



COUNTY GOVERNMENT OF NAIROBI CITY

FIRST ASSEMBLY – (THIRD SESSION)

NAIROBI CITY COUNTY ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, DECEMBER 2, 2015

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

QUORUM OF THE ASSEMBLY

There was no Quorum causing the presiding Chair to order the Sergeant at Arms to ring the division bell for ten minutes as per Standing Order 31(2).

Quorum being present at the expiration of ten minutes, the Assembly proceeded with its business for the day.

3. PAPERS-

The following papers were laid:

- i. The Sixth report of the Sectoral Committee on Early Childhood Education and Vocational Training on Fact Finding Visit on the Ownership of the C.G.H.U School, the Enrolment Rate and Status of Children Security in the School
- ii. The Fifth report of the Sectoral Committee on Early Childhood Education and Vocational Training on the Status of Umoja One Nursery, Unity Day Nursery and Simba Day Nursery School of Nairobi City County

(The Chairperson, Sectoral Committee on Children, Early Childhood Education and Vocational Training)

- iii. The report of the Select Committee on Budget and Appropriations on the Nairobi City County Assembly Service Board Supplementary Estimates for the FY 2015/2016

(The Chairperson, Select Committee on Budget and Appropriations)

4. NOTICE OF MOTION – (Chairperon, Sectoral Committee on Children, Early Childhood Education and Vocational Training)

THAT, the Assembly adopts THE REPORT OF THE SECTORAL COMMITTEE ON EARLY CHILDHOOD EDUCATION AND VOCATIONAL TRAINING ON FACT FINDING VISIT ON THE OWNERSHIP OF THE C.G.H.U SCHOOL, THE ENROLMENT RATE AND STATUS OF CHILDREN SECURITY IN THE SCHOOL, laid on the Table of the Assembly on Wednesday 2nd December, 2015.

5. NOTICE OF MOTION – (Chairperson, Sectoral Committee on Children, Early Childhood Education and Vocational Training)

THAT, the Assembly ADOPTS THE REPORT OF THE SECTORAL COMMITTEE THE STATUS OF UMOJA ONE NURSERY, UNITY DAY NURSERY AND SIMBA DAY NURSERY SCHOOL OF NAIROBI CITY COUNTY, laid on the Table of the Assembly on Wednesday 2nd December, 2015.

6. NOTICE OF MOTION – (Chairperson, Select Committee on Budget & Appropriations)

THAT, the Assembly adopts THE REPORT OF THE SELECT COMMITTEE ON BUDGET AND APPROPRIATIONS ON THE NAIROBI CITY COUNTY ASSEMBLY SERVICE BOARD SUPPLEMENTARY ESTIMATES FOR THE FY 2015/2016, laid on the Table of the Assembly on Wednesday 2nd December, 2015.

7. STATEMENT PURSUANT TO STANDING ORDER 41(2)_(C)

Pursuant to the provisions of Standing Order 41(2) (c), the following Member sought for statement:-

- a. Hon. Elias Otieno requested for a statement from the Chairperson of Sectoral Committee on Planning and Housing regarding the grabbing of land LR No.7879/25.

8. THE NAIROBI CITY COUNTY TAXI CAB BILL, 2015 (ASSEMBLY BILL NO. 13 OF 2015)

Order for First Reading read;

Bill read a First Time

9. COMMITTEE OF THE WHOLE ASSEMBLY**IN THE COMMITTEE**

(Hon. Samuel Nyang'wara – in the chair)

The Nairobi City County Dog Control and Welfare Bill, 2015 (Assembly Bill No.9 of 2015)

Clauses 3 – 4 - Agreed to

Clause 5 - amendment proposed –

THAT Clause 5 of the Bill be amended-in sub clause (2) by deleting the words “above the age of six months”

(Chairperson, Agriculture, Environment and Natural Resources Committee)

Question of the amendment proposed, put and Agreed to.

Clause 5 - as amended Agreed to

Clause 6 - amendment proposed –

THAT Clause 6 of the Bill be amended-

(a) in sub clause (2) by deleting the words “or veterinary officer” appearing in paragraph (b).

