



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Third County Assembly – Fourth Session

Wednesday 16th April 2025

The House met at 2.30 p.m.

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

PRAYER

QUORUM

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

The Chair has been informed that there is quorum in the Assembly, allowing us to proceed with the business of the day. Kindly Clerk, call out the Order.

PAPERS

Hon. Speaker: Hon. Members, under Order No. 5, I am made to understand the Clerk-at-the-Table is supposed to be in receipt of a Fiscal Strategy Paper to be laid. In the sequence of business, I direct that we proceed with other business and allow the Chair to proceed when ready.

STATEMENTS

REQUEST FOR STATEMENT REGARDING ILLEGAL
CONSTRUCTIONS IN THE COUNTY

Hon. Speaker: Hon. Stazo Omung'ala, on behalf of the House Business Committee. Is he in?

Hon. Stazo Omung'ala: Hon. Speaker, pursuant to Standing Order No 47 (2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Lands, Planning and Housing regarding illegal constructions in the County.

Hon. Speaker, Part II of the Second Schedule of the Constitution of Kenya provides that the urban planning functions shall be executed by the county government. Specifically, county governments are responsible for approval of development in Nairobi County. This is conducted by the Urban Planning Technical Committee. However, cases of buildings collapsing have been reported in recent years because developers either bypass the approval process or obtain the same irregularly and construct way above the stipulated floors level. Further, some developers construct buildings without public participation, in violation of Physical and Land Use Planning Act, 2019.

For instance, a developer is doing a construction on a piece of land designated as LR. No. 82/3716 and also 1960 in Upper Savannah Ward along Savannah Road in Donholm, allegedly without the relevant approvals from the County. In addition, there is no evidence that public participation was conducted prior to the commencement of the construction.

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

1. Whether the developer obtained relevant statutory approvals including development approvals from the County;
2. Whether the developer conducted public participation prior to obtaining the approvals, if any;
3. Whether the approvals, if any, are compliant to the zone floor level limit; and
4. Enforcement measures put in place to ensure developers adhere to development regulations and approved development plans.

Hon. Speaker: Chairman, Planning Committee, kindly give an undertaking.

Hon. Alvin Palapala: Thank you, Hon. Speaker. You recently made a communication, we are coming up with a schedule for site visits, and this will be part of it. If he can give us two weeks.

Hon. Speaker: Okay. Hon. Stazo, are you okay?

Hon. Stazo Omungala: Much obliged, Chair

Hon. Speaker: Thank you. Hon. Members, before we proceed with Order No.7, I just want to urge the House to take matters of this House seriously. As it appears in the Order Paper, you are just about to be requested to commit to your duty as a legislature and consider amendments on our Standing Orders. It is something that needs serious attention because the proposals came from the Procedure and Rules Committee, and it is before the Assembly for consideration. So, kindly be guided. Let us proceed. Hon. Nickson?

BUSINESS APPEARING BEFORE ASSEMBLY
FOR WEEK BEGINNING 16TH APRIL 2025

Hon. Nicholas Okwacho: Thank you, Hon. Speaker.

Hon. Diana Mwangangi: Hon. Speaker, pursuant to Standing Order No. 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 16th April 2025.

Hon. Speaker the Assembly Business Committee met on Tuesday 15th April 2025 to allocate Business for the week for consideration by this Assembly. In that, regard Hon. Speaker; allow me to brief the Assembly as follows: -

1. That, today, Wednesday 16th April 2025, this Assembly shall be considering the following business: -
 - a. Under Order No. 8, the Assembly shall be considering the Governor's Reservations on the Nairobi City County Early Childhood Development and Education Bill (Assembly Bill No. 8 of 2023).
 - b. Under Order No. 9, the Chairperson, Procedures and Rules Committee shall be moving a resolution Motion for adoption of the Committee report on the amendments of Standing Orders, laid on the Table of the Assembly on Tuesday 8th April 2025.
2. Further, on Thursday 17th April 2025, the Assembly will be considering the under listed business; -
 - a. The Chairperson, Public Accounts Committee shall be moving a resolution Motion for adoption of the Committee report on the consideration of the Auditor General's report on Public Participation in Nairobi City County Budget Making Process, laid on the Table of the Assembly on Thursday 19th September 2024.
 - b. Under Order No. 9, the Chairperson Public Accounts Committee shall also be moving a resolution Motion for the adoption of the Committee report on consideration of the Auditor General's report on COVID 19 vaccine rollout for the Nairobi County Government, laid on the Table of the Assembly on Thursday 19th September 2024.
3. Lastly, Hon. Speaker, on Tuesday 22nd April 2025, the Assembly will similarly be considering the underlined business: -
 - a. Under Order No. 9, Hon. Robert Alai – Ja Nyando, Member of Kileleshwa Ward, shall be moving a substantive Motion urging the County Executive in conjunction with the then NTSA to develop guidelines for registering and issuance of reflective number plates for all wheelbarrows, rickshaws, hand carts, animal drawn carts, luggage trolleys and tricycles in the County.

