



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Second County Assembly – Sixth Session

Thursday 3rd March 2022

The House met at 2.30 p.m.

(Hon. Temporary Deputy Speaker (Mr. John Kamangu) in the Chair)

PRAYER

QUORUM

Hon. Temporary Deputy Speaker: Clerk, confirm whether we have quorum. Serjeant-at Arms please ring the bell for ten minutes. I am sure we have quorum unless the ICT has a problem.

(Quorum bell rung)

I understand that we now have quorum, proceed.

PAPERS

Hon. Temporary Deputy Speaker: Hon. Chairperson Environment! Hon. Themendu, please can you come forward and see the Clerk.

Hon. Jeremiah Themendu: Thank you Hon. Speaker. Pursuant to Standing Order 34, I beg to lay the following paper on the table of the assembly today Thursday 3rd March 2022; the report of the Sectoral Committee on Environment and Natural Resources on the consideration of the Nairobi City Air Quality Bill 2021, Assembly Bill No. 12 of 2021.

Hon. Temporary Deputy Speaker: Thank you Hon. Themendu.

Hon. Jeremiah Themendu: Thank you Hon. Speaker.

NOTICES OF MOTION

Hon. Millicent Jagero: Thank you Mr. Speaker. I beg to give Notice of the following motion; that, aware that Article 43 (1) of the Constitution provides that every person has the right to the highest attainable standards of health which includes the right to healthcare services including reproductive healthcare; further aware that health services including county health facilities and primary healthcare have being devolved to the County Government pursuant to Paragraph Two of Part Two of the Forth Schedule to the Constitution; disturbed that the attainment of the foregoing objective remains a challenge given the dire shortage of health workers and equipment within the county; further disturbed that while access and use of high quality and comprehensive sexual reproductive health services to prevent or mitigate many of the poor health outcomes experienced among adolescents and youth; noting that a wide range of barriers including social cultural and structural barriers prevent young people from accessing these services; acknowledging that the National Government has developed the national guidelines on provision of adolescents and youth friendly services across the country, this assembly urges the County Executive in conjunction with the Nairobi Metropolitan Services to:

1. Develop the County Adolescents and Youth Reproductive Health Strategy Paper
2. Domesticate the national guidelines for provision of adolescents and youth friendly services with necessary modifications to improve availability, accessibility, acceptability and use of quality sexual and reproductive health services by adolescents and youth seeking services in all the county health facilities within the county.

Thank you Mr. Speaker.

Hon. Temporary Deputy Speaker: Thank you Hon. Jagero.

STATEMENTS

Hon. Temporary Deputy Speaker: Is Hon. Waithera Chege in? *Pole* Hon. Waithera, have a sit. Clerk, proceed.

Hon. Waithera Chege: Thank you Mr. Speaker. I was still going to stand on a Point of Order 45 (2) (c). Mr. Speaker your office must be respected. The last time we had Hon. Majiwa on that chair, he directed that the Chair Environment bring a response within five days after Tuesday on why Nairobi South and Nairobi County as a whole, garbage has not been collected. That has not been honored.

I wish to request from your desk that because the Executive has not been able to help us on this issue, you have powers given by this assembly to help us on this particular issue. If you pass through Nairobi South right now and you know it is the gateway to Mombasa Road, it is in a pathetic state. I really need your intervention and I am sure by using Standing Order No. 1, you can intervene. I therefore request for your intervention.

Hon. Temporary Deputy Speaker: Thank you Hon. Waithera. I also order the same, the secretariat to communicate to the Chair and he should attend the next sitting. What is the Point of Order my brother?

(Point of Order)

Hon. Daniel Muturi: Thank you very much Hon. Speaker. I beg to point out that indeed the Hon. Chair of Environment did say that he would give a response within two weeks. I have got a list of pending statements here some are from 2016.

