



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Third County Assembly – Third Session

Wednesday 21<sup>st</sup> February 2024

The House met at 2.30 p.m.

*[The Temporary Speaker (Hon. Antony Gathumbi) in the Chair]*

PRAYER

QUORUM

**Hon. Temporary Speaker:** Serjeant-at-Arms, please ring the Bell for ten minutes so that we can attain quorum.

*(Quorum Bell was rung)*

Serjeant-at-Arms, please ring the Bell for further five minutes. We have not attained quorum.

*(Quorum Bell was rung)*

**Hon. Temporary Speaker:** Clerk, proceed.

**BILL**

*Second Reading*

NAIROBI CITY COUNTY CIVIC EDUCATION BILL, 2023  
(ASSEMBLY BILL NUMBER 9 OF 2023)

**Hon. Temporary Speaker:** Hon. Silas Matara? Anybody standing in for Hon. Matara? Mheshimiwa Nasra.

---

**Disclaimer:** *The electronic version of the Official Hansard Report is for information purposes only. A certified version of this Report can be obtained from the Hansard Editor.*

**Hon. Nasra Nanda:** Thank you, Mr. Speaker, Sir. I have been requested by Hon. Matara to stand in for him to move the Bill for Second Reading. However, I do not have a copy of the said Bill to enable me proceed.

**Hon. Temporary Speaker:** You can still go ahead and represent him. But we shall regularize that, maybe you do at a later stage. Thank you.

**Hon. Nasra Nanda:** Thank you, well guided, Hon. Speaker. I rise to move the Nairobi City County Civic Education Bill for its Second Reading on the basis that it is an important Bill as it champions civic education in the County. And this...

**Hon. Temporary Speaker:** Hon. Member, just move the Motion for Second Reading.

**Hon. Nasra Nanda:** Well guided. Hon. Speaker, I wish to rise to move the bill for the Second Reading. Thank you, Hon. Speaker.

**Hon. Temporary Speaker:** Serjeant-at-Arms, please assist.

**Hon. Nasra Nanda:** Thank you, Hon. Speaker. Once again, I rise to move:

THAT, the Nairobi City County Civic Education Bill, 2023 (Assembly Bill 9 of 2023) be read a Second Time.

I kindly ask Hon. Sospeter to second the Bill. Thank you.

**Hon. Sospeter Mumbi:** Thank you, Hon. Speaker. I rise to second the Bill. This is a Bill that is going to address a number of issues that have continued to affect us. You all understand as Hon. Members that the people who voted for us have little knowledge or information on how the Government and the County in particular runs its affairs. So, this Bill will create a room where we can allocate a budget to facilitate civic education on the ground. In the long run, once we are able to conduct civic education, our people will be informed and it will give us an easy time as Hon. Members to engage residents and carry out our agenda as representatives, legislators, and as people who offer oversight. In that regard, Hon. Speaker, I second at the Second Reading of this Bill. Thank you

*(Question proposed)*

**Hon. Temporary Speaker:** Hon. members, we are now in plenary. Hon. Perpetua.

**Hon. Perpetua Mponjiwa:** Hon. Speaker, though I had not pressed my mic to speak, but I think this is a good Bill and should be passed. As I peruse, I also see there is Governor's day where the Governor can designate a County Civic Education Day. That is very important and crucial. For that reason, I support the Bill.

The Bill also states the boards and partnerships in public and civic education. As you continue perusing, the Bill talks about civic education to be integrated in the education system and syllabuses. As an educationist and the Chair of Education, I really support that. I support the Bill in totality. Thank you very much.

**Hon. Temporary Speaker:** Hon. Emmy.

**Hon. Emmy Isalambo:** Thank you, Hon. Speaker, I stand to support the Bill. Sometimes things that pass through the Assembly, Nairobians may not be aware. So, through civic education,

it will enlighten them and open them to things that they want to ask. I stand to support the Bill. Thank you, Hon. Speaker.

**Hon. Temporary Speaker:** Hon. Jeremiah Karani.

**Hon. Jeremiah Karani:** Thank you, Hon. Speaker. This Bill is important for us, particularly now that you cannot do any project in our wards without conducting civic education. It is good for us to create that office. When we hold public participations in our wards, the people think that we are being given funds instead of the funds being given to them. By educating them concerning the same and creating that office, it will be important to us and our people.

Hon. Speaker, we also need to allocate some funds to cater for that office so that people on the ground feel that we are engaging them in any projects or development in our wards. Therefore, I support the Bill with my whole heart. Thank you, Hon. Speaker.

