

SPECIAL ISSUE


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KENYA GAZETTE SUPPLEMENT

NAIROBI CITY COUNTY BILLS, 2023

NAIROBI, 26th October, 2023

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**THE NAIROBI CITY COUNTY PERSONS WITH DISABILITIES
(AMENDMENT) BILL, 2023**

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Clause

- 1—Short title and commencement.
- 2—Amendment of Section 2 of the Persons with Disabilities Act, 2015.
- 3—Amendment of Part VI of the Principal Act.
- 4—Establishment of the Nairobi City County Persons with Disabilities Fund.
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**THE NAIROBI CITY COUNTY PERSONS WITH DISABILITIES
(AMENDMENT) BILL, 2023**

A Bill for

AN ACT of the Nairobi County Assembly to amend the Nairobi City County Persons with Disabilities Act, 2015 and for connected purposes.

ENACTED by the County Assembly of Nairobi City as follows—

Short title and commencement

1. This Act may be cited as the Nairobi City County Persons with Disabilities (Amendment) Act, 2023.

Amendment of Section 2 of the Persons with Disabilities Act, 2015

2. The Nairobi City County Persons with Disabilities Act, 2015 in this Act referred to as the “principal act”, is amended in section 2 by inserting the following new definitions in their proper alphabetical sequence;

“**Fund**” means the Nairobi City County Persons with Disabilities Fund.

Amendment of Part VI of the Principal Act

3. Part VI of the Principal Act is amended in the heading by deleting the entire title and substituting with “Establishment of the Fund”

Establishment of the Nairobi City County Persons with Disabilities Fund

4. The Principal Act is amended by inserting immediately after Section 22 the following new section “**22A**”

“**22A.** (1) There is hereby established a fund to be known as the Nairobi City County Persons with Disabilities Fund to be used in supporting various programs, activities and needs of persons with disabilities.

(2) (a) The Fund shall be vested in the County Treasury and managed by the Nairobi City County Board established under Section 4 of the Principal Act with the approval of the Executive Committee member for the time being responsible for matters relating to persons with disabilities.

(b) The administrator of the Fund shall be the Chief Officer in-charge of persons with disabilities.

Objectives of the Fund

5. The Principal Act is amended by inserting after Section 22 and the new Section 22A in this Act, the following new Section “22B”

“22B (1) The Fund shall be used to—

- (a) support various special needs of persons living with disabilities in Nairobi City County as shall be advised by the board and which include but not limited to—
 - (i) acquire assistive devices, facilities and services for People with Disabilities;
 - (ii) contribute in the payment of part of school fees and skills training for persons with disabilities;
 - (iii) pay allowances to persons with severe disabilities who are therefore not trainable in any skill, aged persons with disabilities and single parents with children with disabilities and who are therefore not able to seek employment; and
 - (iv) establishment of rehabilitation centres for Persons with disabilities.
- (b) finance the operations of the board established by the Act.
- (c) Create awareness on the needs of Persons with Disabilities.
- (d) Such purposes as may be prescribed by the board in furtherance of the objectives of this Act.

Sources of the Fund

6. The Principal Act is amended by inserting immediately after Section 22, and Section 22A and 22B in this Act; the following section “22C”

“22C The Fund shall be financed through—

- (a) such moneys as may be appropriated thereto by the County Assembly;
- (b) sums received including contributions, gifts, donations, grants from or by way of testamentary bequest by a person or organization;
- (c) moneys earned or arising from any investment of the fund; and
- (d) all other sums which may in any manner become payable to or vested in the fund.”

Amendment of Part VI of the Principal Act

7. The Principal Act is amended by deleting the title part VI Miscellaneous Provisions and substituting it with, **“PART V— MISCELLANEOUS PROVISION”**

Regulations

8. The Principal Act is amended by inserting immediately after section 29(c) the following new Sections “29(d)”, and “29(e)”

“29 (d)” Operation of the Fund established under this Act;

“29 (e)” Eligibility criteria and procedure for accessing money from the Fund;

MEMORANDUM OF OBJECTIVES AND REASONS

The principal object of the Bill is to amend the Nairobi City County Persons with Disabilities Act, 2015, to establish and administer the Nairobi City County Persons with Disabilities Fund.

The enactment of this Bill shall occasion additional expenditure of public funds which shall be provided for in the County Government Estimates.

CHEGE MWAURA,
Member of the County Assembly.