(b) in sub clause (3) by deleting the words “a visually impaired person” whenever they appear in the sub clause and replacing with the words “a disabled person”

(Chairperson, Agriculture, Environment and Natural Resources Committee)

Question of the amendment proposed, put and Agreed to.

Clause 6 - as amended Agreed to

Clause 7 - amendment proposed –

THAT Clause 7 of the Bill be amended by inserting the following new sub clause (4) immediately after sub clause (3)-

(4) A license issued under this section may be revoked by the licensing officer if the licensing officer is satisfied that-

- (a) the license was obtained by fraud or misrepresentation or without fulfilling the provisions of this Act; or
- (b) the licensee has breached the provisions of this Act or the conditions under which the license was issued

(Chairperson, Agriculture, Environment and Natural Resources Committee)

Question of the amendment proposed, put and Agreed to.

Clause 7 - as amended Agreed to

Clause 8 - amendment proposed –

THAT Clause 8 of the Bill be amended by deleting sub clause (4)

(Chairperson, Agriculture, Environment and Natural Resources Committee)

Question of the amendment proposed, put and Agreed to.

Clause 8 - as amended Agreed to

Clause 9 - amendment proposed –

THAT Clause 9 of the Bill be amended in sub clause (2) by deleting the words “so long as the recording”

(Chairperson, Agriculture, Environment and Natural Resources Committee)

Question of the amendment proposed, put and agreed to.

Clause 9 - as amended Agreed to

Clause 10 - Agreed to

Clause 11 - amendment proposed –

THAT Clause 11 of the Bill be amended by inserting the following new sub clause (3) immediately after sub clause (2)-

(3) An owner of a dog or any person other person who has the custody of a dog shall ensure that the welfare of the dog is safeguarded at all times in line with the recognized freedoms of animals and in accordance with section 3 of the Prevention of Cruelty to Animals Act.

(Chairperson, Agriculture, Environment and Natural Resources Committee)

Question of the amendment proposed, put and Agreed to.

Clause 11 - as amended Agreed to

Clause 12 - amendment proposed –

THAT Clause 12 of the Bill be amended by inserting the word “public” immediately before the word “place”

(Chairperson, Agriculture, Environment and Natural Resources Committee)

Question of the amendment proposed, put and agreed to.

Clause 12 - as amended Agreed to

Clause 13 - amendment proposed –

THAT Clause 13 of the Bill be amended-

(a) by deleting “(1)” appearing in Clause 13

(b) by deleting sub clause (e) and substituting therefor the following new sub clause-

(e) Keep any dog whose barking, yelping, howling or whining constitutes to a public nuisance

(Chairperson, Agriculture, Environment and Natural Resources Committee)

Question of the amendment proposed, put and agreed to.

Clause 13 - as amended Agreed to

Clause 14 - amendment proposed –

THAT Clause 14 of the Bill be amended by deleting the word “contravention” and substituting therefor the word “contravenes”.

(Chairperson, Agriculture, Environment and Natural Resources Committee)

Question of the amendment proposed, put and agreed to.

Clause 14 - as amended Agreed to

Clauses 15 – 16 - Agreed to

Clause 17 - amendment proposed -

THAT Clause 17 of the Bill be amended-

- (a) in sub clause (2) by deleting the words “within twelve hours of the seizure, notify the fact to the keeper of the dog pound” and substituting therefor the words “place such notification as may be prescribed at the premises of the owner of the dog being seized notifying the owner of the dog of the seizure.”
- (b) in sub clause (3) by deleting the words “a license therefor, and upon payment of a fee of two thousand shillings if the date of such license be prior to the capture of the dog, and upon payment of a fee of five thousand shillings if the date of such license be subsequent to the capture of such dog” and substituting therefor the words “ a valid license and payment of a fee of two thousand shillings or, in the event that the dog was unlicensed during seizure, payment of a fee of five thousand shillings”.

(Chairperson, Agriculture, Environment and Natural Resources Committee)

Question of the amendment proposed, put and agreed to.

Clause 17 - as amended Agreed to

Clause 18 - amendment proposed -

THAT Clause 18 of the Bill be amended in sub clause (3) by deleting the word “five” and substituting therefor the word “two”.

