



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Third County Assembly – Fourth Session

Tuesday 10th June 2025

The House met at 2.30 p.m.

[The Speaker (Hon. Kennedy Ng'ondi) in the Chair]

PRAYER

Hon. Speaker: Hon. Members, you may be seated.

Hon. Members, the Assembly sitting is hybrid; it is both physical and online. We have a quorum to allow the Assembly to transact the business of the day. Clerk, proceed.

PAPER

NAIROBI CITY COUNTY FY 2024/2025 3RD QUARTER REPORT AND
FINANCIAL STATEMENTS FOR PERIOD ENDED 31ST MARCH 2025

Hon. Speaker: Hon. Members, under Order No. 5, we have a Paper to be laid; the Nairobi City County FY 2024/2025 Third Quarter report and financial statements for the period ended 31st March 2025. The Hon. Leader of the Majority? The ranking leadership in the Assembly?

Hon. Moses Ogeto: Thank you, Hon Speaker. Pursuant to Sections 163, 164, and 165 of the Public Finance Management Act of 2012, I beg to lay the following Paper on the Table of the Assembly, today, Tuesday 10th June 2025:

The Nairobi City County FY 2024/2025 Third Quarter report and financial statements for the period ended 31st March 2025.

Hon. Speaker, I lay.

(The Paper was laid on the Table)

Hon. Speaker: The Paper laid is committed to the Budget and Appropriations Committee for consideration.

NOTICE OF MOTION

DEVELOPMENT OF ALTERNATIVE DISPUTE RESOLUTION POLICY TO GUIDE RESOLUTION OF DISPUTES INVOLVING THE COUNTY AND ITS AGENCIES

Hon. Speaker: Is Hon Maragu in the Assembly? Kindly, Sergeant-at-Arms and the Clerks-at-the-Tables, facilitate the Hon Maragu.

Hon. Antony Maragu: Thank you, Hon. Speaker. I wish to give Notice of the following Motion.

AWARE THAT Article 159 (2) (c) of the Constitution of Kenya, 2010 provides that in exercising judicial authority, courts and tribunals shall be guided by the principle that alternative forms of dispute resolution, including reconciliation, mediation, arbitration and traditional dispute resolution mechanisms shall be promoted;

FURTHER AWARE THAT the County Governments Act, 2012 and the County Attorney Act, 2020 obligate County governments to pursue lawful, efficient and cost-effective mechanisms in the discharge of their legal and governance functions;

COGNIZANT THAT a Section 9 of the County Attorney Act, 2020 empowers the County Attorney to represent the County Government in civil litigation and to provide legal advice aimed at protecting the interest of the County Government;

CONCERNED THAT a significant portion of the County's annual budget continues to be spent on settling court awards and legal costs resulting from litigation initiated by the County Legal Department, with many of these matters capable of resolution through alternative means;

NOTING THAT prolonged legal battles not only deplete County resources but also result in judgements that could have been mitigated to avoided;

THIS ASSEMBLY THEREFORE urges the County Executive through the Office of the County Attorney to: -

1. Ensure that litigation is used strictly as a last resort in resolving disputes involving the County Executive;
2. Establish structured negotiation frameworks, and institutionalize the use of tribunals, mediation, conciliation and arbitration in line with Article 159 (2) (c) of the Constitution within 60 days; and
3. Develop a County Alternative Dispute Resolution (ADR) policy to guide the resolution of disputes involving the County and its agencies within 60 days.

Thank you.

Hon. Speaker: Hon. Members, the Notice of Motion is well guided and is now before the Assembly.

STATEMENTS

Hon. Speaker: Hon. Redson Onyango, Hon. Deonysias Mwangi, Hon. Heho, Hon. DNG, the Hon. Sospeter Mumbi. Kindly, let the said Members be facilitated. Do we have Hon. Redson Otieno in the Assembly? This request has now appeared on the Order Paper for the second consecutive day. We will give it another chance to be slotted in for business for consideration, so

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it is directed back to the House Business Committee for consideration. Hon. Mwangi, are you ready? Kindly proceed.

GENERAL STATEMENT ON THE
NEGLECTED STATE OF AFFAIRS IN GITHURAI WARD

Hon. Deonyias Mwangi: Thank you, Hon. Speaker. Pursuant to Standing Order No. 46, I wish to make a general Statement, and further seek the Speaker's direction or intervention on the neglected state of affairs in Githurai Ward on matters of development, implementation of County programs and services delivery.

