



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

First County Assembly – Second Session

Wednesday, 16th April, 2014

The House met at 2.30 p.m.

(Mr. Speaker in the Chair)

PRAYERS

STATEMENTS

Hon. Speaker (Mr. Alex Ole Magelo): Good afternoon, Hon. Members. The Hon. K. Mwangi.

REQUEST – STATEMENT ON DEBTORS AND CREDITORS OF THE NAIROBI COUNTY

Hon. Member of Pipeline Ward (Mr. Samuel Kagiri Mwangi): Thank you, Mr. Speaker, for this opportunity. I have two Statements that I want to request. Hon. Speaker, pursuant to Standing Order 41(2c), I wish to request for a Statement from the Chairperson of the select Committee on Budget and Appropriations regarding the status of creditors and debtors to the County. Hon. Speaker, a letter from the Governor to the Assembly dated 4th March, 2014 stated that the County creditors as at 31st October, 2009 were at approximately Ksh 30 billion. A loan of Ksh 5 billion was acquired from Equity Bank in 2010 and the current balance of the loan is Ksh 3, 342,400,068 with additional arrears of Ksh 978,169,952 for 2013 which is a clear indication that the County is highly indebted. Mr. Speaker, in the Statement the Chairperson should enquire into and report on;

1. The current status of creditors of the County inclusive of interest accrued if any;
2. List of all creditors with the amount owed including interest if any and when the debts were acquired;

3. The outstanding debt to the County as at the close of the previous financial year;
4. A list of all debtors to the County with the amount each owes the County inclusive of interest if any and;
5. The efforts the County Government has taken to collect their debts which have crippled the County financially.

Hon. Speaker: Hon. Paul Kagiri, we have to dispense of the files because they are not all going to one Committee, so I would like to ask the Hon. Chairperson for Budget and Appropriation Committee to give the undertaking on this issue. Hon. Nyang'wara.

Hon. Member for Viwandani Ward (Mr. Samuel Nyangwara): Mr. Speaker, I want to beg your indulgence on this particular issue because the Member knows very well that whatever he is contributing about is under the audited accounts, which a Committee of this House; that is PAC(Public Accounts Committee), is currently investigating.

Hon. Speaker: Hon. Nyang'wara, the Member in the Statement is asking about the current status of creditors in the County inclusive of interest accrued, if any; a list of all creditors with the amount owed including interest if any and when the debts were acquired; the outstanding debt to the County at the close of the previous financial year; a list of all debtors to the County with the amount each owes the County inclusive of interest, if any; and the effort that the County Government has taken to collect the debts which have crippled the County financially. What the Hon. Member is asking, notwithstanding the fact that some of it is in the books from the Auditor General, is a general Statement that I would like the Hon. Chairperson for the Budget and Appropriation Committee to undertake in this regard.

Hon. Samuel Mwangi: Thank you, Mr. Speaker. The second question---

(Loud consultations)

Hon. Speaker: Hon. Kagiri, order! We have not dispensed with the first one. Is the Chairperson for Budget and Appropriation here?

Hon. Member for Nyayo Highrise Ward (Mr. Maurice Akuk): Sorry, Mr. Speaker sir. I am not standing on behalf of the Chairman of the Budget Committee but he is not around to answer this question.

Hon. Speaker: The Hon. Chairperson for Committees, Hon. Ken Ng'ondi *(no response)*. Is there a Member of the Committee who can give an undertaking?

Hon. Member for Lower Savannah Ward (Mr. Alfred Ambani): In two weeks, Mr. Speaker.

Hon. Speaker: Very well. Next request for Statement?

REQUEST – STATEMENT ON ALLOCATION OF LAND FOR PUBLIC UTILITIES IN PIPELINE WARD

Hon. Samuel Mwangi: The next Statement; Mr. Speaker, pursuant to Standing Order number 41(2c), I wish to request a Statement from the Chairperson of the Sectoral Committee on Housing regarding the allocation of land for public utilities in Pipeline Ward. Mr. Speaker, Pipeline Ward is among the highly populated Wards in the County. 90% of the Ward is occupied by tall buildings without even pathways and there is no land left for schools, hospitals, markets, social halls, recreational centers and playing fields. There are a lot of young and school going children who have the right to free primary education provided by the Constitution of Kenya, 2010. The residents have been trading on roadsides and were recently displaced from the railway and the road reserves due to the ongoing constructions. Hon. Speaker, the law requires that 10% of any commercial land that has been subdivided, be surrendered to the Government for public use. In that Statement, the Chairperson should enquire into and report on;

- a) The land registration numbers of the land that was surrendered and or reserved including the actual acreage for public utilities within Pipeline Ward;
- b) The people sitting on public land in the Ward and;
- c) Since the County Government is aware of this menace what measures it has taken to ensure the grabbed land is given back.

Thank you, Mr. Speaker.

Hon. Speaker: Chairperson for Planning and Housing.

Hon. Member for Imara Daima Ward (Mr. Jairus Atenya): Thank you, Mr. Speaker. We are asking for two weeks.

Hon. Speaker: Very well, two weeks. The Hon. David Mberia.

REQUEST – STATEMENT ON CURRENT STATUS OF CITY HALL ANNEX BUILDING

Hon. Chief Whip of Majority: Thank you. Mr. Speaker, sir, I would like to request the following Statement, pursuant to Standing Order number 41(2c), from the Chairperson of the Sectoral Committee on Planning and Housing, regarding the current status of City Hall Annex building. Mr. Speaker, in the Statement the Chairperson should enquire into and report on;

1. The list of all tenants occupying City Hall Annex building;
2. The nature of all the businesses in the building;
3. Current status of rent payment including a schedule of rent defaulters and;
4. A list of all rentable offices apart from those occupied by the County Government.

Thank you, Mr. Speaker.

Hon. Speaker: The Hon. Chairperson for Committee of Planning and Housing.

Hon. Member for Imara Daima Ward (Mr. Jairus Atenya): Thank you, Mr. Speaker. According to the weight of the matter we are asking for three weeks.

Hon. Speaker: Very well. Hon. Akuk.

