



COUNTY GOVERNMENT OF NAIROBI CITY
SECOND ASSEMBLY – (THIRD SESSION)
NAIROBI CITY COUNTY ASSEMBLY
VOTES AND PROCEEDINGS

TUESDAY, APRIL 30, 2019 AT 10.30 A.M.

1. The Assembly assembled at Thirty Minutes past Ten O'clock.
2. The Proceedings were opened with Prayer.

QUORUM OF THE ASSEMBLY

The Speaker having confirmed that there was no Quorum caused the Bell to be rung for Ten minutes.

There being a Quorum at the expiry of the ten minutes, the Speaker called the Assembly to order.

3. PAPERS LAID: -

The following papers were laid on the Table of the Assembly:

- a) **THE THIRTEENTH REPORT OF THE SELECT COMMITTEE ON COUNTY FINANCE, BUDGET & APPROPRIATIONS ON THE SUPPLEMENTARY ESTIMATES (II) FOR THE FY 2018/2019 FOR THE NAIROBI CITY COUNTY GOVERNMENT AND THE COUNTY ASSEMBLY;**
- b) **THE TWELFTH REPORT OF THE SELECT COMMITTEE ON COUNTY FINANCE, BUDGET & APPROPRIATIONS ON THE NAIROBI CITY COUNTY FISCAL STRATEGY PAPER AND DEBT MANAGEMENT STRATEGY PAPER FOR FY 2019/2020 AND OVER THE MEDIUM TERM.**

(Chairperson, Select Committee on County Finance, Budget & Appropriations)

4. NOTICE OF MOTION – (Chairperson, Select Committee on County Finance, Budget & Appropriations)

THAT, This Assembly adopts **THE THIRTEENTH REPORT OF THE SELECT COMMITTEE ON COUNTY FINANCE, BUDGET & APPROPRIATIONS ON THE SUPPLEMENTARY ESTIMATES (II) FOR THE FY 2018/2019 FOR THE NAIROBI CITY COUNTY GOVERNMENT AND THE COUNTY ASSEMBLY**, laid on the Table of the Assembly today, Tuesday, 30th April, 2019.

5. NOTICE OF MOTION – (Chairperson, Select Committee on County Finance, Budget & Appropriations)

THAT, This Assembly adopts **THE TWELFTH REPORT OF THE SELECT COMMITTEE ON COUNTY FINANCE, BUDGET & APPROPRIATIONS ON THE NAIROBI CITY COUNTY FISCAL STRATEGY PAPER AND DEBT MANAGEMENT STRATEGY PAPER FOR FY 2019/2020 AND OVER THE MEDIUM TERM**, laid on the Table of the Assembly today, Tuesday, 30th April, 2019.

6. MOTION – ADOPTION OF THE REPORT ON SUPPLEMENTARY ESTIMATES II FY 2018/19

Motion made and Question proposed;

THAT, This Assembly adopts **THE THIRTEENTH REPORT OF THE SELECT COMMITTEE ON COUNTY FINANCE, BUDGET & APPROPRIATIONS ON THE SUPPLEMENTARY ESTIMATES (II) FOR THE FY 2018/2019 FOR THE NAIROBI CITY COUNTY GOVERNMENT AND THE COUNTY ASSEMBLY**, laid on the Table of the Assembly on Tuesday, 30th April, 2019.

Debate ensued;

Mover Replied;

Question put and Agreed to.

7. PROCEDURAL MOTION – EXTENSION OF THE SITTING

Motion Made & Question proposed;

THAT, pursuant to Standing Order 31(3) (a), this Assembly resolves to extend its sitting until 1.00 p.m.