In the above regards, Hon Speaker, I wish to submit as follows:

1. That, whereas one of the national values and principles of governance dictates in Article 10 (1) (c) of the Constitution of Kenya, 2010 that binds state organs, state officers, public officers, and all persons whenever any of them makes or implements public policy decisions, including but not limited to sustainable development;
2. Whereas Section 102 of the Public Finance Management Act, 2012 emphasizes on the responsibility of the county government on public finance management, which dictates that each county government shall ensure adherence to amongst others, national values set out in the Constitution; and
3. Whereas in the same spirit, Hon. Speaker, Section 103 (f) of the County Governments Act, 2012 provides for the objective of county planning being to, amongst others, assure the preconditions for integrating underdeveloped and marginalized areas to bring them to the level generally enjoyed by the rest of the county.

While disturbed and deeply concerned with the neglected state of affairs in Githurai Ward on deprived capital development and programs despite its allocation and approved appropriations in both the running and the previously retired budget estimates, contrary to aforementioned provisions being in an unsustainable manner, it is not only a contravention of Article 10 of the Constitution of Kenya, 2010 on values and principles of management, but also disservice to the residents of Githurai Ward. Cases in particular, Hon. Speaker:

1. In the last two financial years, that is 2023/2024 and 2024/2025, the only tangible program that the residents of Githurai Ward received was Kshs.9.5 million in bursaries, a combined amount for the two financial years, from the County Government of Nairobi, despite the dire need of other essential services.
2. On the earmarked capital developments on the current running budget for the financial year 2024/2025, the absorption percentage on the development vote for projects under Githurai Ward, being the construction of roads, remains at zero percent. During the first two financial years under the third generation of the County Integrated Plan (CIDP) 2023-2027, two roads were tarmacked, namely Kayaba Road and Rorie- Marshes Road in Githurai Ward.

However, it is unfortunate that as of today, the contractors have not been paid despite having fully completed the projects. During public participation, Mr. Speaker, residents would

request for a number of projects to be included in the annual plans and subsequently considered in the budget estimates despite featuring the running County Integrated Development Plan (CIDP).

The proposed projects and programs remain just a proposal on the papers but are never actualized. Such issues and interventions are like:

1. Deprecated roads such as Sivo Road, Rorie Powerline Road, Shiro Road, Mokoe Road, Kweche Road, and Kirogo Road, just to mention a few.
2. Neglected Githurai Level III Hospital, which lacks a perimeter wall, pending completion of the waiting bay, lack of a sufficient ablution block, and a maternity wing pending conclusion.
3. Delayed initiation of the Githurai Sports Ground, which has been prioritized for the last two years but pending commencement, amongst others. In the case like Shiro Road, Hon. Speaker, the County Executive in their reports, indicates the project is ongoing yet on the ground, the same is yet to be initiated.

Noting with sincere concern, Hon Speaker, Githurai Ward being a largely commercial zone with traders paying their taxes, renewing business permits, and paying sales diligently, the state with regards to development and service delivery remains dire and is considered disgruntled and unsustainable, hence it is high time I register their displeasure in HANSARD as the elected Member of the Githurai Ward.

Hon. Speaker, my office has been furnished with a public notice for a scheduled demonstration by the residents of Githurai Ward shared for the coming days alongside threats of cessation of payment of licenses and other County fees should the situation remain unaddressed. I seek your guidance, Hon. Speaker. Thank you.

Hon. Speaker: Hon. Member, thank you for the general Statement. This lies at the doorstep of the Budget and Appropriation Committee headed by Hon. Wilfred Oluoch Odalo. Order, Hon. Chair, I am addressing the Chair of the Budget Committee.

Chair, if you are keen enough, the Member is so concerned, but now you will take your time to go through the concerns of the Member representing Githurai Ward, and in your own wisdom see how to give a hand, not necessarily allocate funds but be fair to the concerns as raised by the Hon. Member. There is an outcry that can only be addressed by your sector. Kindly follow up on his concerns as raised and maybe share them with the House in the next two weeks. So you so stand guided, Hon. Chair.

Hon. Deonysias, that is a good spirit and towards a good direction. Let us proceed.

Hon. DNG is not in the Assembly. The Statement stands deferred. Hon. Heho, are you ready?

(Hon. Carrington Heho spoke off the record)

You can not address the Speaker while seated, please. Why don't you share because now the business is before the Assembly? It is no longer your business.

Hon. Carrington Heho: My apologies, Hon Speaker, the matter was resolved.

Hon. Speaker: We have resolved the matter?

Hon. Carrington Heho: Yes.

Hon. Speaker: So, it is supposed to be expunged from our records.

Hon. Carrington Heho: Kindly, I will appreciate that.

Hon. Speaker: The Clerk stands directed.

REQUEST FOR STATEMENT REGARDING OWNERSHIP OF
LAND, NAIROBI BLOCK 219/32 AND 219/33 ALONG
NORTHERN BYPASS IN ROYSAMBU WARD.