Hon. Speaker, the Assembly Business Committee urges Members of this Assembly to familiarize with the aforementioned Motions and Bill, and prepare accordingly for debate through the help of our Research Department. Details of the Motions and the Bill can be obtained in the Notice Paper, being the last page of the day's Order Paper and on the County Assembly Website.

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

Finally, Hon. Speaker, the Assembly Business Committee will again meet on Tuesday 22nd April 2025 at the rise of the Assembly to ballot Business for subsequent week.

Hon. Speaker, I wish to lay the Statement on the Table of the Assembly. Hon. Nicholas Okwacho Juma – Ja Nyando, Member of the County Assembly designated by the House Business Committee.

Hon. Speaker: Thank you, Hon. Nickson Juma. Hon. Members, as I had communicated earlier on deferring business under Order No.5 on Papers laid, I am notified by the Clerk-at-the-Table that the said Papers are ready for tabling. I would request the Chairperson of Budget and Appropriations Committee to proceed. Clerk, call the Order first.

PAPER

Hon. Wilfred Odalo: Thank you, Hon. Speaker. Before I lay this Paper, I request that you give me a moment to appreciate the Hon. Members for what they did during the demise of my mother. I am indebted. Let me start by thanking my Party Leader for getting time to come and mourn with us. I also thank the Governor of Nairobi for coming to help me lay my mother. Osman and Davi, wherever you are, I am really proud. Back to the Assembly, Hon. Ogeto had a hard time collecting Member's contributions. For the first time in the history of this House, almost Kshs. 2 million was contributed by the Members.

(Applause)

Some Members even took their time and did the traditional way. Hon. Alai came with a bull all the way from Ahero, 200kms from my home. Also, Hon. Majiwa did the same thing. I am indebted. That is the Luo way of doing it.

To the Executive wing, I am really grateful. They formed WhatsApp group and did amazing job. Thanks a lot to Asha Abdi for the good work she did. I will not fail to mention few individuals; Jaffari Khalif, Mohammed Khalif and Mohammed Adan, who are my friends and brothers to one of us, Hon. Abass Khalif. They did a good job. We struggled to have space for choppers to land.

The organizing committee of the burial led by the chair, Hon. Kennedy Ng'ondi, secretary, Hon. Ogeto, coordinator, Hon. Perpetua Mponjiwa, and Mr. Aende were behind the success of the burial. I am really thankful. Our Clerk allowed some of the staff to help the dignitaries a day before. Wherever you are, Clerk, I am grateful. Hon. Lore, Hon. Nickson, Hon. Recky and Hon. Ringo lowered my mother to the grave. I am happy for what you did. The burial brought us together. I was informed the Chair of Health Services Committee had never stepped any burial before, but during the burial of my mother, he was there.

(Applause)

I won't fail to mention some Members who came a day before and stayed even after the burial; Hon. Isalambo, Hon. Lugonzo, Hon. Hellen and Hon. Catherine. Hon. Matach and Hon. Matara, I am really indebted. Hon Members attended in large numbers. For those who didn't make it, I am grateful for your prayers and financial support. I also thank the Minority Whip, he came to my house in Obama estate and gave me his personal contribution, other than what he had contributed in the group.

REPORT ON NAIROBI CITY COUNTY FISCAL STRATEGY
PAPER AND DEBT MANAGEMENT STRATEGY PAPER
FOR FY 2025/2026 AND OVER MEDIUM TERM

Hon. Wilfred Odalo: Hon. Speaker, I therefore lay the report, and tell Members that CFSP is more about ceilings. After this, we will go to the Estimates. Kindly allow the Members of the Budget Committee to know what you intend to do in the coming year.

Pursuant to Standing Order No. 196, I beg to lay the following Paper on the Table of this Assembly, today, Wednesday 16th April 2025:

The report of the Select Committee on County Finance, Budget and Appropriations on the Nairobi City County Fiscal Strategy Paper and the Debt Management Strategy Paper for the financial year 2025/2026 and over the medium term.

