appearing after the word “exceed” and substituting therefor the words “the Director of Veterinary Services shall order”.
- (ii) in sub-clause (4) by deleting the words “of section 35” appearing after the words “under the provisions of”

**CLAUSE 29**

**THAT**, Clause 29 be amended-

- (i) in sub-clause (1) by deleting the words “and shall in the case of any slaughter dispose of the carcass on behalf of the department” appearing in the end thereof and substituting therefor the words “the carcass thereof shall be disposed by way of sale by the owner or the person in charge of the abattoir”.
- (ii) In sub-clause (2) by deleting the word “department” appearing before the words “shall pay” and substituting therefor the words “owner of the abattoir”.

**CLAUSE 30**

**THAT**, Clause 30 be amended by inserting the word “rodent” after the word “bird”.

**CLAUSE 31**

**THAT**, Clause 31 be amended by deleting the words “A person under the age of 16 years shall not” and substituting thereof the words “No person shall”.

**CLAUSE 35**

**THAT**, Clause 35 be amended by inserting the following new sub-clause-

**35(2)** (a) A County officer is personally liable for any loss sustained by the county government that is attributable to the fraudulent or corrupt conduct, of the officer.

(b) The County Treasury may, by civil proceedings brought in a court of competent jurisdiction, recover damages from a County officer for any loss for which the officer is liable under subsection (1).

**CLAUSE 36**

**THAT**, Clause 36 be amended by inserting the following new sub-clause -

**36(2)** A person who wilfully disobeys or obstructs or hinders or knowingly makes any false or misleading statements either orally or in writing to an officer engaged in carrying out his duties or functions under this Act or regulations commits an offence and shall be liable on conviction, to a fine not exceeding five hundred thousand shillings or to imprisonment for two years or to both.”

**CLAUSE 37**

**THAT**, Clause 37 of the Bill be amended-

- (i) By deleting the word “may” appearing before the words “make regulations” and substituting therefor the word “shall”.
- (ii) By inserting the following new paragraph after the words “provisions of this Act”:-  
Such regulations may include:  
(1) Categories of abattoirs;



**II. Assembly resolved on Wednesday, February 15, 2017 as follows:-**

**THAT**, notwithstanding the provisions of Standing Order 94(4), this Assembly orders that, each speech in a debate on a **Report of a Committee**, a Sessional Paper or any other Report submitted to the Assembly, be limited as follows: - A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, 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 (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that Order.

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**\* Denotes Orders of the Day**

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