Hon. Speaker, when I was elected I was told in Kiswahili that, *'miaka tano sio mingi'* Indeed that time has come and I need to complete work for Nairobians in the CBD because nothing has been done. I need guidance from the Chair on how to deal with these issues because we are going on recess soon and when we come back it will be only for a few days and then we hit the campaign trail.

How does the Chair propose that we handle all these pending issues conclusively? I repeat my question Hon. Speaker; how does the Speaker propose that we handle the pending issues conclusively? Thank you very much Hon. Speaker.

Hon. Temporary Deputy Speaker: I order the secretariat to give us the list of unanswered statements so that you can go to the person involved. Thank you.

BILL

THE NAIROBI CITY COUNTY AIR QUALITY BILL 2021, ASSEMBLY BILL NO. 12 OF 2021

Second Reading

Hon. Waithera Chege: Thank you Mr. Speaker. I beg to move that the Nairobi City County Air Quality Bill 2021, Assembly Bill No. 12 of 2021, be read a second time. Mr. Speaker, I do not really want to belabor on this bill because of two things. One, before today, we debated about this bill with my colleagues and number two, the Second Reading is coming on a day when we are still having young children within three estates within Nairobi South Ward admitted in hospital because of air pollution. The reason number three, is on what I have just raised as a point of order.

One of the reasons why we are passing this bill is to make sure that we deal with the challenges of air quality in Nairobi. We do not have to wait for the passing of this bill for some of these things to be implemented. Sometimes I even wonder about some of the work that we have done here since the time we were sworn in, does the Executive really care? We have passed motions and bills here. I have been able to give a proper case study of what has been happening in Nairobi as a result of not considering with dealing with issues of air quality in Nairobi.

Mr. Speaker, allow me to take this assembly back to the year 2019 where National Environment Management Authority (NEMA) was summoned by the Environment Committee, we are now in the year 2022, and NEMA has never agreed to attend to any summons, whether committee's or the Speaker's letters. This really worries me because the Constitution of Kenya 2010 gives NEMA full mandate. When you go to the Fourth Schedule of our Constitution, it goes ahead even to give The County Government the mandate to deal with air pollution.

Mr. Speaker, we are lost for words because last evening but one, I was able to get into one of the WhatsApp pages for Eagle Plains Residents Associations, and half of the families of that estate did not take their children to school that morning because everybody woke up with a dry throat, coughing and itchy eyes, and this thing was not stopping.

Mr. Speaker, in the year 2018 we requested the United Nations Environmental Programme (UNEP) to give us a vehicle that was stationed in a certain location to measure air quality within that location. You will be shocked that up to now those results were not even given to the people who had requested them. I had the chance to interact with those results at the location. You will be shocked by the levels of air pollution along Road C, Mr. Speaker. Road C is along the junction of Likoni Road and Nairobi South.

Mr. Speaker, the reason why I am giving you the data that came from UNEP, is because on several occasions I have tried to request the Executive to deal with this issue without any action. Even as I request my colleagues to pass this law, I am still asking myself if the Executive is committed to implement these laws that we have passed in this House.

Mr. Speaker if you could may be during weekends pass through Kariobangi South, it is an area surrounded by industries, people think that it is mere smoke that they see in the air. But we have done a case study for Mlolongo which is a neighbor to Nairobi County. If you look at the bill that we are proposing today, it addresses the issue of inter-county boundaries. The air pollution at Mlolongo is enough to affect the people in Nairobi County. Two children of a family that came to us from Mlolongo were sick and one child was admitted to hospital with an extra-large head. They testified that from the time that they moved from Mlolongo to a better environment, the child is okay.

Some of these examples shows you that there is a need not only for us to have this law put in place but to have officers working for the government being human enough to understand the challenges that Nairobians are facing, Mr. Speaker. I feel that we need to move with speed because the Kenya Bureau of Statics has been able to show that 18,000 Nairobians suffer from disability as a result of air pollution. If you want to extend to East Africa and Africa at large, globally, the data is three million, and that is not a small number.

