



COUNTY GOVERNMENT OF NAIROBI CITY

SECOND ASSEMBLY – (SIXTH SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, FEBRUARY 22, 2022 AT 9.30 A.M.

1. The Assembly assembled at thirty minutes past Nine O'clock.
2. The Proceedings were opened with Prayer

QUORUM OF THE ASSEMBLY

The Speaker having confirmed that there was a Quorum at the commencement of the Assembly called the Assembly to order.

3. COMMUNICATION FROM THE CHAIR

The Speaker conveyed the following Communication: -

**DEMISE OF THE HON. MELAB ATEMA –DEPUTY LEADER OF THE
MINORITY PARTY**

‘Hon. Members, I have the following Communication to convey,

Hon. Members, it is with deep sorrow that the Office of the Speaker conveys to this Assembly the demise of one of our own, **Hon. Mellab Atemah Lumalah, Special Elect Member and Deputy Leader of the Minority Party from the Orange Democratic Movement** who has been on treatment in India since December last year.

Hon. Members, our Deputy Leader of the Minority Party rested in the early morning of 21st February 2022. The Office of the Speaker wishes to pass condolence message to the family, relatives, friends and the Orange Democratic Movement for the loss. Take heart.

The Hon. Member will be remembered for her commitment, devotion, love for peace and for her contribution in the Assembly leadership.

Hon. Members, in Honor of the late, Hon. Melab Atema, I ask you to all rise and observe a minute of silence.

I thank you Honorable Members. You may be seated”.

4. COMMITTEE OF THE WHOLE ASSEMBLY

Order for Committee of the Whole Assembly read;

IN THE COMMITTEE

(Hon. John Kamangu, MCA in the Chair)

The Nairobi City County Prevention of Violent Extremism (Assembly Bill No. 13 of 2021)

Clause 3:

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

Clause 4:

THAT Clause 4 of the Bill be amended as follows;

- (i) In **paragraph (a)** by deleting the word **“people”** appearing immediately after the word **“protect”** and substituting thereof **“residents of Nairobi”**.
- (ii) By inserting the following new paragraphs **immediately after paragraph (f) as follows-**
 - (fa) the establishment of youth friendly structures/ services as well as appropriate ICT platforms”
 - (fb) Promote partnerships and collaborations on resource and technical support”.

(Hon. Waithera Chege, MCA – Deputy Majority Whip)

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:

THAT Clause 5 of the Bill be amended as follows;

- (i) In sub-clause (1) paragraph (a) by inserting the words **“criminology and with ten (10) years minimum experience in”** immediately after the words **“of security”** and by deleting the word **“and”** appearing immediately after the words **“of security”**.
- (ii) In sub-clause (3) by inserting the word **“religious”** to appear immediately after the words **“regional balance”**
- (iii) By inserting following new sub-clause immediately after sub-clause (6) as follows-

(6a) “In making the appointments under sub-clause (4) the CECM shall consult with the County Commissioner to ensure members of the Committee are practitioners in Prevention of violent extremism.”

(Hon. Waithera Chege, MCA – Deputy Majority Whip)

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:

THAT Clause 6 of the Bill be amended as follows; -

- (i) In sub-clause (1) by inserting the following new paragraphs immediately after paragraph (l)

“la” Provide monitored platforms for regular interaction and information sharing, including threat level monitoring and mappings, including both mass and social media on issues of interest to it and broadcast it.

“lb” Establish a youth and ICT platform for participation in wider political processes, including the establishment of youth barazas and appropriate media channels

“lc” Promote partnerships and collaborations for effective resource mobilization and technical support.

- (i) In paragraph (b) by inserting the word **“collaborate”** to appear after the word **“coordinate”**.

(Hon. Waithera Chege, MCA – Deputy Majority Whip)

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;

Clauses 7, 8, 9,10,11,12 &13:

Question that Clauses 7,8,9,10,11,12 & 13 be part of the Bill proposed, put and agreed to;

Clause 14:

THAT Clause 14 of the Bill be amended as follows; -

(i) In sub-clause (1) by inserting a new paragraph immediately after paragraph(e)as follows-

(ea) Provide consistent mechanisms for regular and continuous public information sharing on various platforms including mass and social media on; terror, radicalization threats, mapping, classification, activities, action and their proponents directly affecting Nairobi County.

(ii) In sub-clause (2) by deleting the words **“and facilitate”** appearing immediately after the words **“shall promote”**.