Hon. Maurice Akuk: Mr. Speaker sir, I would kindly ask for your attention into this matter of Chairmen or Members of this Assembly being given time to reply to our Statements and they never do so. Mr. Speaker sir, if I stand to be corrected before you; two weeks ago you gave them a week to give a reply to all the Statements that we had requested for. The Chairmen have also formed a tendency of not attending the Assembly. When they do not attend the Assembly, to me---

(The Speaker consults with the Clerk)

Hon. Maurice Akuk: A Member is saying 'sabotage' but to me it is not sabotage, Mr. Speaker sir. It shows lack of interest in this Hon. House. The bell is rung for more than half an hour and Members are not coming into this House, why? I am a Member who also has grievances. Nearly two months ago I requested for a Statement on Bowling Green; two weeks ago the Vice Chairman of Planning gave a reply to my Statement but until today it has not been discussed, Mr. Speaker sir.

You promised that the discussion would take place on 15th which was yesterday. I was tired but I made sure that I was here so that I could attend to that session. Mr. Speaker, every Statement including my colleague's, Hon. Kagiri, are with regard to very weighty matters. However, no one comes up to answer for the two weeks; neither a Chairman nor a Vice Chairman of that particular Committee. They give us two weeks so that we have a process of moving on to the next agenda. Are we here just to push time? Are we here just to move to the next agenda? Is the Clerk just here to read for us the Order of the Day? No.

Mr. Speaker sir, I would kindly ask you or beg you to please go back into the Statements that have been requested by these Members and allocate them time or days that we should actually get a reply and debate on these matters. Mr. Speaker, if this does not happen I think we will all lose interest in matters relating to this Assembly. Thank you.

Hon. Member: Point of Order.

Hon. Speaker: Order, Members. Hon. Akuk, you have raised a very important issue here. It is amazing actually and I think it is the responsibility of the Chairpersons of the Sectoral Committees. I remember in my ruling we asked them to come back to us if they have a problem from the Executive. Otherwise, tomorrow I will make a final ruling in this regard but the Leader is here with us, this afternoon and I will only ask him to consult the Chairpersons of Sectoral Committees and find out what problem they really have but tomorrow afternoon I will make a ruling on this matter. Hon. Leader of the Majority.

Hon. Leader of Majority (Mr. Elias Otieno): Hon. Speaker, I think I said it before and I can repeat it. If these Chairpersons feel that they are incompetent to bring the Statements to this floor, they just better quit the positions. We do not need to beg them to give us Statements in the House. Also, they should be present in the House all the time because, like now, one of the Committee members is giving false promises that he is going to give us a Statement in the next three weeks. That is false information, there is nothing like that. That means they are incompetent, so I think we shall call the Selection Committee to go and reconstitute these Committees once again. Thank you, Mr. Speaker.

(Applause)

Hon. Speaker: Thank you, Hon. Leader of the Majority. I agree with you because it is apparent that things are not working and you remember when I told you here the other day, to take our business seriously, you thought I was joking.

Hon. Member for Roysambu Ward (Mr. Peter Warutere): Point of Order!

Hon. Speaker: Order, Hon. Warutere! I will make the final ruling tomorrow and I am glad the Leader of Majority has taken note of that.

(Loud consultations)

Hon. Speaker: Order, Members! Order! Order, Hon. Kagiri! You are the same people, Hon. Members--- when I said you sign after the plenary you resisted. But again I want to tell you, to attend meetings.

Hon. Member for Dandora Area III (Mr. Charles Thuo): Point of Order!

Hon. Speaker: Hon. Thuo, Dandora.

Hon. Charles Thuo: Thank you, Mr. Speaker sir. I rise on Point of Order, Standing Order number 30; that, Mr. Speaker sir, I wish to move the following Motion pursuant to Standing Order 30, aware that the Fourth Schedule of the Constitution of Kenya provides that devolution of---

Hon. Speaker: Order, Hon. Thuo! I do not have---

(Loud consultations)

Hon. Speaker: You will come to it.

Hon. Charles Thuo: I can do that.

Hon. Speaker: No, not now. Hon. Ochola.

Hon. Member for Hospital Ward (Mr. George Ochola): Thank you, Mr. Speaker sir. I would like to defend the Chairman, the problem is the---

Hon. Speaker: Order, Hon. Ochola! Order! That is a joke and can you apologize to the House for disturbing the House?

Hon. George Ochola: Thank you, Mr. Speaker sir. I apologize to the House.

Hon. Speaker: Okay. Hon. Warutere.

Hon. Peter Warutere: Mr. Speaker, sir, I rise on Standing Order number 80. I wanted to make a point of correction. I had two questions that I was asked three weeks ago, they have been ready, whether it is a month or three weeks, that is an issue we can discuss. They have been ready, I had them forwarded to the Clerk, but I was told they would not get through to the Order Paper until Thursday.

I am leaving today and I will be back again on Tuesday and I would want and I wish that the questions be brought to the House today. My Clerk told me that Adah said they had enough business until Thursday so when we are talking about issues of some Chairperson being incompetent then I think it is good that we look at both sides of the coin. *(Applause)* So, I am seeking for your indulgence.

Hon. Speaker: We will have all that tomorrow afternoon at 2.30 p.m.

Hon. Peter Warutere: Unfortunately tomorrow I might be away until Tuesday.

Hon. Speaker: When you come back you will have it.

Hon. Peter Warutere: Thank you, sir.

Hon. Speaker: Next Order.

Interim Clerk (Mr. Jacob Ngwele): Order number 8; Committee of the Whole Assembly.

Hon. Member for Kahawa West Ward (Mr. Patrick Chege Ngaruiya): Point of Order!

Hon. Speaker: Yes, Hon. Ngaruiya.

Hon. Patrick Chege Ngaruiya: Thank you---

Hon. Speaker: Just a minute. What is it? Who is shouting in the House? Hon. Ngaruiya.

Hon. Patrick Chege Ngaruiya: Thank you, Mr. Speaker. I am rising to express my dissent on a really weighty issue that was in the daily media today whereby the issue of buses that are being procured in this County has been discussed. Mr. Speaker, in what the daily media has reported, there are allegations that some Members of this County Assembly have been corrupted by Matatu owners.