(The Paper was laid in the Table)

Hon. Speaker: Thank you, Hon. Chair for acknowledging the efforts of the Members of the County Assembly and by extension the Executive.

NOTICE OF MOTION

ADOPTION OF REPORT ON NAIROBI CITY COUNTY FISCAL
STRATEGY PAPER AND DEBT MANAGEMENT STRATEGY
PAPER FOR FY 2025/2026 AND OVER MEDIUM TERM

Hon. Wilfred Odalo: Hon. Speaker, I beg to give notice of the following Motion:

THAT, this Assembly adopts the report of the Select Committee on County Finance, Budget and Appropriations on the Nairobi City County Fiscal Strategy Paper and the Debt Management Strategy Paper for the financial year 2025/2026 and over the medium term, laid on the Table of this Assembly, today, Wednesday 16th April 2025.

Hon. Speaker: Thank you. Hon. Members, when you go through the Order Paper, we are supposed to be in Order No. 8, but I would like to remind you that Order No. 8 is on the Memorandum by the Governor of the Nairobi City County, under County Governments Act, Section 24 (5). Standing Order No.77 requires that we call for the division of the House.

I have been notified by the Clerk that we are less to form a required number of Members present in the House. Under the Standing Order, it requires that we must get at least 83 Members before we consider the Memorandum. At the same time, I am privy to the Memorandum by the Governor, and the feeling of the Committee of Education is that they have reservations and would want to overturn the Memorandum. For that reason, it is a requirement that we need to form a Whole House where we are more than 83 Members in number.

Hon. Members, I direct that the Order No. 8 be set aside as we proceed with other Orders until such a time the Chair will be convinced that the House has a number to transact Order Number 8. Hon. Members, you stand guided.

MOTION**ADOPTION OF REPORT ON CONSIDERATION OF PROPOSED AMENDMENTS
TO THE NAIROBI CITY COUNTY ASSEMBLY STANDING ORDERS**

Hon. Speaker: Do we have the Leader of the Majority? The Leader of the Minority? The Deputy Majority Leader, kindly – Sergeant-at-Arms, assist the Deputy Majority Leader. Just be seated, Hon. Member, they will guide you. We are in Motion No. 9. I am worried, do you have the Motion with you?

Hon. John Ndile: No.

Hon. Speaker: Hon. Members, kindly be settled. I am informed by the Office of the Clerk that the Committee on Procedure and Rules has a membership of 11, and the Hon. Deputy Majority Leader is not a member. So, he cannot transact on behalf of the Committee. In line of order, the Speaker is the Chair, the Vice is the Deputy Speaker, No. 3 the Leader of Majority, No. 4 the Leader of Minority, and then the Whips. For that reason, the Hon. Majority Whip is in the House, so let him act on behalf of the Committee. Kindly guide the Whip.

Hon. Moses Ogeto: Thank you for giving me this opportunity, Hon. Speaker. I thought when you are a deputy, you are supposed to take the responsibility of the boss. Now with your authority, I want to respect it because you are the head of this institution and the protector of the law. That notwithstanding, I move the following Motion;

THAT, this Assembly adopts the report of the Select Committee on Procedure and Rules on the consideration of the proposed amendments of the Standing Orders, laid on the Table of the Assembly on Tuesday 8th April 2025.

Hon, Speaker, as Members of the Rules and Procedure Committee, we sat in Nakuru and deliberated on issues which I believe the Hon. Members have seen on various amendments to the Standing Orders, including the one where the Members of County Executive Committee are supposed to appear and answer questions from Members directly before the plenary. We did amendments of Standing Orders Nos. 36 (a), 208, 108, and 109. We brought new Standing Orders Nos. 137(a), 206, 151(a) and 236A.

The Committee is requesting that if this Assembly approves these amendments, it will allow many Members to be able to interact with the CECs, and also reduce the duration which the Executive takes to reply Members' Statements, provisions of the law and statutes which will help this Hon. House to transact its business.

With those few remarks, I request my counterpart to second this Motion.

Hon. Speaker: Thank you, Hon. Mark Mugambi?

Hon. Mark Mugambi: I also wish to extend my gratitude to Members, yourself included, Hon. Speaker, for finding time to travel to Murang'a to accompany Minority Leader for the burial of his sister which happened yesterday. I am sure once is back he will be able to extend his gratitude to you Members, but in his absentia, I wish to extend the same to you and those that found time to condole with him and extend a hand of support in one way or another. We thank you. I think we

should keep ourselves and families in prayer. *Hii kupatikana na misiba ikifuatana sio jambo nzuri.* Also, I wish to inform members that one of our clerks, Helen Mutie, has lost her mum, let us keep her in your prayers and also extend any kind of support, be it emotional, financial or any other support that you would find within your means.