Hon. Sospeter Mumbi: Thank you, Hon. Speaker.

Hon. Speaker: Kindly be close to your mic.

Hon. Sospeter Mumbi: Yes, Hon. Speaker, the subject of my statement is ownership of a parcel of land with title numbers, Nairobi Block 219/32 and 219/33.

Hon. Speaker, pursuant to Standing Order 47 (2) (c), I wish to request a Statement from the Chairperson of the Sectoral Committee on Lands, Planning and Housing regarding ownership of parcel of land title numbers, Nairobi Block 219/32 and Nairobi Block 219 /33 along Northern Bypass in Roysambu Ward.

Hon. Speaker, Article 62 (2) of the Constitution of Kenya, 2010 provides that public land shall be vested in and be held by a county government in trust of the people resident in the county.

Hon, Speaker, it is alleged that the parcel of land with title numbers, Nairobi Block 219/32 and Nairobi Block 219/33, along the Northern Bypass in Roysambu Ward was surrendered to the residents of Roysambu Ward and the County at large. However, recent developments, e.g. at the said parcel of land has raised eyebrows from the public on the legal ownership and approvals of development on the same.

Hon. Speaker, in the Statement, the Chairperson should inquire into and report on:

1. Current legal ownership of the parcel of land, title number Nairobi Block 219/32 and Nairobi Block 219/33 along the northern bypass in Roysambu Ward;
2. Whether the said parcel of land is public or private;
3. Whether the parcel of land was surrendered to the County Government for development of public amenities, and they should provide particulars of the surrender process; and
4. Whether there are any specific public amenities the County Government intends to develop on the said parcel of land, if public.

Thank you, Hon. Speaker. I have another one...

Hon. Speaker: Just give room for the Chair to give an undertaking.

Hon. Sospeter Mumbi: Thank you. Well guided.

Hon. Speaker: The Chair, Planning Committee, please proceed.

Hon. Alvin Palapala: Thank you, Mr. Speaker. I would like the Hon. Member to give me three weeks because the Committee is busy working on a Regularization Bill, so that we can do a thorough investigation.

Hon. Speaker: Hon. Chair, if my mind serves me right, the Regularization Bill was published last week, and I don't think the Committee is so much involved now in the other which

will deter you from considering the request of the Hon Member, unless you are not taking this as a serious business of the House.

Hon. Alvin Palapala: Mr. Speaker, we have public participation the whole of next week.

Hon. Speaker: Public participation for how many days?

Hon. Alvin Palapala: One week.

Hon. Speaker: Public participation running for a whole week?

Hon. Alvin Palapala: Yes, we are going to each Sub County.

Hon. Speaker: Hon. Sospeter, are you okay with three weeks?

(Hon. Sospeter Mumbi agreed off the record)

Kindly, you may proceed with the other business.

Hon. Alvin Palapala: Thank you for understanding.

Hon. Speaker: Thank you. Proceed.

REQUEST FOR STATEMENT REGARDING OWNERSHIP OF LAND,
LR NO. 18068 ALONG NORTHERN BYPASS IN ROYSAMBU WARD

Hon. Sospeter Mumbi: Thank you. The subject of the next statement is a parcel of land, title number LR No. 18068, in Roysambu Ward.

Hon. Speaker, pursuant to Standing Order 47 (2) (c), I wish to request a Statement from the Chairperson of the Sectoral Committee on Lands, Planning and Housing regarding ownership of parcel of land, LR No. 18068 along the northern bypass in Roysambu Ward.

Hon. Speaker, Article 62(2) of the Constitution of Kenya, 2010 provides that public land shall be vested in and be held by the county government in trust of the people resident in the county.

Hon. Speaker, it is alleged that the parcel of land LR No. 18068 along Northern Bypass in Roysambu Ward was surrendered to the County Government for the development of essential public amenities for the betterment of the residents of Roysambu Ward and the County at large.

However, recent development on the said parcel of land by a private developer has raised concern about the legal ownership and approval of the same.

Hon. Speaker, recently, sounds of gunshots have been rampant around the area of the said parcel of land, and as a result, panic and fear among the residents have raised further concerns about the legal ownership.

Hon. Speaker, in the Statement, the Chairperson should inquire into and report on:

1. Current legal ownership of the land LR No. 18068 along the Northern Bypass in Roysambu Ward;
2. Whether the said parcel of land is public or private land;
3. Whether the said parcel of land was surrendered to the County Government for development of public amenities, and they should provide particulars of the surrender process; and

4. Whether there are any specific public amenities the County Government intends to develop on the said parcel of land. Thank you, Hon. Speaker.