It is very, very bad for our Members if the media houses can come up with such kind of issues where they expressly say that Members of this Assembly have been corrupted so that they do not allow these particular buses to be procured for use in the public service of this County. So, Mr. Speaker, I am asking whether it is in order. If whatever has been reported in the media is true, then it means, as Hon. Members of this Assembly, we are failing in what we are doing. We need investigations to be launched so that at least we get to the bottom of the matter and get the truth with regard to this particular matter, Mr. Speaker. Thank you.

Hon. Speaker: Well, Hon. Members, I will report back next week after I have written to the Governor to give us a reply with regard to the County Executive who issued the statement. So, I will communicate back next week. Thank you.

(The Speaker leaves his Chair and the Deputy Speaker takes a seat in between the two Clerks)

IN THE COMMITTEE OF THE WHOLE HOUSE

THE NAIROBI CITY COUNTY BETTING, LOTTERIES AND GAMING BILL, (ASSEMBLY BILL NUMBER 1 OF 2014)

Hon. Deputy Speaker: Okay, Members, let us sit. *(Loud consultations)* Hon. Members, order! Hon. Members welcome now to the Committee of the Whole Assembly; Motion number 8. Hon. Members, we are now in the Committee of the Whole Assembly and we are considering the Nairobi City County Betting, Lotteries and Gaming Bill, (Assembly Bill number 1 of 2014). Hon. Clerk.

Interim Clerk: Clause 2.

Hon. Deputy Speaker: Hon. Members, I propose that Clause 2 as amended be part of the Bill.

Hon. Member for Harambee Ward (Mr. Ronald Milare): Thank you, Mr. Chairman. Mr. Chairman, I wish to propose that Clause 2 be amended as appearing in the Order Paper and the reason is; in the proposed Bill there is a typographical error and it is referring to the Executive Committee Member for Finance, it should be the Executive Member for Trade. Part (b), Mr. Chairman, the Bill is silent on the definition of betting and therefore, we have included a new definition to include that betting includes lotteries, gaming and gambling so that we increase the scope of the revenue streams. Part (c), Mr. Chairman, basically the proposed amendment is to cure a drafting error. In the proposed Bill it should read Section 6 and not 3. Thank you, Mr. Chairman.

Hon. Deputy Speaker: Hon. Members, I will now put the question that Clause 2 be part of the Bill. May as many of the same opinion say 'aye'? May as many of the contrary opinion say 'nay', the 'ayes' have it.

Interim Clerk: Clause 3.

Hon. Deputy Speaker: Hon. Members, I now propose that Clause 3 be part of the Bill.

Hon. Ronald Milare: Thank you, Mr. Chairman. I wish to propose that Clause 3 be part of the Bill as appearing in the Order Paper. If you look at the proposed Bill it is too wordy and it is creating some sort of confusion and therefore, by inserting a full stop right after the word 'County' it will remove the ambiguity to the extent to which the provisions of the Bill is applied.

Hon. Deputy Speaker: Hon. Members, any debate on this? If no debate then, Hon. Members, allow me now to put the question that Clause 3 be part of the Bill. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay'. The 'ayes' have it.

Interim Clerk: Clause 4.

Hon. Deputy Speaker: Hon. Members, I propose that Clause 4 be part of the Bill.

Hon. Ronald Milare: Thank you, Mr. Chairman. I wish to propose that Clause 4 be part of the Bill and be amended as appearing on the Order Paper. The reason to include such basically, Mr. Chairman, is to widen the scope of the provisions of the Bill. In (b), Mr. Chairman, by deleting the word 'therefore' and substituting with the word 'thereof' it is basically to correct a typographical error. In (c), by inserting the word 'they' immediately after 'expression boundaries of' is to correct a typographical error.

Hon. Deputy Speaker: Hon. Members, are we together?

Hon. Members: Yes.

Hon. Deputy Speaker: Okay, if there is no debate then allow me to now put the question that Clause 4 be part of the Bill. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay'. The 'ayes' have it.

Interim Clerk: Clause 5.

Hon. Deputy Speaker: Hon. Members, I now propose that Clause 5 be part of the Bill.

Hon. Ronald Milare: Thank you, Mr. Chairman. I wish to propose that Clause 5 be amended as appearing in the Order Paper. In the Bill they have used the word 'control' and we thought this is in

reference to controlling therefore, we are proposing to replace the word 'control' with 'regulation'. In (b) we also are deleting the word 'control' and again using the word 'regulation'.

Hon. Deputy Speaker: Hon. Members, Hon. Hashim, we are in the Assembly. Hon. Members, are we together, we are in Clause 5. If there is no debate on this, allow me not to put the question that Clause 5 be part of the Bill. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay'. The 'ayes' have it.

Interim Clerk: Clause 6.

Hon. Deputy Speaker: Hon. Members, I propose that Clause 6 be part of the Bill. Chairman.

Hon. Ronald Milare: Thank you, Mr. Chairman. I wish to propose that Clause 6 be amended as appearing in the Order Paper and the reason for amending this, Mr. Chairman, is basically to widen the pool from which appointees of the Board with legal expertise can be drawn. In (b) by deleting the letter 'e' as appearing immediately after the word 'and' is basically to correct a typographical error.

Hon. Deputy Speaker: Hon. Members, I propose that Clause 6 be amended as proposed. Debate? Are we together?

Hon. Members: Yes.

Hon. Deputy Speaker: Hon. Members, I now put the question that Clause 6 be part of the Bill as amended. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay'. The 'ayes' have it.

Interim Clerk: Clause 7.

Hon. Deputy Speaker: Hon. Members, I propose that Clause 7 be part of the Bill.

Hon. Ronald Milare: Thank you, Mr. Chairman. I wish to propose that Clause 7 be amended as appearing in the Order Paper and the reason for amending this, Mr. Chairman, is basically because we need to provide for the Board Advisory's working relationship with the CEC because in the proposed Bill the working relationship with the CEC is not there and we felt that was important. (b), Sub-clause 12, is amended by deleting the full stop immediately after the word 'determine' and inserting the words 'consultation with the Governor'--- (*Consultations*) and also in Sub-Clause 14 the word 'annual' appearing after the word 'publication' is deleted because we want to reduce the period within which the Board submits its report to the Governor.