**Hon. Waithera Chege:** Thank you, Mr. Speaker. Before I support the Bill, I am shocked we are speaking about civic education and creating awareness yet almost full House is not even aware that there has been existence of the same Bill. So, when such a critical Bill comes on the floor of the House and almost 90% of the Members are not aware, maybe even including myself...

**Hon. Temporary Speaker:** Hon. Waithera Chege, I do not know where you have gotten those statistics.

**Hon. Waithera Chege:** Hon. Speaker, there is no Member who is speaking like Chege Mwaura...

**Hon. Temporary Speaker:** My data here shows me almost 100% of the Members want to speak to the Bill.

**Hon. Waithera Chege:** No problem, but I will always want to speak the truth on the floor...

**Hon. Temporary Speaker:** I agree with you Mheshimiwa, but I don't know where you have gotten your statistics. My system here shows me most of the Members want to speak to the Bill.

**Hon. Waithera Chege:** Mr. Speaker, I can read the mood of the House.

**Hon. Temporary Speaker:** Please go on.

**Hon. Waithera Chege:** Thank you, for acknowledging that. I am just trying to say that this is a very critical Bill, if you ask me from where I sit. The fact that Schedule 4 of the Constitution of Kenya only gives special power to all MCAs in Kenya to do recruitment and to take participation of communities seriously, a duty and a power that has not been given to any other leader in this country.

Therefore, if the MCAs in Nairobi are the ones to take up such a critical role, then it is my belief and my opinion that this Bill should not only be debated on the floor of the House, but it should also be able to reach each and every residents of Nairobi. Why am I saying this, Mr. Speaker? I am saying this because anytime a Bill goes beyond Second Reading, you definitely know there is no much space for amendment. Amendments ought to have come between the First and the Second Reading. So, when this Bill is like this on the floor, and I really appreciate Hon.

Matara, it means that we need to formally involve all MCAs in this House. Therefore, I would have expected that the chapter on public participation should have been extended beyond the committee that is looking at this Bill and having the whole House participate in this Bill. The Constitution of Kenya, 2010 is very eloquent on the issues of creating awareness and public participation. This is a bill of its own kind.

If it was me to be asked, only that the power lies on your desk, the Second Reading of this Bill ought to have been extended beyond today to allow the Members to familiarize themselves with the contents of the Bill and to allow this floor to extend its mandate beyond this formal induction.

Having said that, Mr. Speaker, I am seeing something very unique in this Bill; the issue of electric governance. I think this is the first Bill that is talking about electric governance because most of the bills that we have ever had have not taken cognizance of the fact that we are moving into a modern society where we are using the internet.

Mr. Speaker, I also see the introduction of a fund in this Bill. When I look at this fund and how the money will be used, part of it because it will be coming from the percentage of our budget that has been passed and approved by this House, it will be used to do research, documentation and dissemination of the same civic education and of course pushing and promoting civic education programmes, and other matters incidental to the same.

Mr. Speaker, this floor will be passing that budget to allow full implementation of this Bill. This is the reason why I have to keep on pushing this House, especially when this Bill on page 9 speaks about ward forums. If there are people who are supposed to promote awareness of these ward forums, it is us as MCAs in this House.

Mr. Speaker, as I positively add my opinion to this Bill, I want to say that it is very important that the objectives and purpose of every bill that comes before us is well documented in terms of making sure that not only that single committee that goes through that bill, but also most of the sectors are involved. Having said that Mr. Speaker, I beg to support.

**Hon. Temporary Speaker:** Thank you very much, Hon. Waithera Chege, your advice is taken. Hon. Mark Thiga.

**Hon. Mark Thiga:** Thank you, Mr. Speaker for giving me this chance to contribute on this weighty matter. I am in full support of this Bill because I believe it will be a framework for understanding especially for our citizens. Civic education will go a long way in dealing with misinformation which affect our work in a very big way. The Civic Education Bill will also help Nairobians in understanding their rights and responsibilities in a better way.

No. 3 of the Bill states;

*“The Director shall, in consultation with Nairobi City County Assembly Civic Education office, support for facilitation of the forums referred to under this section.”*

Mr. Speaker, let it be proper facilitation. Thank you.