Hon. Speaker: Chair, Planning Committee, please.

Hon. Alvin Palapala: Thank you, Mr. Speaker. Can I delegate to the Majority Leader?

Hon. Speaker: Chairman, you cannot tell this House you are so incompetent to a level you are not able to transact on behalf of the Committee. Hon. Chairman, Planning, I hope you are not taking this House for a ride. Why would you delegate a responsibility that is squarely yours to a Leader of the Majority?

Hon. Alvin Palapala: Hon. Speaker, I stand guided.

Hon. Speaker: Kindly proceed and give an undertaking.

Hon. Alvin Palapala: Actually, I don't know what is happening in Roysambu, but as I have said, if he can just give me three weeks, I will bring the report back to the Assembly for the two Statements. Thank you.

Hon. Speaker: Hon. Sospeter?

Hon. Sospeter Mumbi: Hon. Speaker I am comfortable with three weeks, but I want to confirm to the Chair that more Statements will be coming on the same matter of land from Roysambu.

Hon. Speaker, with your guidance under Order Number 47 (2) (c), if you may allow, there is a general Statement that I had read in the Assembly regarding skewed development in various sub-counties and in particular Roysambu Ward. In that Statement, I had requested the Chairperson of Budget Committee to do some affirmative action on Roysambu Ward especially with regards to the incoming budget. Now that the Chair is around, I am not sure whether it got to his desk. I want to make a plea to the Chair because there are several matters that I had raised...

Hon. Speaker: Kindly give reference.

Hon. Sospeter Mumbi: The reference is under skewed development in Roysambu Ward. It was a general Statement touching on pending projects within Roysambu which need to be completed. We are also talking about lack of capital projects; we don't have any capital projects in the ward. Now that the budget is going to be passed in June, I am requesting the Chair and the Budget Committee to sincerely take the concerns of the people of Roysambu, together with what was shared during the public participation. I want to kindly request the Budget Committee to kindly interact with the sentiments and views of the people of Roysambu during the public participation because partly what has been captured there basically had been highlighted in the said Statement. Thank you, Hon. Speaker.

Hon. Speaker: Thank you. I hope the Chair was keen enough. Would you like to respond?

Hon. Wilfred Odalo: Thank you, Hon. Sospeter. Your issues are very weighty, and at one point we were with you in the Committee. This time we will handle them amicably because they cut across.

Two, I will request all Hon. Members of this great County of Nairobi, budget is two weeks away, budget is a negotiated document but this time around we will not entertain any new project. We will deal with the old ones and completion of the stalled ones. Kindly bear with us. The budget

team is doing their work; we will major on the old ones. So far, I am aware that the estimates presented to us was over Kshs.48 billion but the budget team has reduced it to Kshs.44 billion. Bear with us and present the stalled projects because we will not entertain any new projects in the document. Thank you.

(Applause)

Hon. Speaker: Chairman, is that the position of the Committee or of the Chairman?

(Hon. Wilfred Odalo spoke off the record)

Hon. Speaker: I hope Hon. Members you are alive to the fact that you are the manufacturers of the budget, and by extension the Committee on Budget. Hon. Majority Leader, please.

Hon. Peter Imwatok: Hon. Speaker, I was dissuaded from being delegated duties by the Chair of Planning Committee and now the Chair of Budget is also delegating duties to me. Hon. Speaker, I need your guidance which I am also dissuaded not to be delegated to.

Hon. Speaker, I stand solemnly before this honorable House to raise a very pertinent issue as the Leader of the Government Business and also as a Hon. Member on the ongoing projects in the County of Nairobi, especially in the CBD.

My statement is directed to the Committee of Justice and Legal Affairs and the Committee of Health Services. Hon. Speaker, we are aware that this House approved the recruitment of more than 6,000 staff, some on contract and others on permanent basis, in particular the Inspectorate. It has come to our attention that Inspectorate officers especially in the CBD are really creating havoc than harmony to the CBD residents. On several occasions some imposters have also infiltrated the Inspectorate Department to extort motorists and stand biased in the streets. In many occasions it is deemed by the officers that they were brought by the Leader of Majority as Inspectorate officers.

If we want sanity, I urge this House that the Committee on Justice and Legal Affairs to look into officers who were deployed in the CBD. What identity do they have because people have been extorted in the CBD by people purporting to be City Inspectorate officers of the County?

Hon. Speaker, on the same issue, the chain of command in the Inspectorate Department is not clear, who commands where and how. I have been called severally, more than five times. A junior officer reported to the Inspectorate and one of them – if I can play an audio here purporting to ask Mheshimiwa how much money to be given in order to release his person after arresting his father-in-law. This tells us how the system has broken especially in the CBD. I think it is upon the Legal and Affairs Committee to bring sanity in this sector.