That said and done, Hon. Speaker, allow me to second the Motion by my counterpart, Hon. Majority Whip, on the amendments that the Procedure and Rules Committee did work on. Thank you.

(Question proposed)

Hon. Speaker: Hon. Members, under this Motion, there shall be no question put. Plenary, please. Hon. Members, my screen is clear, an indication that there is no Member who is going to contribute to the debate. I call the mover of the motion to reply.

Hon. Moses Ogeto: Hon. Speaker, I sincerely thank all the Members who are in the House. I also thank the Members of Rules and Procedure Committee. Hon. Speaker, some Members do not know how powerful this Committee is. The problem is that it does not have *vipindi*, but it is very powerful. Some Members do not want to get associated with it.

This Committee is led by the Speaker, Hon. Kennedy Ng'ondi. The Deputy Speaker, the Leader of the Majority, the Minority Leader, the Majority Whip and the Minority Whip are members. Other Members are; Hon. Perpetual Mponjiwa, Hon. Jane Wanjiru, Hon. Jane Muasya, Hon. Paul Ndung'u, and Hon. Esther Waithera Chege, who is the Deputy Minority Leader. I want to thank these Members, on your behalf, for what they have done. I will also not forget the secretariat led by Monica, who is the Principal Clerk Assistant, Kevin Wasike, who is usually a moving Standing Order, and Hon. Rose Edna Kanana. They really assisted us in drafting and ensuring these amendments have seen the light of the day.

Hon. Speaker, with those few remarks, I beg to move.

Hon. Speaker: Thank you. Clerk!

Hon. Speaker: Hon. Members, you are supposed to be upstanding. The House is reverting to the Committee of the Whole Assembly.

COMMITTEE OF THE WHOLE ASSEMBLY

(Order for Committee read)

[Mr. Speaker left the Chair]

IN THE COMMITTEE

[Hon. Temporary Chairperson (Hon. Malyun Abdi) took the Chair]

AMENDMENTS TO THE NAIROBI CITY COUNTY ASSEMBLY STANDING ORDERS

Hon. Temporary Chairperson: Hon. Members, we are now in the Committee of the Whole Assembly to consider on the proposed amendment of the Nairobi City County Standing Orders (The Third Edition). We will start with Standing Order No. 42.

Standing Order No. 42

Hon. Moses Ogeto: Madam Chair, I beg to move:

THAT, the Standing Orders be amended by deleting the Standing Order 42 and substituting therefor with the following new Standing Order: -

Weekly programmes of the Business of the County Assembly

42. The Clerk shall prepare and publish on the County Assembly website a weekly programme showing the business of the County Assembly, a tentative list of County Executive Committee Members scheduled to reply to Questions and provide Reports to the County Assembly, and a schedule of sittings of the various Committees; and shall circulate such programmes to Members, Sectors, and the media not later than the Friday of the week preceding such business.

(Question of the amendment proposed)

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

(Standing Order 42 as amended agreed to)

Standing Order No. 43

Hon. Moses Ogeto: Madam Chair, I beg to move:

THAT, the Standing Orders be amended by deleting the Standing Order 43 and substituting therefor with the following new Standing Order: -

Sequence of proceedings

43. (1) Each day after Prayers have been said and the County Assembly has been called to order, the Business of the County Assembly shall be proceeded with in the following sequence—

- (a) Administration of Oath;
- (b) Communication from the Chair;
- (c) Messages;
- (d) Petitions;
- (e) Papers;
- (f) Notices of Motion;
- (g) Questions and Statements;
- (h) Motions and Bills.

(2) Business shall be disposed of in the sequence in which it appears in the Order Paper or in such other sequence as the Speaker may, for the convenience of the County Assembly, direct.

(3) On Wednesday afternoon Questions and Reports by County Executive Committee Members shall have priority over all other business for a period not exceeding three hours.

(4) The Speaker shall direct the Clerk to read the Orders of the Day without question put.

(Question of the amendment proposed)

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

(Standing Order 43 as amended agreed to)

Standing Order No. 109

Hon. Moses Ogeto: Madam Chair, I beg to move:

THAT, the Standing Orders be amended by deleting the Standing Order 109 and substituting therefor with the following new Standing Order: -

Firearms and other Offensive Weapons

109. (1) A Member shall not bring a firearm or any offensive weapon into the Chamber or Committee Rooms and any such weapon must be deposited with the Sergeant-at-Arms for safe custody before entering the Chamber or Committee Rooms, and collected at the time of leaving the Chamber or Committee Rooms.