Sometimes you cannot be able to see the air pollution. I want to give examples three companies; one called Edible Oils, Powerex and East African Company that are situated near General Motors, the reason why I am mentioning these companies is because NEMA has given a report showing that the three are leading companies in polluting air in Nairobi.

You will be shocked that Edible Oils went ahead to even reopen the company without NEMA giving them a clean bill of record. Edible Oils is a company situated right behind Eagle Plains Estate. When the residents complain, they have a right to complain---

Hon. Temporary Deputy Speaker: Thank you very much, Hon. Waithera. I have heard you clearly. Do you have any additions?

Hon. Waithera Chege: Mr. Speaker, I thought we are on the Second Reading.

Hon. Temporary Deputy Speaker: By the way, you still have time. You have about three minutes to go.

Hon. Waithera Chege: Thank you, Mr. Speaker. I was actually concluding. Thank you for reminding me about time.

Mr. Speaker, my work this afternoon is to urge my colleagues that we are not only bringing this Bill on the floor of the House for the sake of doing it, but we want to save lives that have been shown as a matter of fact from the Kenya Bureau of Statistics on how air pollution affects Nairobi residents.

Therefore, Mr. Speaker, allow me to call Hon. Ngengi to second the Bill, and also we can have some Members debate the Bill. Thank you, Mr. Speaker.

Hon. Temporary Deputy Speaker: Thank you, Hon. Waithera for keeping time. Hon. Ngengi.

Hon. Daniel Muturi: Thank you, Mr. Speaker. I rise to second this Motion. First of all, I would like to appreciate Hon. Waithera Chege for bringing this Motion.

Hon. Speaker, the objective of this Bill is to give effect to Paragraph 3 of Part Two of the Fourth Schedule of the Constitution of Kenya, which deals with formulation of policies and frameworks to control pollution.

Hon. Speaker, the Bill will help to establish control of local emissions, standards, control of activities of vehicles, both private large and small, establish general provision of enforcement of the law and finally establish effective implementation of the national regulations on air pollution.

Hon. Speaker, I share Hon. Waithera Chege's frustrations because I was in this House when she brought this Bill. At that time, NEMA stood accused of impunity because they do not seem to care and they have never sent a representative nor address any of the issues mentioned. Nairobi County is suffering on issues of garbage, which is part of pollution. We have a seconded director from NEMA with the NMS. One has to bring a substantive motion to mention the name. With sheer incompetence, he never picks phone calls and never deals with anything. Where I would be frustrated, I am on a payroll of the Nairobi County. When issues are not addressed, whether the one Hon. Waithera Chege was talking about the garbage in South B or the one in the Nairobi CBD in the markets, which no statement has been responded, it becomes a big issue. To me, it is an oxymoron, I don't understand it. The minute we do not invest in this kind of Bill where the air has to be clean, we are having children and adults suffering from respiratory diseases. This is a cost to the country. This is a cost to the NHIF. It does not make sense at all.

The other day, we passed a Bill on Preventative of Violent Extremism. This is something we should also be having preventative measures. We were always told prevention is better than cure. So, why are we still debating on the same thing since 1963? We are going to almost 60 years as a country but we are still here standing about the same thing.

The CBD right here on Moi Avenue, Tom Mboya Street, Hakati Street in Bus Station and all the alleys, the NMS, which I highly condemn, have established illegal matatu stops in every corner. Those vehicles park there with their engines running all day and there is inspectorate. The law and order do not do anything about it. There have been even deaths in terms of accidents, but we do nothing. We have brought statements here. Hon. Waithera was clear that you may not see the pollution, but those carbon particles lodge on our lungs. When this happens, you will never get them out. We are no longer productive. We are tired all the time. But we are doing nothing about it. I have read articles from some newspapers describing the Governor. We cannot fail Nairobians like this.