Hon. Deputy Speaker: Hon. Members, I now put the question that Clause 7 be amended as proposed. Any debate on this? Hon. Members, may as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay'. The 'ayes' have it.

Interim Clerk: Clause 8.

Hon. Deputy Speaker: Hon. Members, I propose that Clause 8 be part of the Bill. We have Clause 8.

(Consultations)

Hon. Deputy Speaker: It is not there because there is no proposed amendment. Hon. Members, may I put the question that Clause 8 be part of the Bill. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay'. The 'ayes' have it.

Interim Clerk: Clause 9.

Hon. Deputy Speaker: Hon. Members, I propose that Clause 9 be part of the Bill.

Hon. Ronald Milare: Thank you, Mr. Chairman, I wish to propose that Clause 9 be amended as appearing on the Order Paper. Mr. Chairman, in the proposed Bill, the penalty for those who violate this Clause was only a paltry Ksh 5,000 and therefore we thought it was important to increase it to Ksh 50,000 so that it can be more punitive.

Hon. Deputy Speaker: Hon. Members, debate? Hon. Members, I now put the question that Clause 9 be amended as proposed. Hon. Members, may as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay'. The 'ayes' have it.

Interim Clerk: Clause 10.

Hon. Deputy Speaker: Hon. Members, I propose that Clause 10 be part of the Bill.

Hon. Ronald Milare: Thank you. Mr. Chairman, I wish to propose that Clause 10 be amended as appearing in the Order Paper. Mr. Chairman, in the proposed Bill it is silent on the timelines to which somebody can apply for a license and therefore, by inserting 'within 21 days' we are providing for a timeline in which an application can be considered. In (b), Mr. Chairman, by deleting the word '30' and substituting with '21' in place thereof, it is basically to reduce the period in which a request can be approved or rejected and in (c) Mr. Chairman, by deleting the word 'three months' and substituting it with the words 'one month thereof' it is basically to reduce the period within which the Board can consider an issue or revision of an application. Thank you.

Hon. Deputy Speaker: Hon. Members, I propose the question that Clause 10 be amended as proposed. Debate? Hon. Members, I now put the question that Clause 10 be amended as proposed. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay'. The 'ayes' have it.

Interim Clerk: Clause 11.

Hon. Deputy Speaker: Hon. Members, I propose that Clause 11 be amended as proposed.

Hon. Ronald Milare: Thank you, Mr. Chairman. I wish to propose that Clause 11 be amended as appearing in the Order Paper. Mr. Chairman, this is just basically to correct a typographical error. Thank you.

Hon. Deputy Speaker: Hon. Members, I propose the question that Clause 11 as amended be part of the Bill. Debate? Hon. Members, I now put the question that Clause 11 be amended as proposed. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay'. The 'ayes' have it.

Interim Clerk: Clause 12.

Hon. Deputy Speaker: Hon. Members, I propose the question that Clause 12 be amended as proposed.

Hon. Ronald Milare: Thank you, Mr. Chairman. I wish to propose that Clause 12 be amended as appearing in the Order Paper. Mr. Chairman, this was a very contentious issue which we debated at length and we thought it was prudent to shelve it and maybe after consultation it can be brought again as an amendment, because, Mr. Chairman, whatever is appearing in the proposed Bill is talking about gaining tax and we thought that this could be double taxation and therefore, we are still consulting on that one and we might bring it as an amendment Bill. Thank you.

Hon. Deputy Speaker: Hon. Members, I now propose the question that Clause 12 be amended as proposed. Debate? Hon. Members, I now put the question that Clause 12 be amended as proposed. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay'.

(Loud consultations)

Hon. Deputy Speaker: May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay'. The 'ayes' have it.

(Applause)

Interim Clerk: Clauses 13 and 14.

Hon. Deputy Speaker: Hon. Members, I now propose the question that Clauses 13 and 14 be part of the Bill. Hon. Members, I now put the question that Clauses 13 and 14 be part of the Bill. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay'. The 'ayes' have it.

Interim Clerk: Long Title. Sorry, Short Title.

Hon. Deputy Speaker: Hon. Members, I now put the question that the Short Title be part of the Bill.

Interim Clerk: I think it is the Long Title. Long Title.

Hon. Deputy Speaker: Hon. Members I now put the question that the Long Title be part of the Bill. May as many of the same opinion say 'aye,' may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clause 1.

Hon. Deputy Speaker: Hon. Members I propose that Clause 1 be part of the Bill. Any debate on this? Hon. Members I now put the question that Clause 1 be part of the Bill. May as many of the same opinion say 'aye,' may as many of the contrary opinion say 'nay', 'ayes' have it.

Hon. Ronald Milare: Thank you, Mr. Chairman. Mr. Chairman, I beg to move that the Committee do report to the Assembly its consideration of the Nairobi City County Betting, Lotteries and Gaming Bill 2014 (Assembly Bill No. 1 of 2014) and its approval thereof with amendments.

Hon. Deputy Speaker: Hon. Members we are now on the Nairobi City County Betting, Lotteries and Gaming Bill. Hon. Members, I will now put the question that the Committee do report to the Assembly its consideration of the Nairobi City County Betting, Lotteries and Gaming Bill 2014 (Assembly Bill No. 1 of 2014) and its approval thereof with amendments. May as many of the same opinion say 'aye' may as many of the contrary opinion say 'nay,' 'ayes have it.

(Hon. Speaker returns to take his chair as the Deputy Speaker leaves his seat at the Clerk's table)

IN THE PLENARY

Hon. Deputy Speaker: Thank you, Members. Hon. Speaker, I beg to report that the Committee of the Whole Assembly has considered the Nairobi City County Betting, Lotteries and Gaming Bill 2014 (Assembly Bill No. 1 of 2014) and approved the same with amendments. Thank you, Mr. Speaker.

Hon. Ronald Milare: Thank you, Mr. Speaker sir. Mr. Speaker sir, I beg to move that the Assembly do agree with the committee on the said report.