(2) Members with firearms must deposit it with the Sergeant-at-Arms for safe custody upon entry into the main County Assembly building.

(Question of the amendment proposed)

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

(Standing Order 109 as amended agreed to)

Standing Order No. 206

Hon. Moses Ogeto: Madam Chair, I beg to move:

THAT, the Standing Order 206 be amended by deleting the paragraph (2) and substituting therefor with the following new paragraph: -

(2) The Committee shall comprise the Speaker as chairperson, the Deputy Speaker, and not more than nine other Members. The Vice-Chairperson shall be elected among the nine Members of the Committee.

Question of the amendment proposed)

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

(Standing Order 206 as amended agreed to)

New Standing Order No. 36A

Hon. Moses Ogeto: Madam Chair, I would wish to move:

THAT, the Standing Orders be amended by inserting the following New Standing Order immediately after Standing Order 36:

36A Temporary suspension of a Sitting

- (1) At any time during proceedings, a Member may, for reasons stated, claim to move “That, the Assembly do suspend its proceedings for ...(Minutes/hours) in order to....”
- (2) The Speaker shall propose the Motion forthwith or if in the opinion of the Speaker that such Motion for suspension is frivolous, vexatious or an abuse of the proceedings of the County Assembly, decline to propose
- (3) The debate on a Motion under this Standing Order shall be confined to the matter of the Motion.
- (4) No Member speaking on a matter under this Standing Order shall speak for more than five minutes, unless with the permission of the Speaker.
- (5) A suspension under this Standing Order shall not exceed sixty minutes or such other time as the Speaker may direct.

*(Question, that the New Standing Order 36 A
be approved, proposed)*

*(Question, that the New Standing Order 36 A
be approved, put and agreed to)*

New Standing Order No. 47A

Notice of Question

THAT, the Standing Orders be amended by inserting the following New Standing Order immediately after Standing Order 47:

- 47A (1) A Member proposing to ask a Question in the County Assembly shall give notice to the Clerk.
- (2) The Member shall deliver a signed copy of the proposed Question to the Clerk for submission to the Speaker for approval.

(3) Where the Speaker approves a Question and determines the County Executive Committee Member responsible for the matters to which it relates, the Clerk shall, at an appropriate time, publish the Question in the Order Paper.

(4) In scheduling a Question in the Order Paper, the Clerk shall consider the urgency of the Question as determined by the Speaker.

(5) The Leader of the Majority Party shall inform the County Assembly of the date, time and order in which County Executive Committee Members shall appear to reply to Questions and provide Reports to the County Assembly and Committees, subject to paragraph (7).

(6) A Member shall ask his or her Question on the day it is scheduled in the Order Paper.

(7) In determining the date and time when a County Executive Committee Member shall be required to answer a Question, the Leader of the Majority Party shall consider the urgency of the Question as determined by the Speaker.

(1) The Speaker may vary the order in which Questions shall be disposed of or defer a Question scheduled to be responded to.

(2) A County Executive Committee Member shall attend and answer any Question concerning matters for which the County Executive Committee Member is responsible.

*(Question, that the New Standing Order 47 A
be approved, proposed)*

*(Question, that the New Standing Order 47 A
be approved, put and agreed to)*

New Standing Order No. 47B

THAT, the Standing Orders be amended by inserting the following New Standing Order immediately after Standing Order 47A:

47 B (1) These rules apply to Questions raised in the County Assembly and replied to in the County Assembly or before a Committee.

(2) Except as the Speaker may otherwise allow, a Member may not ask a Question which—

- (a) is in effect a speech;
- (b) is lengthy;
- (c) is limited to giving information;
- (d) is framed so as to suggest its own reply or to convey a particular point of view;
- (e) includes extracts from newspapers or quotations from speeches;
- (f) contains any argument, inference, opinion, imputation or ironical or offensive expression or epithet;
- (g) seeks an expression of opinion;