(Chairperson, Agriculture, Environment and Natural Resources Committee)

Question of the amendment proposed, put and agreed to.

Clause 18 - as amended Agreed to

Clause 19 - amendment proposed -

THAT Clause 19 of the Bill be amended in sub clause (3) by deleting the words “eleven(11) days of having been received in the pound may either be sold, given away painlessly, destroyed” and substituting therefor the words “fourteen(14) days of having been received in the pound may either be sold, given away or destroyed painlessly”.

(Chairperson, Agriculture, Environment and Natural Resources Committee)

Question of the amendment proposed, put and agreed to.

Clause 19 - as amended Agreed to

Clause 20 - Agreed to

Clause 21 - amendment proposed –

THAT Clause 21 of the Bill be amended in sub clause (1) by inserting the following paragraphs immediately after paragraph (b)-

(ba) establish a dog disposal facility;

(bb) in such manner and within such timelines as may be prescribed-

(i) remove all dog carcasses in public places; and

(ii) pick up stray dogs

(bc) establish and convene at least once in every year a county dog control and welfare forum comprising of representatives of government officials, dog welfare societies and residents associations where issues relating to the residents and welfare of dogs will be discussed.

(Chairperson, Agriculture, Environment and Natural Resources Committee)

Question of the amendment proposed, put and Agreed to.

Clause 21 - as amended Agreed to

Clause 22 - amendment proposed –

THAT Clause 22 of the Bill be amended by deleting sub clause (3) and substituting therefor the following new sub clause-

(3) A person appointed under subsection (1) shall be a person who is a veterinary surgeon.

(Chairperson, Agriculture, Environment and Natural Resources Committee)

Question of the amendment proposed, put and Agreed to.

Clause 22 - as amended Agreed to

Clauses 23 – 29 - Agreed to

Clause 30 - amendment proposed –

THAT Clause 30 of the Bill be amended by inserting the following new sub clause (5) immediately after sub clause (4)-

(5)The provisions of subsection (4) shall not apply where the owner of the dog produces a valid license in respect of the seized dog.

(Chairperson, Agriculture, Environment and Natural Resources Committee)

Question of the amendment proposed, put and Agreed to.

Clause 30 - as amended Agreed to

Clauses 31 – 34 - Agreed to

Clause 35A - amendment proposed –

THAT the Bill be amended by inserting a new clause immediately after clause 35 as follows-

35A. For purposes of this Part, reference to a “thing” means reference to any item related to dog control and welfare.

(Chairperson, Agriculture, Environment and Natural Resources Committee)

Question of the amendment proposed, put and Agreed to.

Clause 35A - as amended Agreed to

Clause 36 - amendment proposed –

THAT Clause 36 of the Bill be amended-

(a) in sub clause (2) by inserting the following paragraphs immediately after paragraph (j)-

- (ja) the destruction of dogs;
- (jb) the removal of dog carcasses in public places;
- (jc) the picking up of stray dogs;
- (jd) establishment and convening of county dog control and welfare forum;
- (je) the forms for application of license and form for licenses issued under this Act;

(b) by inserting the following new sub clause immediately after sub clause (3)-

(4) For purposes of enabling the effective operationalization of this Act, the Member of the County Executive Committee shall ensure that the rules referred to in this section are made within ninety days from the date of publication of this Act.

(Chairperson, Agriculture, Environment and Natural Resources Committee)

Question of the amendment proposed, put and Agreed to.

Clause 36 - as amended Agreed to

Schedule - Agreed to

Title - Agreed to

Clause 2 - amendment proposed –

THAT Clause 2 of the Bill be amended-

(a) in the definition of “relevant Department” by deleting the words “dog control and welfare” and substituting therefor the words “veterinary services”;

(b) by inserting the following new definition in its proper alphabetical sequence-
“Veterinary surgeon’ has the meaning assigned to it by section 2 of the Veterinary Surgeons and Veterinary Para-professionals Act, 2011.”

(Chairperson, Agriculture, Environment and Natural Resources Committee)

Question of the amendment proposed, put and Agreed to.