Question put & Agreed to

8. COMMITTEE OF THE WHOLE ASSEMBLY

Order for Committee of the Whole Assembly read;

IN THE COMMITTEE

(Hon. Deputy Speaker, MCA in the Chair)

The Nairobi City County Trade Licensing Bill (Assembly Bill No. 8 Of 2018)

Clause 3 amendments proposed –

THAT, clause 3 be amended-

By inserting the words **“with the exemption of professions”** immediately after the word **“Nairobi”**

(Vice-Chairman, Sectoral Committee on Trade, Tourism & Cooperatives)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 3 as amended be part of the Bill proposed, put and agreed to;

Clause 4 amendments proposed –

THAT, clause 4 be amended-

In sub-clause (1) by deleting the expression **“within the County Sector”**

(Vice-Chairman, Sectoral Committee on Trade, Tourism & Cooperatives)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 4 as amended be part of the Bill proposed, put and agreed to

Clause 5 amendments proposed –

THAT, clause 5 be amended-

In sub-clause (1) by deleting the expression **“in consultation with the County Executive Committee Member”**

(Vice-Chairman, Sectoral Committee on Trade, Tourism & Cooperatives)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 5 as amended be part of the Bill proposed, put and agreed to

Clause 6 amendments proposed –

THAT, clause 6 be amended-

In the marginal note by deleting the word **‘Functions’** and substituting therefor the word **‘Powers’**

(Vice-Chairman, Sectoral Committee on Trade, Tourism & Cooperatives)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 6 as amended be part of the Bill proposed, put and agreed to

Clause 7 amendments proposed –

THAT, clause 7 be amended-

In sub clause (1) by inserting the word **“trade”** immediately before the word **“licence”**

(Vice-Chairman, Sectoral Committee on Trade, Tourism & Cooperatives)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 7 as amended be part of the Bill proposed, put and agreed to

Clauses 8 & 9 amendments proposed –

THAT, clauses 8 & 9 be amended-

by deleting the clauses in their entirety

(Vice-Chairman, Sectoral Committee on Trade, Tourism & Cooperatives)

Question of the amendment proposed;

Question put and agreed to;

Clauses 9,10 &11

Question that Clauses 9, 10, & 11 be part of the Bill proposed, put and agreed to;

Clause 12 amendments proposed –

THAT, clause 12 be amended-

by deleting the clause in its entirety

(Vice-Chairman, Sectoral Committee on Trade, Tourism & Cooperatives)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 12 as amended be part of the Bill proposed, put and agreed to

Clauses 13 & 14

Question that Clauses 13 & 14 be part of the Bill proposed, put and agreed to;

Clause 15 amendments proposed –

THAT, clause 15 be amended-

- i. In sub clause (1) by inserting the word “**either**” immediately before the word “**annually**”
- ii. In sub clause (2) by deleting sub clause (2) in its entirety and substituting therefor the following: -

“A provisional licence may be granted to an applicant by the Directorate of Trade Licensing and shall be valid for a maximum period of three (3) months”

(Vice-Chairman, Sectoral Committee on Trade, Tourism & Cooperatives)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 15 as amended be part of the Bill proposed, put and agreed to

Clauses 17, 18 & 19

Question that Clauses 17, 18 & 19 be part of the Bill proposed, put and agreed to;

Clause 20 amendments proposed –

THAT, clause 20 be amended-

in sub-clause (2) by inserting the word **“reasonable”** immediately before the word **“fees”**

(Vice-Chairman, Sectoral Committee on Trade, Tourism & Cooperatives)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 20 as amended be part of the Bill proposed, put and agreed to

Clause 21

Question that Clause 21 be part of the Bill proposed, put and agreed to;

Clause 22 amendments proposed –

THAT, clause 21 be amended-

by deleting sub-clause (2) in its entirety.

(Vice-Chairman, Sectoral Committee on Trade, Tourism & Cooperatives)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 21 as amended be part of the Bill proposed, put and agreed to

Clause 23

Question that Clause 23 be part of the Bill proposed, put and agreed to;

Clause 24 amendments proposed –

THAT, clause 24 be amended-

- a) in sub-clause 1 paragraph (a) by deleting the words **“licensed under this Act”** appearing immediately after the word **“premises”**
- b) in sub-clause (2) by inserting the words **“and shall carry out his duties with due diligence”** immediately after the word **‘holder’**

(Vice-Chairman, Sectoral Committee on Trade, Tourism & Cooperatives)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 24 as amended be part of the Bill proposed, put and agreed to

Clause 25 amendments proposed –

THAT, clause 25 be amended-

- a) in sub-clause (2) by inserting the words **or to imprisonment for a term not exceeding three months, or to both’** immediately after the word **‘thousand’**
- b) in sub-clause (3) by inserting the words **‘or to imprisonment for a term not exceeding three months, or to both’** immediately after the word **‘thousand’**