(Hon. Waithera Chege, MCA – Deputy Majority Whip)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 14 as amended be part of the Bill proposed, put and agreed to;

Clause 15:

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

Clause 16:

THAT Clause 16 of the Bill be amended by; -

- i. Inserting the words **“through any form of communication, or broadcast system”** immediately after the words **“adopts or promotes”**; **and** inserting the words **“economic”** immediately after the words **“based violence to advance.**

(Hon. Waithera Chege, MCA – Deputy Majority Whip)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 16 as amended be part of the Bill proposed, put and agreed to;

Clause 17 & 18:

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

Clause 19:

THAT Clause 19 of the Bill be amended as follows; -

- i. In sub-clause (1) by inserting the word “**knowingly**” immediately after the words “**A person who**”
- ii. In Paragraph (a) by inserting “...with full knowledge that the meeting is meant to facilitate commission of a terrorist act...” Immediately after the words “...any building, premises or place...”
- iii. In sub-clause (b) by inserting “...with full knowledge that the meeting is meant to facilitate commission of a terrorist act...” immediately after the words “... or pilot of a vessel or aircraft...”

(Hon. Waithera Chege, MCA – Deputy Majority Whip)

Question of the amendment proposed;

Question put and agreed to;

Clause 20:

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

Clause 21:

THAT Clause 21 of the Bill be amended as follows; -

- i. In sub-clause (2) by deleting paragraph (a).

(Hon. Waithera Chege, MCA – Deputy Majority Whip)

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;

New Clause 5A

THAT, the Bill be amended by inserting thereof the following New Clause 5A: -

(5A (1)) To qualify for appointment as Chairperson or member of the committee established under this Act, a person shall—

- (a) Be a Kenyan Citizen
- (b) Possess the academic qualifications in the related field

- (c) Have the relevant experience for a period of not less than five years for members and 10 years for the chairperson;
- (d) Meet the requirements of chapter six of the constitution.

(2) A person may be disqualified as Chairperson or member of a Committee if;

- (a) is not a Kenyan Citizen;
- (b) is an undischarged bankrupt
- (c) is subject to a sentence of imprisonment of at least six months
- (d) is found in accordance with any law, to have misused or abused office.

Clause 2:

THAT Clause 2 of the Bill be amended by-

- (i) Deleting the definition of **“Radicalization”** and substituting thereof the following new definition-
“means gradual process of adoption or promotion of an extremely radical belief system for purpose of facilitating ideologically based violence or acts of violence to advance economic political, religious or social change and challenge the majority agreed and legal status quo; and use terrorist acts and tactics;
- (ii) In the definition of **“At-risk Individuals”** by deleting the words “and includes persons living within informal settlements and the youth” appearing immediately after the words “violent extremism”.
- (iii) **In the definition of “Facilitate”** by inserting the words “or justified violence to further social, economic, ideological or political objectives” immediately after the words “Terrorist Act”.
- (iv) Inserting the following new definition in its proper alphabetical sequence: **“ICT”** “means Information Communication and Technology”

(Hon. Waithera Chege, MCA – Deputy Majority Whip)

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;

Long Title: amendments proposed –

THAT, the Long Title be amended by deleting the numeric “**2021**” and substituting with the numeric “**2022**” thereof.

(Hon. Waithera Chege, MCA – Deputy Majority Whip)

Question of the amendment proposed;

Question put and agreed to;

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

Clause 1: amendments proposed –

THAT the Clause 1 of the Bill be amended by deleting the numerical “**2021**” and substituting thereof the numerical “**2022**”.

(Hon. Waithera Chege, MCA – Deputy Majority Whip)

Question of the amendment proposed;

Question put and agreed to;

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

Motion Made and Question proposed: -

THAT, the Committee do Report to the Assembly its consideration of **The Nairobi City County Prevention of Violent Extremism, 2021 (Assembly Bill No. 13 of 2021)** and its approval thereof with amendments.

(Hon. Waithera Chege, MCA – Deputy Majority Whip)

Question put and agreed to.

5. ASSEMBLY RESUMED: -

The Nairobi City County Prevention of Violent Extremism, 2021 (Assembly Bill No.13 of 2021)

Bill reported with amendments

Motion made and Question proposed: -

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

(Hon. Waithera Chege, MCA – Deputy Majority Whip)

Question put and Agreed to.

Motion made and question proposed-

THAT, the Nairobi City County Prevention of Violent Extremism, 2021 (Assembly Bill No.13 of 2021) be now read a Third Time.

(Hon. Waithera Chege, MCA – Deputy Majority Whip)

Debate Ensued;

Question put and Agreed to.

Motion made and question proposed-

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

There being no other business and the time being Eighteen Minutes past to Eleven O'clock, the Speaker adjourned the Assembly without Question put pursuant to the Standing Orders.

6. ASSEMBLY ROSE - at Eighteen Minutes past Eleven O'clock.

MEMORANDUM

The Speaker will take the Chair on
Tuesday, 22nd February, 2022 at 2.30 p.m.

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