- (h) repeats in substance a matter already addressed by a Committee of the County Assembly or in the course of debate in the Assembly during the same Session;
 - (i) refers to more than one subject;
 - (j) includes the name of a person or a statement not strictly necessary to render the Question intelligible;
 - (k) contains an allegation which the Member is not prepared to substantiate;
 - (l) implies an allegation of a personal nature or which reflects upon the conduct of a person whose conduct can only be challenged through a Substantive Motion or upon the conduct of any other person otherwise than in that person's official or public capacity;
 - (m) relates to a matter which is sub-judice or which by any written law is secret pursuant to Standing Order 97 (Matters sub judice or secret);
 - (n) falls within the functions and powers of National Government as contemplated under Part I of the Fourth Schedule to the Constitution of Kenya 2010;
 - (o) seeks a reply that is readily available in ordinary works of reference or official publications; or
 - (p) refers to a matter under consideration by the County Assembly or a Committee.
- (3) A Member shall take responsibility for accuracy of the facts upon which a Question is based.
- (4) A Member may, with leave of the Speaker, ask a supplementary question to a Question raised in the County Assembly before it is referred to a County Executive Committee Member for reply.
- (5) Where the Member scheduled to raise a Question in the County Executive is absent without the Speaker's permission, the Question shall be dropped and no further proceedings shall be allowed on the Question during the same Session.
- (6) A Member scheduled to ask a Question in the County Assembly may—
- (a) request the Speaker to defer a Question to another time or day;
 - (b) withdraw a Question where it has been overtaken by events; or
 - (c) at least two hours before a sitting, nominate another Member to ask the Question in his or her absence by notifying the Speaker in writing;
- (7) The Speaker may defer a Question to a different time or day from its scheduled time and day.
- (8) A Question may include a request for a Report from a County Executive Committee Member concerning matters under the control of the County Executive Committee Member.

*Question, that the New Standing Order 47 B
be approved, proposed)*

*(Question, that the New Standing Order 47 B
be approved, put and agreed to)*

New Standing Order No. 47C

THAT, the Standing Orders be amended by inserting the following New Standing Order immediately after Standing Order 47B:

Manner of disposing Questions

47C. (1) A County Executive Committee Member shall provide physical and electronic copies of the reply to a Question at least a day before appearing before the County Assembly.

(2) Subject to Standing Order 47A (Notice of Question), the County Assembly shall dispose of a Question in the sequence it appears in the Schedule of Questions or as the Speaker may direct.

(3) The Speaker may—

(a) permit the Member who raised a Question to ask a maximum of three supplementary Questions that relate to the original Question;

(b) permit a Member other than the Member who asked a Question to ask a further supplementary Question that relates to the original Question;

(c) direct a County Executive Committee Member to provide additional information or a further reply to a Question or supplementary Questions to the relevant Committee of the County Assembly; or

(d) defer a Question to a different time or day from its scheduled time and day.

(4) A County Executive Committee Member shall reply to a Question on the day it is scheduled for reply notwithstanding the absence of the Member who raised the Question.

*Question, that the New Standing Order 47C
be approved, proposed)*

*(Question, that the New Standing Order 47C
be approved, put and agreed to)*

New Standing Order No. 47D

THAT, the Standing Orders be amended by inserting the following New Standing Order immediately after Standing Order 47C:

Questions for written reply

47D. Where a Member prefers a written reply to his or her Question—

(a) the Speaker shall direct that a written reply be provided in respect of the Question; and

(b) the Clerk shall forward the Question to the relevant County Executive Committee Member and, upon receipt, provide the written reply to the Member.

*Question, that the New Standing Order 4D
be approved, proposed)*

*(Question, that the New Standing Order 47D
be approved, put and agreed to)*

New Standing Order No. 47E

THAT, the Standing Orders be amended by inserting the following New Standing Order immediately after Standing Order 47D:

Timeline for reply

47E. (1) Subject to paragraph (2), a County Executive Committee Member shall reply to a Question within seven days of referral of the Question.

(2) Where the Speaker determines a Question to be urgent, a County Executive Committee Member shall reply to the Question within forty-eight hours of referral of the Question.

*Question, that the New Standing Order 47E
be approved, proposed)*

*(Question, that the New Standing Order 47E
be approved, put and agreed to)*

New Standing Order No. 47F

THAT, the Standing Orders be amended by inserting the following New Standing Order immediately after Standing Order 47E:

Report on Questions

47F. The Chairperson of a Committee shall by way of a Statement report to the County Assembly on Questions—

- (a) referred to the Committee;
- (b) replied to;
- (c) which the Committee has directed a County Executive Committee Member to provide additional information or further reply; and
- (d) pending before the Committee.

*Question, that the New Standing Order 47F
be approved, proposed)*

*(Question, that the New Standing Order 47F
be approved, put and agreed to)*

New Standing Order No. 47G

THAT, the Standing Orders be amended by inserting the following New Standing Order immediately after Standing Order 47F:

Questions to County Boards

47G. (1) Subject to paragraph (2) this Part shall apply to a Question directed to a County Board with necessary modifications.