(Vice-Chairman, Sectoral Committee on Trade, Tourism & Cooperatives)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 25 as amended be part of the Bill proposed, put and agreed to

Clause 26

Question that Clause 26 be part of the Bill proposed, put and agreed to;

Clause 27 amendments proposed –

THAT, clause 27 be amended-

- i. in sub-clause (2) by deleting paragraph (e) in entirety
- ii. in sub clause (2) paragraph (g) by inserting the words **“and e-commerce”** immediately after the word **“electronic”**

(Vice-Chairman, Sectoral Committee on Trade, Tourism & Cooperatives)

Question of the amendment proposed;
Question put and agreed to;

Question that Clause 27 as amended be part of the Bill proposed, put and agreed to

New paragraphs 16 (b) A & B

THAT Clause 16 of the Bill be amended in sub clause (1) paragraph (b) by inserting the following new paragraphs immediately after paragraph (b) as follows: -

“b a” “is operating an illegal business”

“b b” “the licence was fraudulently acquired”

Motion made and question proposed;

That New paragraphs 16 (b) A & B be read a Second Time

(Vice-Chairperson, Sectoral Committee on Trade, Tourism & Cooperatives)

Question put and agreed to

Question that New paragraph 16 (b) A & B be part of the Bill proposed, put and agreed to;

New paragraph 27 (g) A

THAT, Clause 27 of the Bill be amended in sub-clause (2) by inserting the following new paragraph immediately after paragraph (g)

“g a” Information that shall be contained in the register under Section 21’

Motion made and question proposed;

That New paragraph 27 (g) A be read a Second Time

(Vice-Chairperson, Sectoral Committee on Trade, Tourism & Cooperatives)

Question put and agreed to

Question that New paragraph 27 (g) A be part of the Bill proposed, put and agreed to;

New Sub-Clause 4 (2) A

THAT, Clause 4 of the Bill be amended by inserting a new sub clause immediately after sub clause (2) as follows: -

“(2) A” The Directorate shall be guided by the following principles including--

- a) The regulation of licensable activities in order to set minimum standards relating to such activities and to ensure-
 - i. National unity;
 - ii. Public safety and hygiene;
 - iii. Environmental protection;
 - iv. Inclusion of marginalized trading populations, including hawkers and street vendors; and
 - v. Promotion of transparency and public participation
- b) Licences shall be issued on the basis of clearly defined and transparent criteria.

Motion made and question proposed;

That New Sub-Clause 4 (2) Abe read a Second Time

(Vice-Chairperson, Sectoral Committee on Trade, Tourism & Cooperatives)

Question put and agreed to

Question that New Sub-Clause 4 (2) A be part of the Bill proposed, put and agreed to;

New Sub-Clause 5 (2) A

THAT, Clause 5 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (2)

“2” A A person shall be eligible for appointment as a Director of Trade Licensing if the person --

- a) possesses a university degree in any area related to trade, business or commerce from university recognized by the Commission for University Education;
- b) has at least 3 years’ experience working in trade, business, commerce or business management;
- c) is person of integrity and meets the requirements of Chapter 6 of the Constitution of Kenya;
- d) is not convicted of any criminal offence whose penalty does not exceed six (6) months.

Motion made and question proposed;

That New Sub-Clause 5 (2) Abe read a Second Time

(Vice-Chairperson, Sectoral Committee on Trade, Tourism & Cooperatives)

Question put and agreed to

Question that New Sub-Clause 5 (2) A be part of the Bill proposed, put and agreed to;

New Sub-Clause 24 (2) A

THAT Clause 24 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (2)

“(2) A” A person who hinders or obstructs an officer performing their duties under this Section commits an offence and shall be liable on conviction to a fine not exceeding Kenya shillings one hundred thousand or to imprisonment for a term not exceeding six months or both’

Motion made and question proposed;

That New Sub-Clause 24 (2) A be read a Second Time

(Vice-Chairperson, Sectoral Committee on Trade, Tourism & Cooperatives)

Question put and agreed to

Question that New Sub-Clause 24 (2) A be part of the Bill proposed, put and agreed to;

New Sub-Clauses 28 (1) A & B

THAT, Clause 28 of the Bill be amended by inserting the following new sub clauses immediately after Clause 28: -

“(1) A” Any person who was authorized to trade within Nairobi City County on the basis of an approved trade licence before the coming into force of this Act shall make a fresh application to the Directorate of trade licensing upon expiry of the licence currently in possession.