Hon. Speaker: Hon. Members I'll put the question which is that the Assembly do agree with the Committee on the said report and as many of the opinion say 'yes--- (*Loud consultations*) no it's coming, hold your horse. As many of the same opinion say 'yes' and as many of the contrary opinion say 'nay'. Of course the 'ayes' have it. The mover? Hold your horse. What happened in London? You got some---

Hon. Ronald Milare: Thank you, Mr. Speaker sir. Mr. Speaker sir, I beg to move that the Nairobi City County Betting, Lotteries and Gaming Bill 2014, (Assembly Bill No. 1 of 2014) be now read a third time.

Hon. Speaker: Hon. Members, I will propose the question which is that the Nairobi City County Betting, Lotteries and Gaming Bill 2014 (Assembly Bill No. 1 of 2014) be now read a third time. Hon. Members, I put the question which is that the Nairobi--- no, no, Hon. Members, you have the floor.

Hon. Emmaculate Musya (Nominated Member for Highrise Ward): Point of Order, Mr. Speaker!

Hon. Speaker: Yes Hon. Musya

Hon. Emmaculate Musya: Thank you, Mr. Speaker. I am standing on Standing Order number 31 of this Assembly. Kindly this House doesn't have enough quorum to run the business of the Assembly.

(Applause)

Hon. Speaker: Hon. Members, you have the floor. You have the floor, Hon. Hashim Kamau.

Hon. Chief Whip of Minority (Mr. Hashim Kamau): Mr. Speaker, I'll raise the same issue, but before that, Mr. Speaker, there are only five books that have been allowed in this Assembly and that have been used inside the Assembly. One is the Standing Orders, the Constitution and the County Government Act. The other books that have been used in this Assembly are the Bible and the Holy Quran.

Now, Mr. Speaker, as a Muslim, betting and alcohol is not permissible according to the books that we've used in this Assembly. Also the next agenda is completely forbidden, Mr. Speaker. I urge the Members just to respect the holy books and not to pass these Bills, Mr. Speaker. To conclude, Mr. Speaker, it's true that we don't have a quorum and we've brought to your attention that indeed there's no quorum. Thank you.

Hon. Speaker: Hon. Members we are in the third reading.

Hon. Chief Whip of Majority (Mr. David Mberia): Hon. Speaker, is it right for the Member to talk of faith?

Hon. Speaker: Well he's talked of the faith and this Country has a Constitution, he has a Constitutional right to protect his faith.

Hon. Deputy Speaker: Hon. Speaker sir, since the House seems to be in agreement that we need to pass this Bill because there is no debate which has ensued, I will kindly request you to call the mover to reply so that we can catch up on time.

Hon. Speaker: Very well, hawk-eyed Deputy Speaker and I call upon the mover to reply.

Hon. Karen Wanjiku (Nominated Member from Njiru): Point of Order, Mr. Speaker!

Hon. Speaker: What did you say, Mr. Milare? Hon. Milare?

Hon. Karen Wanjiku: Point of Order, Mr. Speaker!

Hon. Speaker: Hon. Karen, one minute. One minute, Hon. Karen. One minute in consultation.

Hon. Ronald Milare: Thank you, Mr. Speaker. I think today is another milestone and I just want to thank the Members for supporting this Bill and I believe the next Bill that is coming will also be supported like this one. Thank you, Mr. Speaker.

Hon. Speaker: Hon. Members I'll put the question which is that the Nairobi City County Betting, Lotteries and Gaming Bill 2014 (Assembly Bill No. 1 of 2014) be now read the third time and as many of the opinion say 'aye' and as many of the contrary opinion say 'nay', the 'ayes' have it.

(Question put for the Third Reading of the Betting, Lotteries and Gaming Bill and agreed to)

Hon. Karen Wanjiku: Point of Order, Mr. Speaker!

Hon. Speaker: Hon. Karen, your point of order is allowed.

Hon. Karen Wanjiku: Thank you, Mr. Speaker sir. I don't think we are in order to continue when we don't have a quorum in the House---

Hon. Speaker: Order! Order! Order! You don't give us instructions---

Hon. Karen Wanjiku: ---no according to the Standing Order.

Hon. Speaker: ---and you are out of order. Sit down.

Hon. Deputy Speaker: Mr. Speaker is it right for a Member to direct the Chair that there is no quorum when---

Hon. Speaker: She's out of order, Hon. Deputy Speaker.

Hon. Deputy Speaker: Yes, can we proceed, Clerk?

Hon. Speaker: Proceed.

Interim Clerk: Order number 9;

Hon. Speaker: Proceed, Hon. Members.

Interim Clerk: Committee of the Whole Assembly

(Hon. Speaker exits the Assembly and the Deputy Speaker sits in between the two Clerks)

IN THE COMMITTEE OF THE WHOLE HOUSE

THE NAIROBI CITY COUNTY ALCOHOLIC DRINKS CONTROL AND LICENSING BILL (ASSEMBLY BILL NO. 2 OF 2014)

Hon. Deputy Speaker: Hon. Members, we are now on the Nairobi City County Alcoholic Drinks Control and Licensing Bill 2014 (Assembly Bill No. 2 of 2014); in the Committee of the Whole Assembly. Hon. Members, we are now in the Committee of the Whole Assembly and we are considering the Nairobi City County Alcoholic Drinks Control and Licensing Bill (Assembly Bill No. 2 of 2014).

Hon. Members, I propose that Clause 2 as amended be part of the Bill.

Hon. Ronald Milare: Thank you, Mr. Chair. I wish to propose that Clause 2 be amended as appearing in the Order Paper. Chairman, I think the object of amending section (a) is basically to correct a typographical error in the acronym NACADA. In the Bill it says '*National Campaign Against Drug Abuse Authority*' while it should read '*National Authority for Campaign Against Alcohol and Drug Abuse*' and part (b) Mr. Chairman is basically to provide for the definition of a Sub-County in the interpretation which is silent in the Bill. Thank you.

Hon. Deputy Speaker: Hon. Members I propose that Clause 2 as amended be part of the Bill. If there is no debate on this, Hon. Members, allow me now to put the question that Clause 2 as amended be part of the Bill. May as many of the same opinion say 'aye,' may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clause 3.