Secondly, Mr. Speaker, on the Committee on Health, there is also an extortion spree from officers delegated to the sector. I believe when you go to a restaurant; you are supposed to give a notice first and not harassing the owner of the restaurant before clients. There is need for sanity. This is important to note and this Committee to take serious action to these officers. We expect majority of them to be taken back for training.

As the Chair of Budget has said that he is not going to entertain new projects, the only new project that I want the Chair of Budget to entertain is to absorb these young men in the ‘Green Army’ and Inspectorate so that they can be disciplined within the premise of the permanent employment terms.

(Applause)

Next week, before the Chair brings the report here, I will propose a motion to be brought in this Assembly to give the Chair the *locus standi* to make sure that as they do their budget and dissuade themselves from new projects, the only project we want as a legacy to this House, is the financing of these young men and women to be employed as permanent and pensionable. Hon. Speaker, I beg to lay that statement before this House.

Hon. Speaker: Thank you. Now that this is coming from the Leader of the Government Business, I think you will do a lot what is necessary and what it takes to make sure that the process is implemented by the Executive.

COMMUNICATION FROM THE CHAIR

GUIDELINES ON CONSIDERATION OF THE GOVERNOR’S RESERVATIONS ON THE NAIROBI CITY COUNTY EARLY CHILDHOOD DEVELOPMENT AND EDUCATION BILL, 2024

Hon. Speaker: Hon. Members, I am on my feet. I want you to be keen enough as I take you through the guidelines on the consideration of the Governor’s Reservations on a Bill i.e. a memorandum. Before we move to the next Order, I will give Members an opportunity to go through the annexed recommendations by the Governor, which is attached to the Order Paper. After I am done with the guidelines, I will give the House minutes to be keen enough. I hope and believe that each Member has the Order Paper.

Hon. Members, as indicated in today’s Order Paper, the House is scheduled to consider the Governor’s Reservations on the Nairobi City County Early Childhood Development and Education Bill, 2024 and make a final decision there on. Before we proceed to Order No. 8, I wish to offer the following guidelines: -

Hon. Members, Section 24 (3) (For noting) of the County Government Act, 2012 empowers H.E the Governor to reserve assent on Bills passed by the County Assembly for reconsideration – underline the word ‘reconsideration.’ This Constitution safeguards and ensures that Bills undergo thorough scrutiny and promote balance of power between the Executive and the Legislature.

Hon. Members, the House may choose to agree or disagree with the Governor’s Reservations, either wholly or partially. However, in the event that the House opts to disagree with the Governor’s Reservations, a special majority of 2/3 of the total membership is required. Accordingly, we shall require a minimum of 82 honorable Members present to constitute quorum before we proceed.

Furthermore, Standing Order No. 153 (a) provides that on the day set aside for consideration of the Governor's memorandum on a Bill, reservations or recommendations, including any proposed amendments by a committee or members, must be published and Notice Paper attached to the Order Paper for the sitting day, being the day of today. I confirm that this requirement has been duly observed.

Additionally, Hon. Members, Standing Order No. 153 (b) mandates that in considering the memorandum, the Committee of the Whole shall confine its deliberations to the clauses, paragraphs, schedules, titles or any other part of the Bill to which the Governor has raised reservations. The sequence of considerations will follow Standing Order No. 138 regarding the order of business in committees, as well as provisions of Standing Order No. 149 (3).

Hon. Members, I now call upon the Clerk to confirm whether the requisite quorum is present before we proceed to the Next Order of the day. Honorable Members you may be aware that we are hybrid i.e. we are both physical and virtual. We will get those Members who are online plus those Members who are physically present in order for us to proceed. Meanwhile, we will be going through the memorandum.

Honorable Members, a point of correction, under Paragraph 3 which I read out that requires a minimum of 82 Members, the attention of the Chair has been raised on the demise of Hon. Munuve, which brings down the required number to 81. Clerk, kindly by way of division confirm through the Whips whether we have a minimum of 81 Members.

Hon. Whips, the Clerk has just confirmed that we have 83 Members present. Can I get concurrence from the Whips of both divides of the House?

Hon. Moses Ogeto: Hon. Speaker, I want to confirm that almost all Members of Azimio Coalition are present. I have also counted the side of Kenya Kwanza and those Members who are on Zoom. Hon. Speaker in fact...

Hon. Speaker: What is your number?

Hon. Moses Ogeto: Hon. Speaker, my number is 83.

Hon. Speaker: Hon. Minority Whip?

Hon. Mark Mugambi: Thank you, Hon. Speaker. I can confirm with my counterpart that indeed the House is well attended, as per your request. Physically, I can confirm...