(1) B” The Provisions of Schedules 2.2, 2.3, 2.4, 2.5, 2.6, 2.7 and 2.8 of the Nairobi City County Revenue Act, 2015 are repealed.

Motion made and question proposed;

That New Sub-Clauses 28 (1) A & B be read a Second Time

(Vice-Chairperson, Sectoral Committee on Trade, Tourism & Cooperatives)

Question put and agreed to

Question that New Sub-Clauses 28 (1) A & B be part of the Bill proposed, put and agreed to;

New Clause 3 A

THAT, Clause 3 of the Bill be amended by inserting a new Clause immediately after Clause 3 as follows:

Objects “3 A” The objects of this Act is to provide for a legal framework of the for –
Act

- (a) provision of business licence management functions as spelt out in part 2 of the Fourth schedule of the Constitution of Kenya, 2010;
- (b) provision of a legal basis for the implementation of the County Business plan;
- (c) provision of a conducive environment for fair business practices;
- (d) assignment of roles and responsibilities of various county officers in the directorate;
- (e) control and regulation of business practices and management in the County; and
- (f) provision of an enabling regulatory framework which promotes growth and development in the sector, promotes self-regulation by trading associations and ensures accountability.

Motion made and question proposed;

That New Clause 3A be read a Second Time

(Vice-Chairperson, Sectoral Committee on Trade, Tourism & Cooperatives)

Question put and agreed to

Question that New Clause 3A be part of the Bill proposed, put and agreed to;

New Clause 8 A

THAT, Clause 8 of the Bill be amended by deleting the clause in its entirety and substituting therefor the following new Clause 8: -

Application (8A) (1) An application for the grant of a trade
for Licence licence shall ---

- a) be lodged with the Directorate of Trade Licensing;
- b) be in the approved form;
- c) contain such information and be accompanied by such documents as are required by the approved form;
- d) be signed in a manner specified in the approved form; and
- e) be accompanied by the prescribed application fee in the First Schedule.

(2) An application may be made in an electronic format approved by the Directorate.

(3) The Directorate may, before dealing with an application, require the applicant to furnish such additional information or documents as is necessary to enable the application to be dealt with.

(4) The Directorate shall keep and maintain an updated database of all licence holders.

(5) The prescribed application fee shall not be refundable

Motion made and question proposed;

That New Clause 8A be read a Second Time

(Vice-Chairperson, Sectoral Committee on Trade, Tourism & Cooperatives)

Question put and agreed to

Question that New Clause 8A be part of the Bill proposed, put and agreed to;

New Clause 8 B

THAT, Clause 8 of the Bill be amended by inserting a new Clause immediately after Clause 8 as follows: -

Hawkers and Street Vendors Licence	(8B) (1) No person shall trade as a hawker or a street vendor unless he or she is in possession of a valid hawker or street vendor’s licence granted to him or her for that purpose by the directorate of trade licensing unless they operate a business exempted from licensing under this Act.
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(2) The licence described in sub section (1) shall be in such form as may be prescribed and shall be granted subject to the following conditions ---

- a) The kind of goods which may be hawked;
- b) The area within which the hawking shall be operated;
- c) The hours during which the goods may be hawked, and such other conditions as licensing authority may think fit to impose.

Motion made and question proposed;

That New Clause 8B be read a Second Time

(Vice-Chairperson, Sectoral Committee on Trade, Tourism & Cooperatives)

Question put and agreed to

Question that New Clause 8B be part of the Bill proposed, put and agreed to;

New Schedule

THAT, Clause 28 of the Bill be amended by inserting a new Schedule immediately after Clause 28 as follows: -

SCHEDULE

1.1. GENERAL TRADERS SHOPS AND RETAIL SERVICES

This category includes traders, wholesalers, hypermarkets, departmental stores, supermarkets, showrooms, boutiques, exhibitions, retail shops, chemists, take-away, butcheries, kiosks