Hon. Deputy Speaker: Hon. Members I propose that Clause 3 as amended be part of the Bill.

Hon. Ronald Milare: Thank you, Chairman, I wish to propose that Clause 3 be amended as appearing in the Order Paper and Chairman basically this is just to cure a typographical error because in the Constitution of Kenya this Article is under 189 and not under 198. Thank you.

Hon. Deputy Speaker: Hon. Members, I propose the question that Clause 3 be part of the Bill. If no debate on this, Hon. Members, allow me now to put the question that Clause 3 as amended be part of the Bill. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clause 4.

Hon. Ronald Milare: Mr. Chairman I wish to propose that Clause 4 be amended as it is appearing in the Order Paper basically, Chairman, this is to provide for the Chief Licensing Officer to be the Secretary of the Board and therefore fill that vacuum that is there. In (b) by numbering Clause 4(2) as 4(3) is just to cure a typographical error.

Hon. Deputy Speaker: Hon. Members I now put the question that Clause 4 as amended be part of the Bill. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clause 5.

Hon. Deputy Speaker: Hon. Members, I now propose that Clause 5 be part of the Bill.

Hon. Ronald Milare: Thank you, Chairman. I wish to propose that Clause 5 be amended as appearing in the Order Paper and Chairman in (a) by deleting the word 'board' and replacing it with 'Committee' we are just correcting a drafting anomaly and in (b), in paragraph (b) by deleting the figure '2011' and substituting with the figure '2010' is also to correct a drafting anomaly as you well know the National Laws, the enactment was in 2010 and not 2011 and in (c) by deleting '2011' and substituting with '2012' is also to correct the drafting anomaly and in (d) by inserting the words '*or the County Executive Committee Member*' immediately after the word 'Governor' is basically to bring the County Executive Committee on board to be assigned Committee Member for Trade on the Board, assigning the duties to the board. Thank you.

Hon. Deputy Speaker: Hon. Members, I now propose the question that Clause 5 be amended as proposed. There being no debate, Hon. Members, allow me to put the question that Clause 5 be amended as proposed. May as many of the same opinion say 'aye,' may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clause 6.

Hon. Deputy Speaker: Hon. Members, I now propose that Clause 6 be part of the Bill.

Hon. Ronald Milare: Thank you, Chairman. I wish to propose that Clause 6 be amended as appearing in the Order Paper. Chairman, by deleting the word 'Board' and substituting with 'the Executive Committee Member' basically, we are giving the CEC powers to allocate duties to the Board and in (b) by deleting the word 'may' and inserting the word 'shall' is basically to express articulately the mandatory nature of the provision and in (c) by deleting the sub-clause 6, the amendment was meant to avoid unnecessary repetition because this had also been provided for in Clause 3. Thank you.

Hon. Deputy Speaker: Hon. Members, I propose the question that Clause 6 be amended as proposed. Members allow me now then to put a question that Clause 6 be amended as proposed. May as many of the same opinion say 'aye,' may those of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clause 7.

Hon. Deputy Speaker: Hallo, Hon. Members, I propose the question that Clause 7 be part of the Bill. I now put the question that Clause 7 be part of the Bill. May as many of the same opinion say 'aye', may those of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clause 8.

Hon. Deputy Speaker: Hon. Members, I propose that Clause 8 be amended as proposed.

Hon. Ronald Milare: Thank you, Mr. Chairman. I wish to propose that Clause 8 of the Bill be amended as proposed in the Order Paper. Mr. Chairman, by inserting the word 'and or County Gazette' is basically to give the County Gazette some *locus standi* so that publications can also be published in the County Gazette.

Hon. Deputy Speaker: Hon. Members, I now propose the question that Clause 8 be amended as proposed. Hon. Members, I now put the question that Clause 8 be amended as proposed. May as many of the same opinion say 'aye,' may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clause 9.

Hon. Deputy Speaker: Hon. Members, I propose that Clause 9 be part of the Bill.

Hon. Ronald Milare: Thank you, Mr. Chairman. I wish to propose that Clause 9 be amended as it appears in the Order Paper. Mr. Chairman, by deleting the word 'to' appearing immediately after the word 'now' is basically to correct a typographical error and in (b) by inserting the word 'to' immediately after the word 'objection' is also to correct a typographical error. In (c) in sub-clause 6, by deleting the words 'in three (3) months' and substituting with the words 'one month' is basically to reduce the time and period in

which an application can be revised and in (d) by inserting words 'and or the County Gazette' immediately after the word 'Gazette' is basically to provide for the County Gazette to also be a legal document in which we can also publish notices. Thank you.

Hon. Deputy Speaker: Hon. Members, I propose the question that Clause 9 be amended as proposed. Hon. Members, allow me now to put the question that Clause 9 be amended as proposed. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clause 10.

Hon. Deputy Speaker: Hon. Members, I propose the question that Clause 10 be part of the Bill. Hon. Members, I now put the question that Clause 10 be part of the Bill. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clause 11.

Hon. Deputy Speaker: Hon. Members, I propose that Clause 11 be part of the Bill.

Hon. Ronald Milare: Thank you, Chairman. I wish to propose that Clause 11 be amended as appearing in the Order Paper and basically Chairman by inserting a new Clause, sub-clause 3 as follows; *'notwithstanding paragraph (c) of Sub-County Clause 1, the Sub-County Committee may grant a new license for the sale of an alcoholic drink to be consumed on the premises, if the sub-County Committee is satisfied that (a) Premises do not share---*' and basically by inserting this Clause, Mr. Chairman, we ensure that the premises where alcoholic drinks are sold are separated from the learning institutions given the challenge of enforcing the 300 meters radius rule. This rule is not applicable in Nairobi. Nairobi has a unique situation, Mr. Speaker, and enforcing the 300 meter rule is not applicable in Nairobi and therefore, the Committee will be responsible for ensuring that before a license is granted, the premises are in compliance with this Clause. Thank you.