Hon. Speaker, combating pollution in all its forms is critical if the sustainable development agenda is to be achieved through this House. Therefore, this Bill seeks to create a system that controls air pollution. Everyone here resides in Nairobi and is affected by this. Your children and grandchildren are affected by this. So, this is not something that is isolated, this is whole of Nairobi. We have had motions brought here by Hon. Kabiro about planting trees, simple things. We have the KFS here and donors who give us trees, but this county seems to be run by what is called *kipindi*, where everyone here is busy running up and down. If we did a small percentage of what we are supposed to do, I would be very happy.

Hon. Speaker, as I had mentioned, we are all affected. As a governor of a county, whether Nairobi or Kilifi, you must have a pet project. You must have something which drives you. Is it environment, health or education? What amazes me is that we don't have any drive.

With those few remarks, I beg to second the Motion, and pray something will happen and some work will be done about this.

(Question proposed)

Hon. Temporary Deputy Speaker: Debate?

Hon. Emmamet Kemunto: Thank you, Mr. Speaker. It has been awhile since I saw you in this Chamber. I appreciate that you are alive and kicking.

I support this Motion. I come from an informal settlement. This issue of garbage not being collected has been a menace. In where I represent legislative wise, we had a whole community demonstrating just to get garbage collected. Some people burn plastics which intoxicate the environment yet we have children. This affects their health. I stand here as a mother. The Executive has really failed us. Even NEMA itself is not working as it should. People cannot be crying day in day out. If we are earning salaries without ensuring the wellbeing of our residents, then there is no business of you coming to the Assembly. All of us are human beings, and you need to do good when you are alive and leave a legacy. Thank you, Mr. Speaker.

Hon. Temporary Deputy Speaker: Thank you. Anybody else? Mover.

Hon. Waithera Chege: I beg to reply. Thank you.

(Question put and agreed to)

(The Bill was read a Second Time and committed to a Committee of the Whole House by the leave of the House)

COMMITTEE OF THE WHOLE ASSEMBLY

(Order for Committee read)

(Mr. Speaker left chair)

IN THE COMMITTEE

[Hon. Temporary Chair (Ms. Emmamet Kemunto) took the Chair]

THE NAIROBI CITY COUNTY EARLY CHILDHOOD DEVELOPMENT AND EDUCATION BILL, 2021
(ASSEMBLY BILL NO.5 OF 2021)

Hon. Chairlady: Hon. Members we are now in the Committee of the Whole House Assembly to consider the Nairobi City County Early Childhood Development and Education Bill 2021 Assembly Bill No. 5 of 2021 and we will start with Bill Clause 3.

Clause 3

(Question proposed that Clause 3 be part of the Bill)

Hon. Jayendra Malde: Hon. Chair I beg to move that Clause 3 of the Bill be amended as follows;

(i) In sub-clause (e) by deleting the provision in its entirety and substituting therefor the following “protection of the right of every learner in the pre-primary educational institution including the medium of instruction for all learners of the same educational level”

(Question that Clause 3 be amended as proposed)

(Question put and agreed to)

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

Clause 4, 5, and 6

(Question proposed that Clause 4, 5, and 6 be part of the Bill)

(Question put and agreed to)

Clause 7

(Question proposed that Clause 7 be part of the Bill)

Hon. Jayendra Malde: Hon Chair I beg to move that Clause 7 of the Bill be amended as follows; -
(i) By deleting it in its entirety and replacing, therefore, the following “The County Education Board shall consist of the membership as outlined under Section 20 of The Basic Education Act, 2013.”

(Question that Clause 7 be amended as proposed)

(Question put and agreed to)

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

Clause 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20

*(Question proposed that Clause 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19 and 20
be part of the Bill)*

(Question put and agreed to)

Clause 21

(Question that Clause 21 be part of the Bill, proposed)

Hon. Jayendra Malde: Hon Chair, I beg to move that Clause 21 of the Bill be amended as follows;
i. In sub-clause (2) by deleting the word “to” appearing immediately after the words “one year or”.