Hyper-supermarket: Over 100 employees / Over 5001 sq.m		150,000
Mega-supermarkets / Wholesalers: 50 -100 employees / 3001 - 5000 sq.m		100,000
Large trader shop or retail service: 21- 50 employees / 300 - 3000 sq.m / prime location		50,000
Medium trader shop or retail service: 5 - 20 employees / 50 - 3000 sq.m / fair location		20,000
Small trader shop or retail service: Up to 4 employees / less than 50 sq.m / far away location		5,000
Kiosk: Light or temporary construction less than 5 sq.m		4,000
Other general merchant shop and retail service		4,000

1.2. TRANSPORT STORAGE AND COMMUNICATIONS

Includes maritime and airlines / international carriers / freight forwarders / operation of taxis, matatus, buses, lorries, planes, boats / driving school / tours / safari operator - owned and hired vehicles. Fixed line and wireless communication providers / IT support companies / private vehicles parking / petrol stations / storage facilities / cold storage facilities. Publishing companies, e.g. newspapers, books, texts / radio / TV broadcasters / film producers.

Mega transport company: Over 50 vehicles & / or premises over 1000 sq.m		160,000
Large transport company: 30 - 50 vehicles & / or premises of 500 - 1000 sq.m		100,000
Medium transport company: 6 - 30 vehicles & / or premises of 300 - 500 sq.m		36,000
Small transportation company: 2 - 5 vehicles & / or premises of 50 - 300 sq.m		25,000
Other transportation company: 1 vehicle / up to 50 sq.m		15,000
Independent transport operator: 1 vehicle / 1 Taxi & not in an office		7,000
Large petrol filling station: over 6 pumps or with garage / workshop and spares retail shop		30,000

Medium petrol filling station: 4 - 6 pumps or with garage / workshop or spares retail shop		20,000
Small petrol filling station: Up to three pumps and without garage / workshop or retail shop		10,000
Large cold storage facility: Over 1000 sq.m		70,000
Medium cold storage facility: From 101 - 1,000 sq.m		30,000
Small cold storage facility: Up to 100 sq.m		15,000
Large storage facility: Over 5000 sq.m go down / warehouse liquid storage tanks complex		60,000
Medium storage facility: From 1000 - 5000 sq.m		30,000
Large private vehicles parking: Capacity; over 100 vehicles		500,000
Medium private vehicles parking: Capacity; 51 - 100 vehicles		300,000
Small private vehicles parking: Capacity; 1 - 50 vehicles		200,000
Small storage facility: Up to 1000 sq.m		15,000
Mega communications company: Over 100 employees & / or premises over 1500 sq.m		200,000
Super large communications company: 61 - 100 employees & / or premises of 1001 - 1500 sq.m		200,000
Large communications company: -over 50 employees & / or premises of 500 - 1000 sq.m		100,000
Medium communications company: 21 - 50 employees & / or premises of 300 - 500 sq.m		60,000
Small communications company: 1 - 20 employees & / or premises of 1 - 300 sq.m		40,000
Other transport, storage and communications		10,000
Large Transport Network Companies (Uber, Taxify, Little Cab et al) capacity over 100 vehicles	Per annum	300,000
Medium Transport Network Companies (Uber, Taxify, Little Cab et al) :Capacity 51-100 vehicles	Per annum	100,000
Small Transport Network Companies (Uber, Taxify, Little Cab et al) capacity 1-50 vehicles	Per annum	50,000
FINANCIAL SERVICES		
Bank Head office/branch/money lender/hire purchase/Sacco/co-operative ATM machines/Mortgage providers/Money transfer and bank agency		
Money transfer agents and bank agency :over 2 tellers		15,000

Other financial services with 1 teller for money transfer /bank agency		7,000
Other transport, storage and communications		10,000

1.3. ACCOMMODATION AND CATERING

Includes international hotels / tourist camps / outside catering / lodging houses / restaurants / bars / eating houses / tea & coffee houses / butcheries with meat roasting & or soup kitchen facilities / membership clubs / nightclubs & casinos