**Hon. Temporary Speaker:** Thank you very much, Mheshimiwa Mark Thiga. Hon. Ochieng Jera.

**Hon. Samson Ooko:** Thank you, Mr. Speaker. As the Member for Lindi Ward, I also take this opportunity to thank Hon. Silas Matara for a well thought out Bill. This Bill should have come long time ago. I have gone through the Bill, these are the areas that I think are weighty and make me support this Bill unconditionally: When I go for these ward forums... Allow me to keep quiet when the Chair is walking out.

**Hon. Temporary Speaker:** Order! Do not do the Speaker's job.

**Hon. Samson Ooko:** Members of the County Assemblies are recognized, and in this paragraph it says:

*"A member of the County Assembly shall in every four months convene a ward forum for the purposes of disseminating civic education to their wards."*

In the same paragraph, it states:

*"...Subject to the submission, facilitate persons with disabilities and the elderly to attend and participate in such forums."*

Mr. Speaker, you also realize that during the submission of reports, the reports shall be well kept in the Assembly for future references. Unlike when we come here, talk and prepare everything but when you ask for it, you do not know where to get it. This time, there should be a law guiding on how and when our documents are kept, especially those coming from the wananchi.

When it comes to citizens' duties and responsibilities, Mr. Speaker, you realize that residents with interests in the County affairs have a duty and responsibility to constructively participate in forums and platforms organized by the County Government for civic education and share information and also make proposals to the County Government during the law and policy making process as well as service delivery mechanisms.

Mr. Speaker, this document is very important because it has given us a way to get to our people, give information and make it useful for future use. It has recognized that a Member of the County Assembly has a role to play.

Allow me to support this motion and appreciate my brother, Hon. Silas Matara. Thank you so much.

**Hon. Temporary Speaker:** Thank you very much Mheshimiwa Jera. Hon. Sospeter, I would like you to familiarize yourself with the Standing Order No. 120; it does not allow a member to speak on an issue more than once. But I will use my discretion and allow you to contribute.

**Hon. Sospeter Mumbi:** Thank you so much Hon Speaker for the guidance and for allowing me to proceed even after having spoken earlier. However, when I was seconding, I was not privy to that Standing Order, that is why I had to do a very brief presentation. Thank you for this opportunity.

Hon. Speaker, if you look at the objectives and the purpose of this Bill under No. 2 (b), it states that:

*“It is going to improve the understanding, appreciation and engagement in the operationalization of the county system of government.*

Hon. Speaker, where we are today as Hon. Members, we have been grappling on the idea of helping our electorates understand the mandate of an MCA, and more importantly the functions of the County Government. We have had our electorates asking us for rent, harambees, funerals, handouts and so on. But, Hon. Speaker, once we start to engage with these people because the Bill is giving us an opportunity to engage with these people and also get facilitated. From where we sit today, even convening a meeting at the community level, it calls for an Hon. Member to go into their pockets and facilitate any process or any meeting at the community level. So, the Bill is creating that avenue where such meetings shall be facilitated.

When you look at No, 2 (f), it states;

*“Enhanced awareness and mainstreaming of the Bill of Rights and national values.”*

Hon. Speaker, there is so much that is been gained with the implementation of this Civic Education Bill.

If you look at the structure of the county government, we have Executive on that side, the Assembly in the middle, and the electorates on that end. So, there has been a lacuna on how we have been operating. From here, the Assembly engages the Executive; we have always been in touch with the Executive. But the people we claim to represent on the ground, we have not had an avenue where we are able to engage them because we don't have a forum that allows us to engage with the public so that whatever issues that are emanating from the electorate find their way to our desks as representatives. From there, we are able to escalate the same to the Executive so that as I stand here and claim to represent the people of Roysambu, I will have the power.

Through the Civic Education Bill, at least I have been given that opportunity to go and engage with my people and then get their views on whether the services that we proposed or the legislations that we have passed in the Assembly are making any impact on the ground. So, these forums will provide us with that avenue of raking the impact of the legislations that we are making in the Assembly, whether they are being felt on the ground. And also on the other hand getting to interact with the issues that the public feels need to get to this House through legislation or oversight and then we are able to escalate up there.

Hon. Speaker, look at how we operate on the ground, on one section an individual calls and tells me streets around certain area are not functioning. I will take that issue and call the people in charge. Then after two days, someone else within that particular area calls me on the same matter yet probably the people concerned were there the previous week. From where we sit today, getting the street management team on the ground only happens once a month.