(Question that Clause 21 be amended as proposed)

(Question put and agreed to)

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

Clause 25

(Question proposed that Clause 25 be part of the Bill)

Hon. Jayendra Malde: Hon Chair, I beg to move that Clause 25 of the Bill be amended as follows;

In sub-clause (a) by deleting the words “the service provider, specifying the date of birth of each” appearing immediately after the word “attended” and substituting therefor the following “the early childhood education centre”

ii. By inserting a new sub-clause (ca) immediately after sub-clause (c) (ca) “monitoring and tracking records for the child development”.

(Question that Clause 25 be amended as proposed)

(Question put and agreed to)

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

Clause 26

(Question proposed that Clause 26 be part of the Bill)

(Question put and agreed to)

Clause 27

(Question proposed that Clause 27 be part of the Bill)

Hon. Jayendra Malde: Hon Chair, I beg to move that Clause 27 of the Bill be amended as follows; -

i. In sub-clause (1) by inserting the words “in with consultation the Kenya Institute of Curriculum Development” to appear immediately after the words “Executive Committee Member”.

(Question that Clause 27 be amended as proposed)

(Question put and agreed to)

(Question put of Clause 27 as amended be part of the Bill, put and agreed to)

Clause 28

(Question proposed that Clause 28 be part of the Bill)

Hon. Jayendra Malde: Hon Chair, I beg to move that Clause 28 of the Bill be amended as follows;-

- i. In sub-clause (1) paragraph (a) by deleting the words appearing immediately after “*private schools*”
- ii. In sub-clause (1) paragraph (b) by deleting the words appearing immediately after “*public schools*”
- iii. In sub-clause (2) by deleting the words appearing after the words “*private status*”

(Question that Clause 28 be amended as proposed)

(Question put and agreed to)

(Question that Clause 28 as amended be part of the Bill, put and agreed to)

Clause 29

(Question proposed that Clause 29 be part of the Bill)

Hon. Jayendra Malde: Hon Chair, I beg to move that Clause 29 of the Bill be amended as follows;-

- i. In sub-clause (3) paragraph (a) by deleting the word “*intellectually*”
- ii. In sub-clause (4) by inserting the words “*assistive devices used by learners with disabilities*” immediately after the words “*learning materials*”.

(Question that Clause 29 be amended as proposed)

(Question put and agreed to)

(Question that Clause 29 as amended be part of the Bill, put and agreed to)

Clause 30

(Question proposed that Clause 30 be part of the Bill)

Hon. Jayendra Malde: Hon Chair, I beg to move that Clause 30 of the Bill be amended as follows;

- (i) By inserting the words “*in consultation with the Cabinet Secretary for Education*” immediately after the words “*The Executive Committee Member*”

(Question that Clause 30 be amended as proposed)

(Question put and agreed to)

(Question that Clause 30 as amended be part of the Bill, put and agreed to)

Clause 31

(Question proposed of Clause 31 be part of the Bill)

Hon. Jayendra Malde: Hon Chair, I beg to move that Clause 31 of the Bill be amended as follows;

- i. In sub-clause (1) by deleting the words “*County government*” appearing immediately after the words “*consultation with the*” and substituting therefor with the following “*Executive Committee Member*”

(Question that Clause 31 be amended as proposed)

(Question put of Clause 31 be amended as proposed put and agreed to)

(Question put of Clause 31 as amended be part of the Bill put and agreed to)

Clause 32, 33, 34, 35, 36 and 37

(Question proposed of Clause 32, 33, 34, 35, 36, and 37 be part of the Bill)

(Question put of Clause 32, 33, 34, 35, 36 and 37 be part of the Bill put and agreed to)

Clause 38

(Question proposed of Clause 38 be part of the Bill)