Clause 2 - as amended Agreed to

Clause 1 - Agreed to

10. COMMITTEE OF THE WHOLE ASSEMBLY

IN THE COMMITTEE

(Hon. Samuel Nyang’wara – in the chair)

The Nairobi City County Public Participation Bill, 2015 (Assembly Bill No.10 of 2015)

Clause 3 - amendment proposed –

THAT Clause 3 be amended by –

- i. deleting the word ‘and’ appearing between the words ‘formulation of policy’ and ‘development plans’ and substituting therefor with the words ‘budgeting and implementation of the development plans’ in sub-clause (c)

- ii. inserting a new sub-clause immediately after sub-clause (g) –
 ‘(ga) Public participation forums shall enable citizens to hold the County Government accountable and to demand for feedback on progress of service delivery and contribute in decision making processes that include planning for service provision, budgeting, implementation and policy-making’

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed, put and Agreed to.

Clause 3 - as amended Agreed to

Clause 4 - amendment proposed –

THAT Clause 4 be amended by:

- i. deleting the words ‘facilitation of’ appearing at the beginning of sub-clause (d) with the words ‘mobilize and facilitate effective’
- ii. deleting sub-clause (e)
- iii. inserting the words “timely access to appropriate information” between the words “shall have’ and “access to” and the words “which shall be publicised or provide by the county” between the words “information” and “to” appearing in sub-clause 4(f)
- iv. re-numbering the clauses to reflect the amendments.

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed, put and Agreed to.

Clause 4 - as amended Agreed to

Clause 5 - amendment proposed –

THAT Clause 5 be amended by:

- i. inserting a new sub-clause immediately after sub-clause (1) –
 ‘(1A) The ultimate responsibility for public participation in the County Executive and County Assembly shall be on the Governor and Speaker of the County Assembly respectively.’

- iii. deleting the words appearing in sub-clause (2) and substituting therefor with the following words ‘The County Executive Committee Member responsible for matters of Public Service in the County shall be in charge of public participation in the County Executive’
- iv. deleting the words ‘The member of the County Executive Committee designated to be in charge of public participation pursuant to sub-section (2)’ appearing at the beginning of sub-clause (3) and substituting therefor with the following words ‘The County Executive Committee Member responsible for matters of Public Service in the County’
- iv. inserting a new paragraph under sub-clause (4) immediately after paragraph (g) –
 ‘(ga) Develop a registry of all civic community based organizations in the County’
- v. re-numbering sub-clause (7) as ‘7(a) and inserting a new paragraph –

‘7(b) in fulfilling the responsibilities under section 7(a) above, the Clerk of the Assembly shall, when needed, be supported by the offices of Sub-County, Ward and Village Administrators established under sections 50, 51 and 52 of the County Governments Act, 2012.’

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed, put and Agreed to.

Clause 5 - as amended Agreed to

Clause 6 - amendment proposed –

THAT Clause 6 be amended by –

- i. deleting the word ‘budget’ appearing in paragraph (iv) of sub-clause (a) and substituting therefor with the following words ‘annual development plans, budgets and their implementation and monitoring thereof’
- ii. deleting the words ‘ward representatives and staff’ appearing at the beginning of paragraph (ii) in sub-clause (b) and substituting therefor with the following words ‘staff and administrators of decentralised units’
- iii. deleting sub-clause (2)

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed, put and Agreed to.

Clause 6 - as amended Agreed to

Clause 7 - amendment proposed –

THAT Clause 7 be amended by:

- i. inserting the words ‘in a timely manner’ after the word ‘community’ appearing at the end of paragraph (e) in sub-clause (2)
- ii. deleting the word ‘people’ appearing at the beginning of paragraph (a) in sub-clause (3) and replacing with the word ‘persons’
- iii. deleting the word ‘people’ appearing at the beginning of paragraph (b) in sub-clause (3) and replace with the word ‘persons’
- iv. inserting the words ‘and youth’ between the words ‘women’ and ‘and’ in paragraph (c) under sub-clause (3)
- v. deleting the word ‘disadvantaged’ appearing between the words ‘other’ and ‘groups’ appearing in paragraph (d) under sub-clause (3) and replacing with the word ‘marginalized’

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed, put and Agreed to.