Large high standard lodging house / hotel D class with over 100 rooms		200,000
Medium high standard lodging house / hotel D class with 41 to 100 rooms		140,000
Small high standard lodging house / hotel D class with up to 40 rooms		70,000
Large lodging house with restaurant and / or bar B/C class basic standard with over 15 rooms		55,000
Medium lodging house with restaurant and / or bar B/C class basic standard with 6 to 15 rooms		45,000
Small lodging house with restaurant and / or bar B/C class basic standard with up to 5 rooms		35,000
Large lodging house B/C class basic standards with over 15 rooms		70,000
Medium lodging house B/C class basic standard with 6 to 15 rooms		45,000
Small lodging house B/C basic standard with up to 5 rooms		35,000
Large fully serviced and furnished apartments: Over 10 apartments		120,000
Medium fully serviced and furnished apartments; from 6-10apartments		90,000
Small fully serviced and furnished apartments: from 1-5 apartments		70,000
Mega restaurant with bar / membership club with over 70 members/ customers		100,000
Large restaurant with bar / membership club with 31 - 70 customers / members		50,000
Medium restaurant with bar / membership club with 11 - 30 members / customers		30,000
Small restaurant with bar / membership club; Up to 10 customers / members		20,000

Mega eating house / snack bar / tea house / outside catering / hotel with no lodging or alcohol served with over 50 customers		35,000
Large eating house / snack bar / tea house / outside catering / hotel with no lodging or alcohol served with 20 - 50 customers		25,000
Medium eating house; snack bar / tea house / no lodging or alcohol served; 6 - 20 customers		20,000
Small eating house; snack bar / tea house / hotel with no lodging or alcohol served; Up to 6 customers		15,000
Butchery with roast meat and / or soup kitchen		15,000
Large bar / traditional beer seller; Over 50 customers		20,000
Medium bar / traditional beer seller; 16 - 50 customers		15,000
Small bar / traditional beer seller; Up to 50 customers		10,000
Large night club / casino; Over 500 sq.m		100,000
Medium night club / casino; 100 - 500 sq.m		60,000
Small night club / casino; Up to 100 sq.m		40,000
Other catering and accommodation		10,000
Mega agricultural producer, processor, dealer, exporter with over 60 employees		100,000
Large agricultural producer, processor, dealer, exporter with 36 - 60 employees		80,000
Medium agricultural producer, processor, dealer, exporter with 11 - 35 employees		40,000
Small agricultural producer, processor, dealer, exporter with 4 - 10 employees		25,000
Other agricultural producer, processor, dealer, exporter with over up to 3 employees		20,000
Large mining or natural resources extraction operation with over 50 employees		200,000
Medium Mining or Natural Resources Extraction operation with 4- 50 employees		100,000
Small mining or natural resources extraction operation with upto 3 employees		50,000
Other agricultural, forestry and natural resources exploitation; 1 person acting individually		45,000

1.4. TECHNICAL AND FINANCIAL SERVICES

Data processing / liaison offices / landlord or care taker offices / secretarial support / agencies / clearing & forwarding / import & export / bookmaking / casinos / international affiliation / cleaning services / cybercafés / bureaus / security services etc. / bank head office / branch / money lender / hire purchase / real estate / property developers / SACCO / co-operative societies

Large financial services including Saccos and co-operative societies with over 25 employees & / or premises over 300 sq.m		150,000
Medium financial services including Saccos and co-operative societies with 6 – 24 employees & / or premises of 100 – 300sq.m		95,000
Small financial services including Saccos and co-operative societies with up to 5 employees & / or premises up to 100sq.m		65,000
Other financial services including financial consultants / creditors / loans on assets firms with no money accounts / 1 person acting individually etc.		40,000
Money points / ATMs / money machines separate from branch / office (per ATM)		50,000
Large Financial Agent and M-PESA; Over 5 outlets/Tellers separate from Branch office (per A.T.M)		30,000
Medium Financial Agent and Mpesa: from 2-5 outlets/Tellers		20,000
Small financial agent and Mpesa: Up to 1 outlet/Teller		10,000
Large cyber cafes / bureaus with over 20 computers / machines		30,000
Medium Cyber cafes / bureau with 6 – 20 computers / machines		20,000
Small Cyber cafes / bureau with 2 – 5 computers / machines		15,000
Other professional and technical services with 1 computer / 1 machine		10,000