Hon. Jayendra Malde: Hon Chair, I beg to move that Clause 38 of the Bill be amended as follows;

(i) In sub-clause (1) by deleting the words “*under this section as ECD teacher*” appearing immediately after the words “*recruitment panel*” and substituting thereof ‘*in a public school*”

(Question of Clause 38 be amended as proposed)

(Question put of Clause 38 be amended as proposed put and agreed to)

(Question put of Clause 38 as amended be part of the Bill put and agreed to)

Clause 39

(Question proposed of Clause 39 be part of the Bill)

Hon. Jayendra Malde: Hon Chair, I beg to move that Clause 39 of the Bill be amended as follows;

(i) By deleting the words “*Section 34*” appearing immediately after and replacing therefor the following “*Section 38*”

(Question of Clause 39 be amended as proposed)

(Question put of Clause 39 be amended as proposed put and agreed to)

(Question put of Clause 39 as amended be part of the Bill put and agreed to)

Clause 40

(Question that Clause 40 be part of the Bill, proposed)

Hon. Jayendra Malde: Hon Chair, I beg to move that Clause 40 of the Bill be amended as follows;- (i) In sub-clause (2) by deleting the words “*Section 36 (2)*” appearing immediately after the word “*under*” and replacing thereof “*Section 38 (2)*”

(Question that Clause 40 be amended as proposed)

(Question put and agreed to)

(Question that Clause 40 as amended be part of the Bill, put and agreed to)

Clause 41

(Question that Clause 41 be part of the Bill, proposed)

Hon. Jayendra Malde: Hon Chair, I beg to move that Clause 41 of the Bill be amended as follows;- i. In sub-clause (1) by deleting the word 'Section 65' appearing immediately after the word "under" and substituting thereof 'Section 64'

(Question that Clause 41 be amended as proposed)

(Question put and agreed to)

(Question that Clause 41 as amended be part of the Bill, put and agreed to)

Clause 42, 43 and 44

(Question that Clause 42, 43 and 44 be part of the Bill, proposed)

(Question put and agreed to)

Clause 45

(Question that Clause 45 be part of the Bill, proposed)

Hon. Jayendra Malde: Hon Chair, I beg to move that Clause 45 of the Bill be amended as follows;-

(i) By inserting the word "implement" immediately after the word "shall"; and

(ii) By deleting the words "Standards Assurance Board" appearing immediately after the words "in consultation with" and substituting thereof the following 'Cabinet Secretary for Education; and

(iii) By deleting the word "establish" appearing immediately after the word "stakeholders".

(Question that Clause 45 be amended as proposed)

(Question put and agreed to)

(Question that Clause 45 as amended be part of the Bill, put and agreed to)

Clause 46

(Question that clause 46 be part of the Bill, proposed)

Hon. Chairperson: Mover

Hon. Jayendra Malde: Hon. Chair, I beg to move that clause 46 be amended as follows;

- i. In sub-clause (1) by deleting the words "Standards Assurance Board Council" appearing immediately the words "apply to the" and substituting "Education, Standards and Quality Assurance Council"

(Question that clause 46 be amended as proposed)

(Question put and agreed to)

(Question that clause 46 as amended be part of the Bill, put and agreed to)

Clause 47

(Question that clause 47 be part of the Bill, proposed)

Hon. Chairperson: Mover

Hon. Jayendra Malde: Hon. Chair, I beg to move that clause 47 be amended as follows;

- i. By inserting the words “**established under the Basic Education Act, 2013**” immediately after the words “**Education Appeals Tribunal**”.

(Question that clause 47 be amended as proposed)

(Question put and agreed to)

(Question that Clause 47 as amended be part of the Bill, put and agreed to)

Clause 48

(Question that clause 48 be part of the Bill, proposed)

Hon. Chairperson: Mover

Hon. Jayendra Malde: Hon. Chair, I beg to move that clause 48 be amended as follows;

- i. By deleting the entire Clause

(Question that clause 48 be amended as proposed)

(Question put and agreed to)

(Question that clause 48 be amended as proposed, put and agreed to)

Clause 49

(Question that clause 49 be part of the Bill, proposed)

Hon. Chairperson: Mover

Hon. Jayendra Malde: Hon. Chair, I beg to move that clause 49 be amended as follows;

- i. By deleting the entire Clause.