(2) A County Board to which a Question is directed shall reply before the relevant Committee of the County Assembly.

*Question, that the New Standing Order 47G
be approved, proposed)*

*(Question, that the New Standing Order 47G
be approved, put and agreed to)*

New Standing Order No. 108 (1) (a)

THAT, the Standing Orders be amended by inserting the following New Standing Order immediately after Standing Order 108:

(2) The security check or screening under paragraph (1) shall extend to a handbag or other accessory that a Member intends to enter with into the Chamber.

*Question, that the New Standing Order 108 (1) (a)
be approved, proposed)*

*(Question, that the New Standing Order 108 (1) (a)
be approved, put and agreed to)*

New Standing Order No. 137A

THAT, the Standing Orders be amended by inserting the following New Standing Order immediately after Standing Order 137:

Limits on consideration of matters by Committee

137A. A Committee shall not consider any matter other than a matter which has been referred to it or which it is required by these Standing Orders to consider.

*Question, that the New Standing Order 137A
be approved, proposed)*

*(Question, that the New Standing Order 137A
be approved, put and agreed to)*

New Standing Order No. 137B

THAT, the Standing Orders be amended by inserting the following New Standing Order immediately after Standing Order 137A:

Committee of the Whole County Assembly may not adjourn

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137B. A Committee may not adjourn its own sitting or the consideration of any matter to a future sitting, but the Chairperson may by Motion be directed notwithstanding that all matters referred to the Committee have not yet been considered, to report progress to the County Assembly and ask leave to sit again.

*Question, that the New Standing Order 137B
be approved, proposed)*

*(Question, that the New Standing Order 137B
be approved, put and agreed to)*

New Standing Order No. 137C

THAT, the Standing Orders be amended by inserting the following New Standing Order immediately after Standing Order 137B:

Report

137C. When all the matters referred to a Committee of the whole Assembly have been considered, the Chairperson shall be directed by Motion to report to the County Assembly.

*Question, that the New Standing Order 137C
be approved, proposed)*

*(Question, that the New Standing Order 137C
be approved, put and agreed to)*

New Standing Order No. 137D

THAT, the Standing Orders be amended by inserting the following New Standing Order immediately after Standing Order 137C:

No debate on Motion for Report

137D. (1) When a Motion is made in Committee to report or to report progress and ask leave to sit again, the question shall be put forthwith and decided without amendment or debate and if the question is agreed to the Chairperson shall forthwith leave the chair.

(2) Except as otherwise provided by these Standing Orders, every report under paragraph (1) shall be made without question put, and may, by Motion, be agreed to or negated by the County Assembly or re-committed to the Committee, or postponed for further consideration.

*Question, that the New Standing Order 137D
be approved, proposed)*

*(Question, that the New Standing Order 137D
be approved, put and agreed to)*

New Standing Order No. 137E

THAT, the Standing Orders be amended by inserting the following New Standing Order immediately after Standing Order 137D:

General application of rules in Committee of the Whole Assembly

137E. Except as otherwise provided in these Standing Orders, the same rules of order and of debate for the conduct of business shall be observed in Committee of the Whole County Assembly as in the County Assembly.

*Question, that the New Standing Order 137E
be approved, proposed)*

*(Question, that the New Standing Order 137E
be approved, put and agreed to)*

New Standing Order No. 151A

THAT, the Standing Orders be amended by inserting the following New Standing Order immediately after Standing Order 151:

Consideration of a Policy

151A (1) A policy requiring the County Assembly's approval shall be submitted to the Clerk who shall assign it a number as a Sessional Paper and process it for tabling.

(2) A Sessional Paper having been laid on the Table of the County Assembly shall stand committed to the relevant Sectoral Committee without question put.

(3) Notwithstanding paragraph (2), the County Assembly may resolve to commit a Sessional Paper to a select Committee established for that purpose.

(4) The Sectoral Committee to which a Sessional Paper is committed shall facilitate public participation and shall take into account the views and recommendations of the public when the committee makes its report to the County Assembly.

(5) The Chairperson of the Sectoral Committee to which a Sessional Paper is committed or a Member designated for that purpose by the Committee shall present the Committee's report to the County Assembly within thirty calendar days of such committal together with a notice of Motion.

(6) The County Assembly Business Committee in consultation with the relevant Committee shall appoint a date not later than fourteen (14) days to debate and adopt the Committee's report on a Sessional Paper.

(7) Upon the adoption of the Committee report, the Clerk shall submit the resolution to the County Executive for further action.

