



**NAIROBI CITY COUNTY ASSEMBLY**

**OFFICIAL REPORT**

**Second County Assembly – Sixth Session**

Tuesday 5<sup>th</sup> April 2022

The House met at 2.30 p.m.

*[Hon. Deputy Speaker (Mr Geophrey Majiwa) in the Chair]*

PRAYERS

**COMMITTEE OF THE WHOLE ASSEMBLY**

*(Order for Committee read)*

*(Mr. Speaker left chair)*

IN THE COMMITTEE

*[Hon. Temporary Chairperson (Ms. June Ndegwa) took the Chair]*

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

**Hon. Temporary Chairperson:** Hon. Members, we are now in the Committee of the Whole Assembly to consider the Nairobi City County Air Quality Bill, 2021 (Assembly Bill No.12 of 2021). We will start the Bill from Clause 3. Clerk!

*Clause 3*

**Hon. Temporary Chairperson:** Mover?

**Hon. Waithera Chege:** Hon. Chair, I beg to move:

THAT, Clause 3 of the Bill be amended as follows;

In paragraph (d) by inserting the words “and The Public Health Act Cap 242” to appear immediately after the words “Cap. 387”

*(Question of the amendment proposed)*

**Hon. Temporary Chairperson:** Any debate?

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 3 as amended agreed to)*

Clauses 4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,19,20,21,22,23,24,25,26,27,28 and 29

*(Question that Clauses 4,5,6,7,8,9,10,11,12,13,14,15,16,17,18,  
19,20,21,22,23,24,25,26,27,28 and 29 be part of the bill)*

**Hon. Temporary Chairperson:** Any debate? None.

*(Question put and agreed to)*

Clause 30

**Hon. Waithera Chege:** Hon. Chair, I beg to move:

THAT, Clause 30 of the Bill be amended as follows:

In Sub-clause (3) by deleting the entire sub-clause and substituting thereof "A license issued under this section shall be valid for one year and shall thereafter be renewed annually"

*(Question of the amendment proposed)*

*(Question, that the words to be inserted in place thereof  
be inserted, put and agreed to)*

*(Clause 30 as amended agreed to)*

Clauses 31,32,33,34 and 35

*(Question that Clauses 31,32,33,34 and 35  
be part of the bill)*

*(Question put and agreed to)*

Clause 36

**Hon. Waithera Chege:** Hon. Chair, I beg to move:

THAT, Clause 36 of the Bill be amended by inserting the words "in line with the World Health Organization's standards" immediately after the words "in the Regulations".

*(Question of the amendment proposed)*

*(Question, that the words to be inserted  
be inserted, put and agreed to)*

*(Clause 36 as amended agreed to)*

Clauses 37,38,39,40,41,42,43,44 and 45

*(Question that Clauses 37,38,39,40,41,42,43,44 and 45  
be part of the bill)*

*(Question put and agreed to)*

Clause 46

**Hon. Waithera Chege:** Hon. Chair, I beg to move:

THAT, Clause 46 of the Bill be amended as follows:

In sub-clause (1) paragraph (g) by deleting the words "other minorities" and substituting thereof "other special groups".

*(Question of the amendment proposed)*

**Hon. Temporary Chairperson:** Any debate?

*(Question, that the words to be inserted in place thereof  
be inserted, put and agreed to)*

*(Clause 46 as amended agreed to)*

Clause 47, 48,49 and 50

*(Question that clause 47,48,49 and 50 be part of the Bill)*

**Hon. Temporary Chairperson:** Any debate?

*(Question put and agreed to)*

Clause 2

*(Question that clause 2 be part of the Bill)*

**Hon. Temporary Chairperson:** Mover

**Hon. Waithera Chege:** Thank you Chair. I beg to move that clause 2 of the Bill be amended as follows; By deleting the definition of the word “Greenhouse gas” in its entirety. Chair, I beg to move.

*(Question of the amended, proposed)*

**Hon. Temporary Chairperson:** Any debate?

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

*(Clause 2 as amended agreed to)*

Long title

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

**Hon. Temporary Chairperson:** Mover

**Hon. Waithera Chege:** Hon. Chair, I beg to move that the long title be amended by deleting the numeric 2021 and substituting with the numeric 2022 thereof. I beg to move.

*(Question that long title be amended, proposed)*

**Hon. Temporary Chairperson:** Any debate?

*(Question that long title be amended as proposed, put and agreed to)*

*(Long title as amended agreed to)*

*(Question that the long title as amended be part of the bill put and agreed to)*

Clause 1

**Hon. Temporary Chairperson:** Mover!

**Hon. Waithera Chege:** Hon. Chair, I beg to move:

THAT, Clause 1 be amended by deleting the numeric “2021” and substituting with the numeric “2022” thereof.

*(Question of the amendment proposed)*

**Hon. Temporary Chairperson:** Any debate?

*(Question, that the words to be inserted in place thereof  
be inserted, put and agreed to)*

*(Clause 1 as amended agreed to)*

**Hon. Temporary Chairperson:** Mover!

**Hon. Waithera Chege:** Hon. Chair, I beg to move that the committee do report to the assembly its consideration of the Nairobi City County Air Quality Bill, 2021 (Assembly Bill No. 12 of 2021) and its approval thereof with amendments.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

*[Hon. Deputy Speaker (Mr. Geophrey Majiwa) in the Chair]*

### REPORT AND THIRD READING

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

**Hon. June Ndegwa:** Thank you, Hon. Speaker. I beg to report that the Committee of the Whole Assembly has considered the Nairobi City County Air Quality Bill, 2021 (Assembly Bill No. 12 of 2021) and approved the same with amendments.

**Hon. Deputy Speaker:** Mover!

**Hon. Waithera Chege:** Thank you Hon. Chair. I beg to move that the Assembly do agree with the Committee in the said report. I beg to move, Mr. Speaker.

*(Question proposed)*

**Hon. Peter Imwatok:** Hon. Speaker, allow me to stand humbly before you and before my colleague, Hon. Waithera and all Members of this House. I stand to congratulate Hon. Waithera Chege for a journey well-travelled since she brought this Motion to this Assembly about the issues of air pollution especially from her own ward. We had to go to the ward as Members of the Environment Committee to try and mitigate the issues of air pollution.

Hon. Speaker, I remember vividly well, speaking on this floor, asking her to dedicate her time to come up with a Bill, which she has tremendously done, and that's why this afternoon we had to come and support this cause. To the Chair and to the entire Assembly and to the government of the day in the County, I believe this Bill has to be put into practicality. For those who do not understand how air pollution affects people, I think it is time they go to Google and read some things in Europe on how air pollution is causing health challenges to the masses in the country.

Hon. Speaker, how I wish we now institutionalize this Bill properly and the Governor should not waste even a day or so to make sure it is assented to, so that Nairobians can start reaping the fruits of the hard work of a gentle lady from South B. Hon. Chege, history will be written and you are part of the history that tried to change the society to how it should be and the air that we breathe. Thank you Speaker and congratulations once again.

**Hon. Deputy Speaker:** Is there any Member on line?

*(Question put and agreed to)*

**Hon. Waithera Chege:** Hon. Speaker, I beg to move that the Nairobi City County Air Quality Bill, 2021 (Assembly Bill No. 12 of 2021) be now read a Third Time.

*(Question proposed)*

*(Question put and agreed to)*

*(The Bill was accordingly read the Third Time and passed)*

**ADJOURNMENT**

**Hon. Deputy Speaker:** There being no other business, the Assembly adjourns to Thursday 7<sup>th</sup> April 2022, at 2.30pm. Thank you.

**The House rose at 3.25 p.m.**