(Question that clause 49 be amended as proposed)

(Question put and agreed to)

(Question that clause 49 as amended, put and agreed to)

Clause 50,51,52,53,54,55,56,57 and 58

(Question that clause 50,51,52,53,54,55,56,57 and 58 be part of the Bill, proposed)

(Question put and agreed to)

Clause 59

(Question that clause 59 be part of the Bill, proposed)

Hon. Chairperson: Mover

Hon. Jayendra Malde: Hon. Chair, I beg to move that clause 59 be amended as follows;

- i. In sub-clause (1) by deleting the words, "**Section 56(3)**" appearing immediately after the words "**person authorized by**" and substituting "**Section 58(3)**".

(Question that clause 59 be amended as proposed)

(Question, put and agreed to)

(Question that clause 59 as amended, put and agreed to)

Clause 60,61 and 62

(Question that clause 60,61 and 62 be part of the Bill, proposed)

(Question put and agreed to)

Clause 63

(Question that clause 63 be part of the Bill, proposed)

Hon. Chairperson: Mover

Hon. Jayendra Malde: Hon. Chair, I beg to move that clause 63 be amended as follows;

- i. By deleting the words "**Sections 56(3) or section 57**" appearing immediately after the words "**conferred by**" and substituting with the words "**Section 58(3) or 59**".

PART VII

- i. In the Title PART VII by inserting the words “**LICENSING, REGISTRATION AND ACCREDITATION PROCEDURES OF PRE-PRIMARY SCHOOLS**” immediately after the word “**ASSESSMENT**”.

PART VIII

- I. In the title PART VIII by deleting the title in its entirety.
(Question that clause 63 be amended as proposed)
(Question put and agreed to)

(Question that clause 63 as amended, put and agreed to)

Clause 64 and 65

(Question that clause 64 and 65 be part of the Bill, proposed)
(Question put and agreed to)

Clause 2

(Question that clause 2 be part of the Bill, proposed)

Hon. Chairperson: Mover

Hon. Jayendra Malde: Hon. Chair, I beg to move that clause 2 be amended as follows;

- i. By deleting the definition of “**parent**” and replacing therefore the following “means the mother or father of a child and includes any person who is liable by law to maintain a child or entitled to his custody”
- ii. By inserting the following new definitions in their proper alphabetical sequence:
 - “**ECD**” as “means Early Childhood Development”
 - “**Education**” means of giving of intellectual, moral, spiritual instruction or other training to a child”
 - “**Guardian**” in relation to a child includes any person who in the opinion of a court has charge or control of the child;
 - “**Public School**” as “schools established owned or operated by the Government and includes sponsored schools.
 - “**Pre-primary school**” as “an educational establishment or learning space offering early childhood education to children before they begin compulsory education at primary school”
 - “**Service provider**” in this Act has the meaning assigned to a pre-primary school institution”

(Question that clause 2 be amended as proposed)

(Question put and agreed to)

(Question that clause 2 as amended, put and agreed to)

Long Title

(Question that long title be part of the Bill, proposed)

Hon. Chairperson: Mover

Hon. Jayendra Malde: Hon. Chair, I beg to move that long title be amended as follows;

- i. By deleting the numeric “2021” and substituting with the numeric “2022” thereof.

(Question that Long Title be amended as proposed)

(Question put and agreed to)

(Question that Long Title as amended, put and agreed to)

Clause 1

(Question that clause 1 be part of the Bill, proposed)

Hon. Chairperson: Mover

Hon. Jayendra Malde: Hon. Chair, I beg to move that clause 1 be amended as follows;

- i. By deleting the numeric “2021” and substituting with the numeric “2022” thereof.