Hon. Deputy Speaker: Hon. Members, I now propose the question that Clause 11 be amended as proposed. There being no debate, Hon. Members, allow me now to put the question that Clause 11 be amended as proposed. May as many of the same opinion say 'aye,' may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clauses 12 to 15.

Hon. Deputy Speaker: Hon. Members, I now propose the question that Clauses 12, 13, 14 and 15 be part of the Bill. Hon. Members, I now put the question that Clauses 12, 13, 14 and 15 be part of the Bill. May as many of the same opinion say 'aye' may those of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clause 16.

Hon. Deputy Speaker: Hon. Members, I now propose the question that Clause 16 be part of the Bill. Chairman?

Hon. Ronald Milare: Thank you, Mr. Chairman. I wish to propose that Clause 16 be amended as appearing in the Order Paper. Chairman, what this Bill proposes is that one outlet should be given one license. For example Kengeles; the proposal in the Bill is that Kengeles Nairobi West, Kengeles Town, Kengeles Hurlingham be issued with one license but we are proposing that each establishment be given a separate license so that it is separated from the rest. It's not one license but each establishment is given a separate license. Thank you.

Hon. Deputy Speaker: Hon. Members, I propose the question that Clause 16 be amended as proposed. Hon. Members, I put the question that Clause 16 be amended as proposed. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clauses 17 to 32.

Hon. Deputy Speaker: Hon. Members, I propose the question that Clauses 17 to 32 be part of the Bill. Hon. Members, I put the question that Clauses 17 to 32 be part of the Bill. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clause 33.

Hon. Deputy Speaker: Hon. Members, I propose the question that Clause 33 be part of the Bill.

Hon. Ronald Milare: Thank you, Chairman. I wish to propose that Clause 33 be amended as appearing in the Order Paper. Chairman, 33 (a) is basically re-numbering sub-clause 2 as sub-clause 3. We are just correcting the numbering after addition of a new Clause and in (b) in sub-section, Clause 2 by inserting the expression 'and' immediately after the figure '1' is basically to take care of the new sub-clause 2 as proposed and in (c) by inserting the following new sub-clause 2 that 'no adult shall allow a person under the age of 18 years to accompany him or her or gain access to the area in which alcoholic drinks are manufactured, stored, distributed or consumed', Basically we want to create a penalty where liability is not just for the pub owners but also for the adults who allow the underage children to accompany them to the pubs. Thank you.

Hon. Deputy Speaker: Hon. Members, I propose the question that Clause 33 be amended as proposed. Hon. Muga.

Hon. Carolyn Muga (Nominated Member from Harambee): Thank you, Chairman. I just want to support these amendments because yes we have seen, you know, parents, mostly uncles, coming with

children in those drinking establishments. I don't think that is correct and so I really pray that as we amend this, it will be followed to the letter. Thank you.

Hon. Deputy Speaker: Thank you. Hon. Members, allow me now to put the question that Clause 33 be amended as proposed. May as many of the same opinion say 'aye,' may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clause 34.

Hon. Deputy Speaker: Hon. Members, I propose the question that Clause 34 be part of the Bill. Hon. Members, I now put the question that Clause 34 be part of the Bill. May as many of the same opinion say 'aye,' may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clause 35.

Hon. Deputy Speaker: Hon. Members, I propose the question that Clause 35 be part of the Bill.

Hon. Ronald Milare: Thank you, Chairman. I wish to propose that Clause 35 be amended as appearing in the Order Paper. Chairman, by deleting '35' and substituting with '34' basically we are just correcting a typographical anomaly to the right section. Thank you.

Hon. Deputy Speaker: Hon. Members, I now propose the question that Clause 35 be amended as proposed. Hon. Members, allow me now to put the question that Clause 35 be amended as proposed. May as many of the same opinion say 'aye,' may as many of the contrary opinion say 'nay', 'ayes' have it. Members are you there?

Hon. Members: Yes.

Hon. Deputy Speaker: I don't feel you. Thank you. Can we proceed?

Interim Clerk: Clauses 36 to 39.

Hon. Deputy Speaker: Hon. Members, I propose the question that Clauses 36, 37, 38 and 39 be part of the Bill. Hon. Members, I now put the question that Clauses 36, 37, 38 and 39 be part of the Bill. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clause 40.

Hon. Deputy Speaker: Hon. Members I now propose the question that Clause 40 be part of the Bill. Chairman?

Hon. Ronald Milare: Thank you, Chairman. I wish to propose that Clause 40 be amended as appearing on the Order Paper. Chairman, by deleting '250' and substituting with '200' basically we are just conforming with the National Laws which provide for packaging in 200 milliliter containers. Thank you.

Hon. Deputy Speaker: Hon. Members, I now propose that Clause 40 be amended as proposed. Hon. Members, I now put the question that Clause 40 be amended as proposed. May as many of the same opinion say 'aye,' may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clauses 41 and 42.

Hon. Deputy Speaker: Hon. Members, I propose the question that Clauses 41 and 42 be part of the Bill. Hon. Members, I now put the question that Clauses 41 to 42 be part of the Bill. May as many of the same opinion say 'aye,' may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clause 43.

Hon. Deputy Speaker: Hon. Members, I propose the question that Clause 43 be part of the Bill. Chairman?

Hon. Ronald Milare: Thank you, Chairman. I wish to propose that Clause 43 be amended as appearing in the Order Paper and Chairman this is a long one but basically we need to cure some typographical errors for example by deleting the word '*finance*' and substituting with the word 'trade'. That is just a typographical error. Also in section 2 talking of such monies as may be appropriated by the County Assembly and such licenses and other fees payable under this Act, basically we are just widening the range of matters that funds can apply to and basically this Clause.

For example, by numbering Clause '3(d)' appropriately to Clause '3(e)' we are just curing typographical errors and therefore '3(d)' carries the functions of the Nairobi City County Alcoholic Drinks Control and Licensing Board where basically we want the funds collected, and that the Bill should serve the primary purpose of mitigating Alcohol and Drug Abuse as well. Therefore we need that to be anchored in the legislation.

Hon. Deputy Speaker: Thank you, Chairman. Hon. Members, I propose the question that Clause 43 be amended as proposed. Hon. Members, allow me now to put the question that Clause 43 be amended as proposed. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clauses 44 to 49.