This Bill will provide us an avenue whereby if it is about a committee that is focusing on the issues of environment, for example, it will give me an opportunity because I have several sections within Roysambu, like Marurui, Roasters, Garden Estate, Lumumba, Witemere, USIU, and the likes. This Bill will give me an opportunity where if it is about environment, I am able to

identify individuals representing the various sections to form part of the environment committee in a way, through that and other functions that are conducted by the County. Once I am able to formulate that, what this means is that, if issues of environment are to reach my desk, then I will be able to address them collectively, as opposed to the current structure where individuals have to call me and report issues affecting them. I will have a holistic way of addressing all the issues of the people of Roysambu through the implementation of this Bill.

Let me end by saying that I am really excited that this is something that I have been looking forward to. I want to challenge this House that I will be the first person to implement this Bill. I want to see the fruits of the Bill. I want Roysambu to become a benchmark for the implementation of this Bill. I urge Members to support this Bill because it will go a long way in addressing the many challenges that we continue to face on the ground. Thank you, Hon. Speaker.

**Temporary Speaker:** Well spoken, Mheshimiwa of Roysambu. Now that we don't have any Member, I will call the mover to reply.

**Hon. Nasra Nanda:** Thank you, Mr. Speaker, Sir. I beg to move the Nairobi City County Civic Education Bill, 2023 (Assembly Bill No. 9 of 2023).

**Temporary Speaker:** At this point you just need to reply and thank Members.

**Hon. Nasra Nanda:** Thank you, Hon. Speaker, well guided. I beg to reply on the Nairobi City County Civic Education Bill, 2023 (Assembly Bill No. 9 of 2023). Thank you, Hon. Members for your contributions and support.

*(Question put and agreed to)*

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

## STATEMENT

### BUSINESS APPEARING BEFORE THE ASSEMBLY FOR THE WEEK BEGINNING WEDNESDAY 21<sup>ST</sup> FEBRUARY 2024

**Temporary Speaker:** Hon. Martin Mbugua.

**Hon. Martin Mwangi:** Thank you, Hon. Speaker. Pursuant to Standing Order 47 (2) (a), on behalf of the Assembly Business Committee, I rise to give the following Statement regarding the Business appearing before the Assembly for the week beginning Wednesday 21<sup>st</sup> February 2024.

Hon. Speaker, the Assembly Business Committee met on Tuesday 20<sup>th</sup> February 2024 to allocate Business for the week for consideration by this Assembly. In that regard, allow me to brief the Assembly as follows: That,

1. Today, Wednesday 21<sup>st</sup> February 2024, under Order No. 8, the Assembly has considered the Second Reading of the Nairobi City County Civic Education Bill, 2023 (Assembly Bill No. 9 of 2023), sponsored by Hon. Member from Dandora Area, Hon. Silas Matara, MCA;

2. Further, on Thursday 22<sup>nd</sup> February 2024, under Order No. 8, the Assembly shall be considering the Second Reading of the Nairobi City County Early Childhood Development and Education Bill, 2023 (Assembly Bill No. 8 of 2023), sponsored by the Chairperson of the Sectoral Committee on Children, Early Childhood Education and Vocational Training, Hon. Perpetua Mponjiwa, MCA; and
3. On Tuesday 27<sup>th</sup> February 2024, under Order No. 8, the Assembly shall be considering the Second Reading of the Nairobi City County Technical, Vocational Education and Training Bill, 2023 (Assembly Bill No. 6 of 2023), sponsored by Hon. Perpetua Mponjiwa, MCA.

Hon. Speaker, the Assembly Business Committee urges members of this Assembly to familiarize with the aforementioned Bills and prepare accordingly for debate, through the help of our Research Department. Details of the Bills can be obtained in the Notice Paper, being the last page of day's Order Paper. Copies of the Bills can be accessed online on the Assembly website or at the Table and Journals office.

Hon. Speaker the Assembly Business Committee shall be informing this Assembly through its designee, on the allotted business every Wednesday during the Statement Hour for timely preparations.

Finally, Hon. Speaker, the Assembly Business Committee will again meet on Tuesday 27<sup>th</sup> February 2024 at the rise of the Assembly to ballot business for the subsequent week.

Hon. Speaker, I now wish to lay the Statement on the Table of the Assembly. Thank you.

**Temporary Speaker:** Sorry, Hon. Members, that anomaly happened, but under Standing Order 43, I allowed the Member to read the Statement of the House Business Committee.

### ADJOURNMENT

**Hon. Temporary Speaker:** Hon. Members, the Assembly adjourns until tomorrow, Thursday 22<sup>nd</sup> February 2024 at 2.30 p.m.

*The House rose at 3.35 p.m.*