(Question that clause 1 be amended as proposed)

Hon. Chairman: Any debate?

(Question put and agreed to)

(Question that clause 1 as amended, put and agreed to)

Hon. Chairman: Mover

Hon. Jayendra Malde: Hon. Chair, I beg to move that the committee do report to the assembly its consideration of the Nairobi City County Early Childhood Development and Education Bill, 2021; Assembly Bill number 5 of 2021 and its approval thereof with amendments.

(Question put and agreed to)

Hon. Temporary Deputy Speaker back in chair

Hon. Temporary Speaker: Chair to report

Hon. Chairman: Hon. Speaker, I beg to report that the committee of the Whole Assembly has considered the Nairobi City County Early Childhood Development and Education Bill, 2021; Assembly Bill number 5 of 2021 and approved the same with amendments.

Hon. Temporary speaker: Thank you Chair. Mover.

Hon. Jayendra Malde: Hon. Speaker, I beg to move that the Assembly do agree with the committee in the said report

(Question put and agreed to)

Hon. Jayendra Malde: Thank you Hon. Speaker. I would like to thank the State Department of Education, Kenya Law reforms commission, Kenya Institute of Curriculum Development, Kenya National---

Hon. Temporary Speaker: Hon. Malde, you have been guided on what to read from

Hon. Jayendra Malde: Thank you Hon. Speaker

Hon. Temporary Speaker: Proceed

Hon. Jayendra Malde: I beg to move that the Nairobi City County Early Childhood Development and Education Bill 2021; Assembly Bill number 5 of 2021 be now read a third time.

Hon. Temporary Speaker: Thank you Hon. Malde

(Question that the Bill be read a Third time, proposed)

(Question put and agreed to)

Hon. Temporary Speaker: Clerk proceed.

**THE NAIROBI CITY COUNTY EARLY CHILDHOOD DEVELOPMENT AND EDUCATION BILL, 2021;
ASSEMBLY BILL NUMBER 5 OF 2021. A BILL FOR AN ACT OF THE NAIROBI CITY COUNTY
ASSEMBLY TO MAKE PROVISIONS FOR COMPREHENSIVE PRE-PRIMARY SCHOOLING AND EARLY
CHILDHOOD DEVELOPMENT PROGRAMMES SO AS TO ACHIEVE THE GOALS OF BASIC
EDUCATION FOR ALL RESIDENTS AND FOR CONNECTED PURPOSES**

Third Reading

Hon. Temporary Speaker: Proceed.

MOTION**ADJOURNMENT**

Hon. Temporary Speaker: Any leadership in the House to proceed

Hon. Waithera Chege: Thank you Mr. Speaker. I wish to move a motion for adjournment of the Assembly. Pursuant to the provisions of Standing Order Nos. 23 and 29 (3), this Assembly therefore adjourns-

Hon. Temporary Speaker: Is it standing order 23 or 28?

Hon. Waithera Chege: Pursuant to the provisions of Standing Order Nos. 28 and 29 (3), this Assembly therefore adjourns until Tuesday 22nd March 2022 in accordance with the calendar of the County Assembly regular sessions. I beg to move the motion

Hon. Temporary Speaker: Thank you. Proceed Hon. Waithera

Hon. Waithera Chege: I wish to call upon Hon. Emmamet to second the motion

Hon. Emmamet Kemunto: Thank you Mr. Speaker. I beg to second the motion. this is a critical time for us to concentrate on our Wards and have the Clerks prepare themselves before we resume, and with that I second with great applaud

Hon. Temporary Speaker: Any other member? Nobody

ADJOURNMENT

Hon. Temporary Speaker: There being no other business members, the House stands adjourned to the dates mentioned. Have a nice weekend and God bless you.

The House rose at 4.04 p.m.