1.5. PRIVATE EDUCATION, HEALTH AND ENTERTAINMENT

Private education institution including nursery / primary or secondary school / polytechnic / professional training centre / computer management / accountancy / secretarial / technical professions / universities / private health clinics / doctors surgeries / consulting offices of doctors / dentists / physiotherapists / physiologists & other health professionals / herbalists and traditional medicine practitioners / funeral homes / entertainment facilities including cinema / theatre / video shows / amusements arcade / juke box / arcade games / machines arcade / sports club / gym / massage parlours

Small complementary education institutions 1-200 pupils		8,000
Medium complementary education institutions 201-350 pupils		10,000
Large complementary education institutions over 350 pupils		15,000
Mega private higher education institutions; any type of private university college or higher education institution with over 200 students		150,000
Private higher education institution; any type of private university college or higher education institution with 100 - 200 students		90,000
Large private education institution; nursery, primary & secondary schools with over 100 pupils or fees of Kshs. 50,000 - 100,000 per year		50,000
Medium private education institution; with 31 - 100 pupils or fees of kshs. 30,000 - 50,000 per year		30,000
Small private education institution with 30 pupils or fees of up to kshs. 30,000 per year		20,000
Large private health facility hospitals, clinic, nursing home etc. providing over 30 beds overnight		150,000
Medium private health facility with 11 - 30 beds		70,000
Small private health facility with up to 10 beds		45,000
Health clinic / doctor's surgery/ doctor / dentistry / physiotherapist / psychologist or other health professional office with no overnight accommodation available		15,000
Traditional health services; herbalist traditional healer etc.		25,000
Large entertainment facility; cinema / theatre / video show / amusement arcade / games machines arcade / sports club / gym etc. over		100,000

100 seats / over 10 machines / over 50 members		
Medium entertainment facility with 50 - 100 seats / 4 - 10 machines / 16 - 50 members		50,000
Small entertainment facility with up to 50 seats / up to 3 machines / up to 15 members		35,000
Mobile cinema operator; 1 person acting individually		30,000
Other education, health and entertainment services		20,000

1.6. INDUSTRIAL PLANTS, FACTORIES, WORKSHOP, CONTRACTORS

Includes manufacture, process and assembly of products / vehicles / machinery / equipment and workshop servicing and repairing products / vehicles / machinery / equipment. Also including contractors of new buildings, construction and old buildings restoration, plumbing and other services / repair

Large industrial plant with over 75 employees & or premises over 2500 sq.m		150,000
Medium industrial plant with 16 - 75 employees & or premises of 100 sq.m - 2500 sq.m		100,000
Small industrial plant with 6 - 15 employees & or premises of 51 sq.m - 100 sq.m		60,000
Other industrial plant / factory with 1 - 5 employees & or premises of 1 sq.m - 50 sq.m		25,000
Mega workshop with over 50 employees & or premises of over 1000sq.m		100,000
Large workshop / service / repair contractor with 21 - 50 employees & or premises of 501 sq.m - 1000 sq.m		70,000
Medium workshop / service / repair contractor with 6 - 20 employees & or premises of 25 sq.m - 500 sq.m		30,000
Small workshop / service / repair contractor with up to 5 employees & or premises of up to 25 sq.m		15,000
Other manufacturer / workshop / factory / contractor with one person acting individually		10,000
Application fee		200
WEIGHBRIDGE –NANYUKI ROAD DEPOT		
1 - 4,990	Per kg	100
5,000 - 6,990	Per Kg	120
7,000 - 8,990	Per Kg	160
9,000 - 14,990	Per kg	180

15,000 - 19,900	Per kg	200
20,000 - 29,990	Per Kg	240

1.7. SMALL TRADES SERVICES

Item Description	Unit of Measure	Charges
Hire of Open Space at ward level	Per day	7,000
Hawkers (outside C.B.D.)	Per day	30
Hawkers	Per Month	500
Kiosks		
Small Size	Per week	250
Medium Size	Per week	350
Large Size	Per week	550
Firewood Traders	Per day	200
INFORMAL SECTOR		
Item Description	Unit of Measure	Charges
1 Hawker with motor vehicle on a designated area	Per annum	15,000
1 hawker without motor vehicle	Per annum	7,000
1 vendor at Uhuru Park	Per annum	5,000
Small informal sector trader/service provider e.g. shoe shiner shoe repair, street vendor (newspapers, soda, sweet, cigarette etc.)	Per annum	2,500
Semi-permanent informal sector trader;-up to 2 Persons In Verandah or temporary building	Per annum	3,500
Other informal sector	Per annum	2,000