Clause 7 - as amended Agreed to

Clause 8 - amendment proposed –

THAT Clause 8 be amended by:

- i. deleting the word ‘encouraged’ appearing at the end of paragraph (b) under sub-clause (1) and substituting therefor with the word ‘required’
- ii. (deleting the words appearing in paragraph (b) under sub-clause (2) and substituting therefor with the following new words ‘persons with special needs; and’
- iii. inserting a new paragraph immediately after paragraph (b) under sub-clause (2) –

‘(ba) preference to the different mediums of communication’

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed, put and Agreed to.

Clause 8 - as amended Agreed to

Clause 9 - amendment proposed –

THAT Clause 9 be amended by –

- i. inserting the word ‘daily’ between the words ‘at least two’ and ‘newspapers with’ and inserting the words ‘where appropriate’ after the word ‘circulation’ in paragraph (a) of sub-clause (1)
- ii. deleting the word ‘or’ appearing at the end of paragraph (b) in sub-clause (1)
- iii. inserting a new paragraph immediately after paragraph (c) in sub-clause (1) –
‘(ca) published in any other media with wide reach to interested persons, including but not limited to social media platforms’
- iv. deleting the word ‘or’ appearing between the words ‘English’ and ‘Kiswahili’ and substituting therefor with the word ‘and’
- v. deleting sub-clause (3) and substituting therefor with the following new sub-clause –

‘(3) A copy of every notice issued by the County Government under this Act or any other legislation shall be published in the County Gazette and placed in notice boards in all offices of the county and any other places where the public is known to converge, including but not limited to Churches, Mosques, Temples, public barazas and Community Social Halls.’

- vi. Inserting the following words ‘with special needs including those’ between the words ‘given to persons’ and ‘who cannot read’ appearing in sub-clause (5)
- vii. Deleting sub-clause (6)

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed, put and Agreed to.

Clause 9 - as amended Agreed to

Clause 10 - amendment proposed –

THAT Clause 10 is amended by –

- i. inserting the following words ‘within thirty days of the forum’ at the end of paragraph (b) in sub-clause (3)
- ii. deleting the words ‘election of any person as a member of that County Assembly or as a Member of Parliament’ appearing after the words ‘or discussing’ and substituting therefor with the words ‘any elected leader’

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed, put and Agreed to.

Clause 10 - as amended Agreed to

Clause 11 - Agreed to

Clause 12 - amendment proposed –

THAT Clause 12 is amended by –

- i. deleting sub-clause (2) and substituting therefor with the following new sub-clause –

‘(2) the forum may only be convened in consultation with the member of the County Assembly and shall be open to all interested parties.’

- ii. Inserting two new sub-clauses immediately after sub-clause (2) –

‘(2a) members of a citizen forum in a Ward or Village may petition the Ward or Village Administrator for a forum to discuss any of the issues in sub-section 11(1) and if supported by at least 100 persons, the Ward or Village Administrator shall convene a citizens forum’

‘(2b) the citizens in the citizens forum shall appoint their own secretary’

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed, put and Agreed to.

Clause 12 - as amended Agreed to

Clause 13 - amendment proposed –

THAT Clause 13 be amended by –

- i. Renumbering clause (13) as ‘13(1) and re-drafting the sub-clause as follows –
‘The County Government shall convene and facilitate the citizens forum requested under sub-section (2a)
- ii. Inserting the following words ‘within seven days’ immediately after the words ‘for such decline’ in sub-clause 13(2)
- iii. Inserting the following words ‘in writing and a response given to the petitioners within seven days’ immediately after the words ‘of that decision’ in sub-clause 13(3)

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed, put and Agreed to.

Clause 13 - as amended Agreed to

Clauses 14-16 - Agreed to

Clause 17 - amendment proposed –

THAT Clause 17 is amended by –

- i. deleting the number ‘28’ appearing between the words ‘section’ and ‘shall’ and substituting therefor with the word ‘16(2)’ in sub-clause (8)
- ii. inserting the words in any case not later than thirty days after finalization of the hearing’ immediately after the words ‘on the petition’ in sub-clause (8)

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed, put and Agreed to.