Hon. Speaker: It is not my request, Hon. Member, it is a requirement by our Standing Orders.

Hon. Mark Mugambi: As required, physically, I have been able to headcount 63 Members, and on Zoom we have more than 20 Members, therefore we are good to go. Thank you.

Hon. Speaker: Thank you, Hon. Members. Yes, Hon. Alai?

Hon. Robert Alai: I want to know procedurally whether it is in order for the Whips to be counting the Members. I think administrative matters in this Assembly are handled by the Clerk. I think the Whips are not the ones handling the back end of the system, which is virtual, and also the entry and exit in the Assembly is handled by the Office of the Clerk. Is it in order for the Whips to confirm whether there is quorum? Thank you.

Hon. Speaker: Thank you, Hon. Alai for that reservation. The Standing Orders requires that when a House is called for division, it is the Whips to be agents. For that reason, before even they got concurrence, the Clerk had already indicated to the Chair that the House has got requisite quorum that allows us to proceed to consider the memorandum from the Governor. It is in order, and by extension the Standing Orders allows the Whips to be the agents in case of division of the House. You stand guided Hon. Alai.

COMMITTEE OF THE WHOLE ASSEMBLY

Hon. Speaker: Hon. Members, the Assembly reverts to the Committee of the Whole Assembly.

(The Speaker left the Chair)

IN THE COMMITTEE

[The Temporary Chairperson (Hon Malyun Abdi) in the Chair]

GOVERNOR'S RESERVATIONS ON THE NAIROBI CITY COUNTY EARLY CHILDHOOD DEVELOPMENT AND EDUCATION BILL, 2024

Hon. Temporary Chairperson: Hon. Members, you may now be seated. Order, Hon. Members! I direct the Sergeant-at-Arms to take charge, no Member should leave the plenary.

Hon. Members, we are now in the Committee of the Whole House to consider the Governor's Reservations on Nairobi City County Early Childhood Development and Education Bill, 2024. We shall start with Clause 5.

Clauses 5 and 7

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Thank you, Hon. Chair. I beg to move:

THAT, Clauses 5 and 7 of the Bill be amended as follows; -

- i) By interchanging the clauses so that 'the composition of the Committee' is contained under Clause 5 and 'functions of the Committee' be under Clause 7;
- ii) (ii) By inserting the words "County Educational Assessment and Resource Centers (EARC) Coordinators" under the Composition of the Committee.

(Question of the amendment proposed)

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

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

(Clauses 5 and 7 as amended agreed to)

Clause 22

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, the Governor's Reservations in Clause 22 of deleting the Clause in its entirety as recommended by the Governor, be disapproved.

(Question of the amendment proposed)

Hon. Temporary Chairperson: Any debate Members? Hon. Chair, I will give you an opportunity to explain the reasons for the disapproval.

Hon. Perpetua Mponjiwa: Basically, Clause 22 was talking about division of jurisdictions. We in the Assembly we are well educated, well researched, we went through the Constitution of Kenya, 2010 and the Education Acts, and we clearly separated the different laws.

When the Governor says that the teachers' training is a function of the National Government, the law also gives the county governments separation of conducting various inductions and trainings to their ECDE teachers.

When it comes to daycare facilities, they are provided for in the Nairobi Child Care Act, 2017. It is also proper to note that there are functions which were devolved, and ECDE and daycare facilities were part of it. This is a well-researched document that embraces and adheres to the Constitution of Kenya and our various laws. Thank you very much.

Hon. Peter Imwatok: As the leader of Government Business, I am seeing for the first time the recommendations from the Governor's side, that teacher training is a function of the National Government. When you read the Fourth Schedule of the Constitution of Kenya, 2010, it gives the devolved unit – and Hon. Alai, you can agree with me – the responsibility of developing EDCE curriculum. Curriculum development is also a function of the National Government, that is why the spirit of Constitution gave the separation of powers under the Fourth Schedule.

This, I squarely blame the County Government advisory, which if it had come to my attention, I would have advised the Government to retract this particular memorandum. But all said and done, it has arrived here.

Madam Chair, part (c) says, daycare facilities are provided for under the Nairobi City County Child Care Act. This was the spirit of this Act. It is not talking about daycare but devolved unit of education in the County. I am still keen to know how many daycares we have as a County Government. The Committee of Education, that is a challenge to you.

A daycare is where you can leave your child in the morning, go to work and come back and pick them. Who has one in Nairobi? Thank you, Hon. Chair, I concur with the Committee on this because this is a very misguided advice to the Governor.

Hon. Temporary Chairperson: Thank you, Majority Leader. Any other Member?