Motion made and question proposed;

That the New Schedule be read a Second Time

(Vice-Chairperson, Sectoral Committee on Trade, Tourism & Cooperatives)

Question put and agreed to

Question that the New Schedule be part of the Bill proposed, put and agreed to;

Clause 2 amendments proposed –
THAT, clause 2 be amended-

- (i) by inserting the following definitions in their proper alphabetical sequence:
- a) **“licence holder” means a person or entity granted a license by the director of trade licensing to operate a trade within the county;**
 - b) **“committee” means the Trade Licensing Appeals Committee established under Section 12 of this Act.**
 - c) **“e-Commerce” means any form of transaction or business conducted electronically through the internet;**
 - d) **“hawker” means a person who, whether on his or her own account sells goods by retail other than in trading premises or in a market established by the county.**
 - e) **“street vendor” means a person who offers goods or services for sale to the public without having a permanently built structure but with a temporary static structure or mobile stall;**
 - f) **“trader” means a person who buys and sells goods and services within Nairobi City County;**
 - g) **“trading premises” means and includes shops or premises used for a retail trade or business;**
 - h) **“provisional licence” means a licence issued by the Director of trade licensing after application to allow a trader to continue operating the business or trade before the issuance of the main trade licence;**
 - i) **“profession” means a paid occupation governed and regulated by a professional body which involves prolonged training and a formal qualification**
 - j) **“specified goods “means any goods or good of any particular class, declared as such under of this Act.**
- (ii) In the definition of the word **“trade”** by deleting the definition of the word “trade” in its entirety and substituting therefor the following: -

“trade means any business whereby goods, services, wares, merchandise or provisions are sold in any trading premise or in any other manner including electronically, through the internet whether by retail or wholesale for which a license is required under this Act”

- (iii) In the definition of the word **“business”** by deleting the definition of the word “business” in its entirety and substituting therefor the following: -

“business means any commercial activities conducted for the purpose of facilitating such buying and selling of goods and services with a clear definition of operating times or trade and includes exempted businesses.”

(Vice-Chairman, Sectoral Committee on Trade, Tourism & Cooperatives)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 2 as amended be part of the Bill proposed, put and agreed to

Title amendments proposed -

THAT, the Title be amended by deleting the expression **“regulation of trade”** and substituting therefor the expression **“grant of trade licences within Nairobi City County”**

(Vice-Chairman, Sectoral Committee on Trade, Tourism & Cooperatives)

Question of the amendment proposed;

Question put and agreed to;

Question that the Title as amended be part of the Bill proposed, put and agreed to

Clause 1 amendments proposed -

THAT, clause 1 be amended-

- i) by deleting the numerical “2018” and substituting therefor the numerical “2019”; and by including the word “Trade” immediately before the word “Licensing”
- ii) by inserting the word “Trade” immediately after the word “County”

(Vice-Chairman, Sectoral Committee on Trade, Tourism & Cooperatives)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 1 as amended be part of the Bill proposed, put and agreed to

9. ASSEMBLY RESUMED: -

The Nairobi City County Trade Licensing Bill (Assembly Bill No. 8 of 2018)

Bill reported with amendments

Motion made and Question proposed: -

THAT, the Assembly do agree with the Committee of the Whole Assembly in the said report.

(Vice-Chairman, Sectoral Committee on Trade, Tourism & Cooperatives)

Question put and agreed to.

Motion made and question proposed-

THAT, The Nairobi City County Trade Licensing Bill, 2018 (Assembly Bill No.8 of 2018) be now read a Third Time.

(Vice-Chairman, Sectoral Committee on Trade, Tourism & Cooperatives)

Question put and agreed to.

Bill read a Third Time and **passed**.

And there being no other business and the time being twenty minutes to one O'clock, the Speaker adjourned the assembly without Question put pursuant to the Standing Orders.

10. ASSEMBLY ROSE - at twenty Minutes to One O'clock.

MEMORANDUM

The Speaker will take the Chair on
Tuesday, April 30th 2019 at 2.30p.m.

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