*Question, that the New Standing Order 151A
be approved, proposed)*

*(Question, that the New Standing Order 151A
be approved, put and agreed to)*

New Standing Order No. 169A

THAT, the Standing Orders be amended by inserting the following New Standing Order immediately after Standing Order 169:

Membership of Committees

169A. (1) Every Member shall have the right to serve in at least one Committee of the County Assembly.

(2) A Member may waive the right to serve in a Committee of the County Assembly by notifying the Speaker in writing.

*Question, that the New Standing Order 169A
be approved, proposed)*

*(Question, that the New Standing Order 169A
be approved, put and agreed to)*

New Standing Order No. 208A

THAT, the Standing Orders be amended by inserting the following New Standing Order immediately after Standing Order 208:

Public Petitions Committee

208A. (1) There shall be a select committee to be designated the Public Petitions Committee.

(2) The Committee shall be responsible for—

(a) considering all public petitions tabled in the County Assembly;

(b) making such recommendations as may be appropriate with respect to the prayers sought in the petitions;

(c) recommending whether the findings arising from consideration of a petition should be debated; and

(d) advising the County Assembly and reporting on all public petitions committed to it.

(3) The Committee shall consist of a Chairperson and not more than fourteen other Members.

(4) The Committee constituted immediately following a general election shall serve for a period of three calendar years and the Committee constituted thereafter shall serve for the remainder of the County Assembly term.

*Question, that the New Standing Order 208A
be approved, proposed)*

*(Question, that the New Standing Order 208A
be approved, put and agreed to)*

New Standing Order No. 236A

THAT, the Standing Orders be amended by inserting the following New Standing Order immediately after Standing Order 236:

Consideration of Reports from County Boards; Controller of Budget; Auditor-General; County Executive; and other statutory institutions

236A (1) A report from the Controller of Budget, County Boards, Auditor-General or County Executive and other statutory institutions requiring the County Assembly's consideration shall be submitted to the Clerk who shall process it for tabling.

(2) A report having been laid on the Table of the County Assembly shall stand committed to the relevant Select Committee without question put.

(3) The Select Committee to which a report is committed shall scrutinize it and make its report to the County Assembly within sixty (60) calendar days of such committal together with a notice of Motion.

(4) The County Assembly Business Committee in consultation with the relevant Committee shall appoint a date not later than fourteen (14) days to debate and adopt the Committee's report.

(5) Upon the adoption of the Committee report, the Clerk shall submit the resolution to the County Executive or/ implementation agency for further action.

*Question, that the New Standing Order 236A
be approved, proposed)*

*(Question, that the New Standing Order 236A
be approved, put and agreed to)*

Hon. Temporary Chairperson: Mover!

Hon. Moses Ogeto: Madam Chair, I beg to move that the Committee do report to the Assembly its considerations of the amendment of the Nairobi City County Standing Orders and its approval thereof with amendments.

Hon. Temporary Chairperson: Thank you.

(Question proposed)

(Question put and agreed to)

(The House resumed)

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

REPORT AND THIRD READINGAMENDMENTS TO THE NAIROBI CITY COUNTY
ASSEMBLY STANDING ORDERS

Hon. Speaker: The Chairperson, Committee of the Whole Assembly, please proceed.

Hon. Malyun Abdi: Hon. Speaker, I beg to report that the Committee of the Whole House has considered the amendments of the Nairobi City County Assembly Standing Orders and approved the same with amendments. Thank you, Hon. Speaker.

Hon. Speaker: Mover!

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

(Question proposed)

(Question put and agreed to)

Hon. Speaker: Hon. Members the attention of the Chair has been raised to adherence to the requirement under Section 24 (5) that demands that the House must have attendance of not less than 83 Members. As I had mentioned earlier under Order No.8, we are not in a position to proceed with the Business under No. 8. For that reason, I direct Motion No.8 under Order No. 8 to be returned back to the House Business Committee for reallocation and consideration as well.

Hon. Members, under Order No. 10 on the passage of the Standing Orders, it is operational and takes effect immediately. I think this is something that you need to take home with a smile as one of the major strides and achievements by the Third Assembly, which will compel the CECs to appear before the Assembly to not only answer questions but articulate issues that have been raised by the Hon. Members of this Assembly. I really thank you in a very special way for having considered the amendments of the Standing Orders. Thank you, Hon. Members.

ADJOURNMENT

Hon. Speaker: The House stands adjourned to tomorrow, Thursday 17th April 2025 at 2.30 p.m.

The House rose at 3.49 p.m.