Hon. Deputy Speaker: Hon. Members, I propose the question that Clauses 44 to 49 be part of the Bill. Hon. Members, allow me to put the question that Clauses 44 to 49 be part of the Bill. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clause 50.

Hon. Deputy Speaker: Hon. Members, I now propose the question that Clause 50 be part of the Bill. Just a minute, Chairman.

Hon. Member for Eastleigh North Ward (Mr. Osman Adow): Notice is given. That's me, sorry. Clause 50, be amended by inserting the words 'sell or consume' immediately after the word '*promote*'. Also on the same Clause, 50(a) be amended by inserting the word 'age' immediately after the article '*the*'. This I did to make it more comprehensive but through advice from the people at the--- what do they call them? The Table office; it was put the way it is now. Although, I wanted it to be more comprehensive in the sense that places where children go like game parks or places like lunar parks where you take your kids over the weekend should also not have alcohol being taken there. I felt that was wrong and that anywhere where children are likely to be then alcohol should not be sold, drank or promoted and that was the essence of this amendment. Thank you.

Hon. Deputy Speaker: Chairman, let me do the proposal.

Hon. Ronald Milare: You do the proposal.

Hon. Deputy Speaker: Hon. Members, I now propose that Clause 50 be amended as proposed.

Hon. Ronald Milare: Thank you, Chairman. I wish to agree with the proposals by Hon. Osman.

Hon. Deputy Speaker: Hon. Members, I now put the question that Clause 50 be amended as proposed. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clauses 51 to 56.

Hon. Deputy Speaker: Hon. Members, I now propose the question that Clauses 51 to 56 be part of the Bill. Hon. Members, I put the question that Clauses 51 to 56 be part of the Bill. May as many of the same opinion say 'aye,' may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: First, Second and Third Schedules.

Hon. Deputy Speaker: Hon. Members, I now propose that the First, Second and Third Schedules be part of the Bill. Hon. Members, I now put the question that the First, Second and Third Schedules be part of the Bill. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Long Title.

Hon. Deputy Speaker: Hon. Members, I now propose that the Long Title be part of the Bill. Hon. Members, I now put the question that the Long Title be part of the Bill. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay', 'ayes' have it.

Interim Clerk: Clause 1.

Hon. Deputy Speaker: Hon. Members, I propose that Clause 1 be part of the Bill. Hon. Members, I put the question that Clause 1 be part of the Bill. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay', 'ayes' have it.

Hon. Ronald Milare: Thank you, Mr. Chairman. Mr. Chairman sir, I beg to move that the Committee do report to the Assembly, its consideration of the Nairobi City County Alcoholic Drinks Control and Licensing Bill 2014, (Assembly Bill No. 2 of 2014) and its approval thereof with amendments.

Hon. Deputy Speaker: Hon. Members, I will now put the question which is that the Committee do report to the Assembly, its consideration of the Nairobi City County Alcoholic Drinks Control and Licensing Bill 2014 (Assembly Bill No. 2 of 2014) and its approval thereof with amendments. May as many of the same opinion say 'aye', may as many of the contrary opinion say 'nay', 'ayes' have it.

(Hon. Speaker returns to his Chair as the Deputy Speaker leaves his seat at the Clerks' table)

IN THE PLENARY

Hon. Deputy Speaker: Thank you, Hon. Members. Mr. Speaker, I wish to report to the Assembly that the Committee of the Whole Assembly has considered the Nairobi City County Alcoholic Drinks Control and Licensing Bill 2014 (Assembly Bill No. 2 of 2014) and approved the same with amendments. Thank you.

Hon. Ronald Milare: Hon. Speaker, I beg to move that the Assembly do agree with the Committee in the said report.

Hon. Speaker: Hon. Members, I wish to propose the question that the Assembly do agree with the Committee in the said report. Hon. Members I'll put the question which is that the Assembly do agree with the Committee in the said report and as many of the opinion say 'yes' and as many of the contrary opinion say 'nay', the 'ayes' have it.

Hon. Ronald Milare: Mr. Speaker, I beg to move that the Nairobi City County Alcoholic Drinks Control and Licensing Bill 2014 (Assembly Bill No. 2 of 2014) be now read a third time.

Hon. Speaker: Hon. Members, I will propose the question which is that the Nairobi City County Alcoholic Drinks Control and Licensing Bill 2014 (Assembly Bill No. 2 of 2014) be now read a third time. Hon. Members, I will now call upon the mover to reply.

Hon. Ronald Milare: Once again, I want to thank, Hon. Members for supporting this important Bill. I now think the onus is on the Executive to move ahead and put the necessary structures in place so that we can actualize this important legislation. Thank you, Mr. Speaker.

(Applause)

Hon. Speaker: Hon. Members I will now put the question which is that the Nairobi City County Alcoholic Drinks Control and Licensing Bill 2014 (Assembly Bill No. 2 of 2014) be now read a third time and as many of the opinion say 'yes' and as many of the contrary opinion say 'nay', the 'ayes' have it.

(Question put for the Third Reading of the Alcoholic Drinks Control and Licensing Bill 2014 and agreed to)

Order number 8; the Hon., our articulate Member.

Hon. Deputy Speaker: Mr. Speaker, I wonder if the Clerk can bring to the attention of the Members whether we have the quorum in the House?

Hon. Speaker: Order, Hon. Deputy Speaker! The quorum to me is full House *(Laughter)* unless I am--- unless my eyes are seeing double after the Control Bill has been passed.

Hon. Deputy Speaker: Mr. Speaker, that is why I want the confirmation of the Clerk as to whether we have the quorum in the House.

Hon. Speaker: Clerk can you count? Can the bell be rung? The bell be rung. Can the Serjeant-At-Arms ring the bell for ten minutes?

(Quorum bell is rung)

Yes, that is according to the Standing Orders. *(Consultations)* Very well, the bell has been rung. Very well, you sabotage yourselves; you sabotage the Nairobians. Hon. Members, the House is adjourned and the motion of Hon. Maurice Akuk will be the first on the Order Paper tomorrow. So it is ordered.

(The House Rose at 4: 20 p.m)