(Question of the amendment proposed)

Hon. Temporary Chairperson: Any debate?

*(Question, that the Clause to be deleted
be disapproved, put and agreed to)*

(Clause 22 agreed to)

Clause 23

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, the Governor's Reservations in Clause 23 of deleting the Clause in its entirety as recommended by the Governor, be disapproved.

(Question of the amendment proposed)

*(Question, that the Clause to be deleted
be disapproved, put and agreed to)*

(Clause 23 agreed to)

Clause 24

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, the Governor's Reservations in Clause 24 of deleting the Clause in its entirety as recommended by the Governor, be disapproved.

(Question of the amendment proposed)

*(Question, that the Clause to be deleted
be disapproved, put and agreed to)*

(Clause 24 agreed to)

Clause 25

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, the Governor's Reservations in Clause 25 of deleting the Clause in its entirety as recommended by the Governor, be disapproved.

(Question of the amendment proposed)

(Question, that the Clause to be deleted

be disapproved, put and agreed to)

(Clause 25 agreed to)

Clause 27

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, the Governor's Reservations in Clause 27 of deleting the Clause in its entirety as recommended by the Governor, be disapproved.

(Question of the amendment proposed)

*(Question, that the Clause to be deleted
be disapproved, put and agreed to)*

(Clause 27 agreed to)

Clause 28

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, the Governor's Reservations in Clause 28 of deleting the Clause in its entirety as recommended by the Governor, be disapproved.

(Question of the amendment proposed)

*(Question, that the Clause to be deleted
be disapproved, put and agreed to)*

(Clause 28 agreed to)

Clause 29

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, the Governor's Reservations in Clause 29 of deleting the Clause in its entirety as recommended by the Governor, be disapproved.

(Question of the amendment proposed)

*(Question, that the Clause to be deleted
be disapproved, put and agreed to)*

(Clause 29 agreed to)

Clause 30

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, the Governor's Reservations in Clause 30 of deleting the Clause in its entirety as recommended by the Governor, be disapproved.

(Question of the amendment proposed)

*(Question, that the Clause to be deleted
be disapproved, put and agreed to)*

(Clause 30 agreed to)

Clause 31

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, the Governor's Reservations in Clause 31 of deleting the Clause in its entirety as recommended by the Governor, be disapproved.

(Question of the amendment proposed)

*(Question, that the Clause to be deleted
be disapproved, put and agreed to)*

(Clause 31 agreed to)

Clause 32

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, the Governor's Reservations in Clause 32 of deleting the Clause in its entirety as recommended by the Governor, be disapproved.

(Question of the amendment proposed)

*(Question, that the Clause to be deleted
be disapproved, put and agreed to)*

(Clause 32 agreed to)

Clause 33

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, the Governor's Reservations in Clause 33 of deleting the Clause in its entirety as recommended by the Governor, be disapproved.

(Question of the amendment proposed)

(Question, that the Clause to be deleted be disapproved, put and agreed to)

(Clause 33 agreed to)

Clause 34

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, the Governor's Reservations in Clause 34 of deleting the Clause in its entirety as recommended by the Governor, be disapproved.

(Question of the amendment proposed)

(Question, that the Clause to be deleted be disapproved, put and agreed to)

(Clause 34 agreed to)

Clause 35

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, the Governor's Reservations in Clause 35 of deleting the Clause in its entirety as recommended by the Governor, be disapproved.

(Question of the amendment proposed)

(Question, that the Clause to be deleted be disapproved, put and agreed to)

(Clause 35 agreed to)

Clause 36

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, the Governor's Reservations in Clause 36 of deleting the Clause in its entirety as recommended by the Governor, be approved.

(Question of the amendment proposed)

*(Question, that the Clause to be deleted
be approved, put and agreed to)*

(Clause 36 deleted)

Clause 37

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, the Governor's Reservations in Clause 37 of deleting the Clause in its entirety as recommended by the Governor, be approved.

(Question of the amendment proposed)

*(Question, that the Clause to be deleted
be approved, put and agreed to)*

(Clause 37 deleted)

Clause 38

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, the Governor's Reservations in Clause 38 of deleting the Clause in its entirety as recommended by the Governor, be approved.

(Question of the amendment proposed)

*(Question, that the Clause to be deleted
be approved, put and agreed to)*

(Clause 38 deleted)

Clause 39 (e)

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, the Governor's Reservations in Clause 39 (e) of deleting the Clause in its entirety as recommended by the Governor, be approved.

(Question of the amendment proposed)

(Question, that the Clause to be deleted

be approved, put and agreed to)

(Clause 39 (e) deleted)

Clause 39 (f)

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, the Governor's Reservations in Clause 39 (f) of deleting the Clause in its entirety as recommended by the Governor, be approved.