Clause 17 - as amended Agreed to

Clause 18 - amendment proposed –

THAT Clause 18 be amended by inserting the following words-

‘and by sending to churches, mosques, temples, public barazas and social halls with a request to announce the same’

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed, put and Agreed to.

Clause 18 - as amended Agreed to

Clauses 19-23 - Agreed to

Clause 24 - amendment proposed –

THAT Clause 24 be amended by inserting the following words-

‘in April of every year’ between the words ‘annual forums’ and ‘at the ward’ appearing in sub-clause (1)

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed, put and Agreed to.

Clause 24 - as amended Agreed to

Clause 25 - amendment proposed –

THAT Clause 25 be amended by –

i. inserting the following words ‘the member(s) of the County Assembly and’ between the words ‘in consultation with’ and ‘the county executive committee’ appearing in sub-clause (1) **THAT** sub-clause (1) be further amended by inserting the following words ‘and receive feedback from’ between the words ‘to inform’ and ‘county residents’.

ii. Deleting the word ‘quarterly’ appearing between ‘shall publish a’ and ‘report on’ and substituting therefor with the word ‘bi-annual’ in sub-clause (4)s

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed, put and Agreed to.

Clause 25 - as amended Agreed to

Clause 26 - Agreed to.

Schedule - Agreed to.

Title - Agreed to.

Clause 2 - amendment proposed –

THAT Clause 2 of the bill be amended by –

- i. Inserting the words ‘pursuant to Sections 98, 99, 100 and 101 of the County Governments Act of 2012’ after the word ‘processes’ appearing at the end of the proposed definition of the phrase ‘civic education’
- ii. deleting the word ‘resident’ appearing in paragraph (c) under the proposed definition of the phrase ‘the public’
- iii. inserting the following new reference ‘(d)’ just before the clause beginning with ‘non-resident persons...’ under the proposed definition of the phrase ‘the public’
- iv. inserting the words “in an open, accountable and inclusive process through which individual citizens, community and interest groups, and other stakeholders can exchange views and make or influence the decisions that affect their lives” after the words “decision-making process”

‘Public participation means the involvement of individuals and groups that are positively or negatively affected by, or that are interested in, a proposed project, program, plan, legislation or policy that is subject to a decision-making process in an open, accountable and inclusive process through which individual citizens, community and interest groups, and other stakeholders can exchange views and make or influence the decisions that affect their lives.’

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed, put and Agreed to.

Clause 2 - as amended Agreed to

Clause 1 - amendment proposed –

THAT Clause 1 of the bill be amended by adding the word “City” between the words ‘Nairobi’ and ‘County’

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed, put and Agreed to.

Clause 1 - as amended Agreed to

11. COMMITTEE OF THE WHOLE ASSEMBLY**IN THE COMMITTEE**

(Hon. Samuel Nyang'wara – in the chair)

The Nairobi City County Persons with Disabilities Bill, 2015
(Assembly Bill No.11 of 2015)

Clause 3 - Agreed to.

Clause 4 - amendment proposed –
THAT Clause 4 be amended in sub-clause (1) by deleting the expression "living"

(Vice-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question of the amendment proposed, put and Agreed to.

Clause 4 - as amended Agreed to

Clause 5 - amendment proposed –

THAT Clause 5 be amended:

In Sub-clause (1)

- i. By inserting the expression 'with the approval of the County Assembly' at the end of sub-clause (1)
- ii. In paragraph (a) by deleting the expression 'two' and substituting therefor the expression 'three'
- iii. In paragraph (b) by inserting the expression 'subject to approval by the County Assembly' at the end of sub-clause (1b)
- iv. In paragraph (c) by deleting the expression 'three members representing the Departments responsible for the following-
" and substituting therefor the following expression 'Chief Officers or representatives not below the level of Director representing the Departments responsible for the following - '
- v. In paragraph (d) by deleting the expression 'with the approval of the County Executive Committee Member' and substituting therefor the expression 'subject to approval by the County Assembly.'
- vi. In sub-clause (2) by deleting the expression 'ten' and substituting therefor the expression 'eleven'.
- vii. By deleting sub-clause(3) and substituting therefor the following new sub-clause

(3) 'The Board shall elect a member under subsection 1(a) as the Chairperson.'

viii. By deleting sub-clause(4) and substituting therefor the following new sub-clause

(4) 'The Board shall elect a member under subsection 1(b) as the Vice-Chairperson.'

ix. In sub clause 6, by inserting the following new paragraph immediately after paragraph(c)

(d) 'The Board shall be put in place within 90 days after the enactment of the Act or upon expiry of the life of the Boards to be formed.

(Vice-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question of the amendment proposed, put and Agreed to.

Clause 5 - as amended Agreed to

Clause 6 - Agreed to.

Clause 7 - amendment proposed –

THAT Clause 7 be amended:

i. In sub-clause (5) by deleting the expression 'of ' appearing between the words 'ex officio member' and 'the Board' and substituting therefor the expression 'and secretary to'.

ii. By inserting the following new sub-clause immediately after sub-clause (6) paragraph (c)

(7)'Chief Executive Officer shall be appointed within 60 days after the new Board has been put in place or at the expiry of the tenure of the serving Chief Executive Officer.'

iii. By inserting the following two new clauses immediately after clause (7)

'7A Limitation of the Chief Executive Officer' and

'7B Role of the Chief Executive Officer in absence of the Board

(Vice-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question of the amendment proposed, put and Agreed to.

Clause 7 - as amended Agreed to

Clause 8 - amendment proposed –

THAT Clause 8 be amended:

- i. In paragraph (b) sub-paragraphs (ii) and (iii) by deleting the expression ‘country’ and substituting therefor the expression ‘county’.
- ii. In paragraph (b) by inserting the following new sub-paragraph immediately after sub-paragraph(viii)
- iii. ‘assist the persons with disabilities in accessing legal justice.’
- iv. In paragraph (c) sub-paragraph (i) by inserting the expression ‘within Nairobi City County’ immediately after the expression ‘persons with disabilities’
- v. In paragraph(c) sub-paragraph (ii) by deleting sub-paragraph(ii) and substituting therefor the following new sub-paragraph
- vi. ‘in liaison with National Council for Persons with Disabilities in keeping a register of all institutions, associations and organizations that provide services for the rehabilitation and welfare of persons with disabilities and accredit those providing services within Nairobi City County’.
- vii. inserting the following new paragraph immediately after paragraph(1) (b) sub clause (viii)
- viii. ‘prepare regular reports for submission to the county assembly on the execution of the functions of the Board’.
- ix. ‘develop a five year strategic plan for implementation of the Act.’

(Vice-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question of the amendment proposed, put and Agreed to.

Clause 8 - as amended Agreed to

Clause 9 - Agreed to.

Clause 10 - amendment proposed –

THAT Clause 10 be amended:

- i. By deleting paragraph (3)

(Vice-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question of the amendment proposed, put and Agreed to.

Clause 10 - as amended Agreed to

Clause 11 - amendment proposed –

THAT Clause 11 be amended:

- i. By deleting paragraph (6)

(Vice-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question of the amendment proposed, put and Agreed to.

Clause 11 - as amended Agreed to

Clause 12 - amendment proposed –

THAT Clause 12 be amended:

- i. By deleting the entire clause and renumbering.

(Vice-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question of the amendment proposed, put and Agreed to.

Clause 12 - as amended Agreed to

Clause 13 - amendment proposed –

THAT Clause 13 be amended:

- i. By deleting the expression ‘for the purpose of job placement’

(Vice-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question of the amendment proposed, put and Agreed to.

Clause 13 - as amended Agreed to

Clause 14 - amendment proposed –

THAT Clause 14 be amended:

- i. By deleting sub-clause(3) and substituting therefor the following new sub-clause

(3) ‘The relevant County Executive Committee Member shall establish institutions to cater for the visually impaired, physically challenged persons, hearing and mentally challenged persons to cater for vocational education, skills development and self-reliance’.

(Vice-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question of the amendment proposed, put and Agreed to.