(Question of the amendment proposed)

*(Question, that the Clause to be deleted
be approved, put and agreed to)*

(Clause 39 (f) deleted)

Clause 42

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, Clause 42 of the Bill be amended by deleting the marginal note in its entirety and substituting thereof with "funding of public Pre-Primary Education Centres"

(Question of the amendment proposed)

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

(Clause 42 as amended agreed to)

Clause 45

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, Clause 45 of the Bill be amended in sub-clause (1) by deleting and inserting the clause to read "The County Executive Committee Member for Finance may, in consultation with the County Executive Committee Member for Education, invest...."

(Question of the amendment proposed)

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

(Clause 45 as amended agreed to)

Title

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

Bill THAT, Title of the Bill be amended by deleting the word “Development” in Part I of the

(Question of the amendment proposed)

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

(Title as amended agreed to)

Long Title and Short Title

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, Long Title and Short Title of the Bill be amended by deleting the word “Development” in Part II of the Bill and replace it with the word “Education”

(Question of the amendment proposed)

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

(Long Title and Short Title as amended agreed to)

Clause 2

Hon. Chairman: Mover?

Hon. Perpetua Mponjiwa: Hon. Chair, I beg to move:

THAT, Clause 2 of the Bill be amended as follows; -

(i) By amending the definition of the following words in their alphabetical sequence of definitions to read

- a) “County Education Board” means a Board established as an agency of the National Government to serve the relevant County under section 17 of the Basic Education Act 2013;
- b) “County” means the Nairobi City County established under Article 176 of the Constitution of Kenya;
- c) “Committee” means the County Early Childhood Education Committee established under Clause 4 of the Bill.

(Question of the amendment proposed)

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

(Clause 2 as amended agreed to)

Clause 1

(Question that Clause 1 part of the Bill)

(Question put and agreed to)

Hon. Perpetua Mponjiwa: Hon. Members, I beg to move that the Committee do report to the Assembly its considerations of the Governor's Reservations on the Nairobi City County Early Childhood Development and Education Bill, 2024.

(Question proposed)

(Question put and agreed to)

Hon. Temporary Chairperson: Hon. Members, thank you for your patience, we are done with the Bill. Congratulations all of you plus the Committee of Education.

The House resumed)

[The Speaker (Hon. Kennedy Ng'ondi) in the Chair]

CONSIDERATION OF REPORT

GOVERNOR'S RESERVATIONS ON THE NAIROBI CITY COUNTY EARLY CHILDHOOD DEVELOPMENT AND EDUCATION BILL, 2024

Hon. Speaker: Hon. Members, you may be seated. The Chairperson of the Committee of the Whole Assembly, please.

Hon. Malyun Abdi: Thank you, Hon. Speaker. I beg to report that the Committee of the Whole House has considered the Governor's Reservations on the Nairobi City County Early Childhood Development and Education Bill, 2024.

Hon. Speaker: Chair, have you been facilitated? Kindly proceed, your mic is off. Do you have your card?

Hon. Perpetua Mponjiwa: Yes, I do.

Hon. Speaker: The microphone is on.

Hon. Perpetua Mponjiwa: Hon. Speaker, I beg to move that the County Assembly do agree with the Committee in the said report.

Hon. Speaker: Just a little bit because what you have... Thank you, Chair, it seems to be a mix up.

(Question proposed)

(Question put and agreed to)

Hon. Speaker: Given now that there is no Third Reading, the Bill stands passed by the Assembly. It is my pleasure to give the Chair of Education Committee an opportunity either to give positive or negative remarks as she may deem fit as the Chair. Kindly take the floor.

Hon. Perpetua Mponjiwa: Thank you, Hon. Speaker and Hon. Members. What a day to be here! I am grateful to God that Education Committee would pull this kind of a Bill. It is the first Bill, apart from Finance and Budget Bills that we normally pass every financial year. So, I am proud of my Committee Members. If you are here, just clap for yourselves.

(Applause)

I am also proud of you my fellow Hon. Members for the support. I am proud of my secretariat for doing a wonderful research, led by then Clerk, Mr. Wasike, of course Josephine came later, and our Counsel, Munase. I am really grateful. A pat on my back. Thank you, Hon. Speaker.

ADJOURNMENT

Hon. Speaker: Hon. Members, that bring us to the close of the business of the day. The Assembly stands adjourned to tomorrow, Wednesday 11th June 2025 at 2.30 pm.

I direct that the House Business Committee to conduct a sitting to schedule and slot the business of tomorrow, Thursday and next week on Tuesday. Have a great evening, Hon. Members.

The House rose at 4:05 p.m.