Clause 14 - as amended Agreed to

Clause 15 - Agreed to.

Clause 16 - amendment proposed –

THAT Clause 16 be amended:

- i. In paragraph (d) by deleting the expression ‘privately owned health institutions’ and substituting therefor the following expression ‘Nairobi City County Health facilities.’

(Vice-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question of the amendment proposed, put and Agreed to.

Clause 16 - as amended Agreed to

Clause 17 - amendment proposed –

THAT Clause 17 be amended:

- i. By inserting the following new sub-clause immediately after sub-clause(3)
(4) right to information relating to persons with disabilities.’

(Vice-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question of the amendment proposed, put and Agreed to.

Clause 17 - as amended Agreed to

Clause 18 - amendment proposed –

THAT Clause 18 be amended:

- i. By deleting clause(18) and substituting therefor the following new clause
(18) “adjustment orders that apply to County City County Government facilities.”

(Vice-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question of the amendment proposed, put and Agreed to.

Clause 18 - as amended Agreed to

Clauses 19-20 - Agreed to.

Clause 21 - amendment proposed –

THAT Clause 21 be amended:

- i. In sub-clause (3) by deleting the expression 'committee' appearing immediately after the words 'subsection (2) the' and substituting therefor the following expression 'county'

(Vice-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question of the amendment proposed, put and Agreed to.

Clause 21 - as amended Agreed to

Clauses 22-23 - Agreed to.

Clause 24 - amendment proposed –

THAT Clause 24 be deleted;

(Vice-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question of the amendment proposed, put and Agreed to.

Clause 24 - as amended Agreed to

Clause 25 - amendment proposed –

THAT Clause 25 be deleted and clauses afterward renumbered.

(Vice-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question of the amendment proposed, put and Agreed to.

Clause 25 - as amended Agreed to

Clause 26 - amendment proposed –

THAT Clause 26 be deleted and clauses afterward renumbered.

(Vice-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question of the amendment proposed, put and Agreed to.

Clause 26 - as amended Agreed to

Clauses 27-29 - Agreed to.

Clause 30 - amendment proposed –

THAT Clause 30 be amended:

- i. By inserting a new sub-clause 30 (1) procedures to be used by the Board to register and deregister person with disabilities;

(Vice-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question of the amendment proposed, put and Agreed to.

Clause 30 - as amended Agreed to

Clause 31 - amendment proposed –

THAT Clause 31 be amended:

i. By inserting a new sub-clause

31(1) to give measures to be taken against persons who have given false information during registration;

(Vice-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question of the amendment proposed, put and Agreed to.

Clause 31 - as amended Agreed to

Clauses 32-33 - Agreed to.

Schedule - Agreed to.

Title - Agreed to.

Clause 2 - Agreed to.

Clause 1 - Agreed to.

12. ASSEMBLY RESUMED - (Hon. Samuel Nyang'wara in the Chair)

The Nairobi City County Dog Control and Welfare Bill, 2015
(Assembly Bill No.9 of 2015)

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.

(Chairperson, Agriculture, Environment & Natural Resources)

Question put and agreed to

Motion made and Question proposed –

THAT, the Nairobi City County Dog Control and Welfare Bill, 2015 (Assembly Bill No. 9 of 2015) be now read a Third Time.

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

The Nairobi City County Public Participation Bill, 2015 (Assembly Bill No.10 of 2015)

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.

(Chairperson, Sectoral Committee on Culture & Community Services)

Question put and agreed to

Motion made and Question proposed –

THAT, the Nairobi City County Public Participation, 2015 (Assembly Bill No. 10 of 2015) be now read a Third Time.

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

The Nairobi City County Persons with Disabilities, 2015 (Assembly Bill No.11 of 2015)

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-Chairperson, Sectoral Committee on Labour & Social Welfare)

Question put and agreed to

Motion made and Question proposed –

THAT, the Nairobi City County Persons with Disabilities, 2015 (Assembly Bill No. 11 of 2015) be now read a Third Time.

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

13. **ASSEMBLY ROSE** - at Five O'clock.

MEMORANDUM

The Speaker will take the Chair on
Thursday, December 3, 2015 at 2.30p.m

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