



NAIROBI CITY COUNTY ASSEMBLY

OFFICIAL REPORT

Third County Assembly – Fourth Session

Wednesday 2nd April 2025

The House met at 2.30 p.m.

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

PRAYER

QUORUM

Hon. Speaker: The Attention of Chair has been raised for lack of quorum. Under Standing Order 37 (2), I direct the Sergeant-at-Arms to ring the Bell for ten minutes, as he leaves the door wide open.

(Quorum Bell was rung)

Hon Members, the House is properly convened, we have the quorum to allow us transact the business of the day.

COMMUNICATION FROM THE CHAIR

Hon. Speaker: Hon. Members, I have a communication to convey and a response in regards to my communication yesterday in regards to the state of finances of the County Assembly of Nairobi. The Clerk is still on the tabulations. I will have to jump the sequence of the Order and I commit myself to make the communication as we progress. Stand guided.

NOTICE OF MOTION

DIGITAL PLATFORM FOR REGISTRATION, VETTING AND
LINKING ARTISANS TO CLIENTELE WITHIN THE COUNTY

Hon. Speaker: Hon. Alai, on Notice of Motion on digital platform for registration, vetting and linking artisans to clientele within the County. Are you ready?

Hon. Robert Alai: Yes. Hon. Speaker.

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Hon. Speaker: Clerk, I have always directed you to facilitate Members in good time so that they may be in a position to address the Assembly properly.

Hon. Robert Alai: Thank you, Hon. Speaker. I wish to give notice of the following Motion... Hon. Speaker protect me from these two members.

Hon. Speaker: How did Hon. Abbas jump the---

Hon. Robert Alai: Hon. Speaker, I wish to give notice to the following Motion:

THAT, aware that Paragraph 7 of Part II of the Fourth Schedule of the Constitution of Kenya, 2010 provides for the trade development and regulation including but not limited to markets and trade licenses, excluding the regulation of professionals as devolved county functions;

NOTING THAT Nairobi City County host a significant number of informal traders who contribute substantially to the local economy by providing employment opportunities...

Hon. Speaker: Hon. Njogu please, I do not expect a Chair of a committee to walk out of the plenary when we have some serious and critical business to transact in the Assembly.

(Hon. Frederick Njogu walked back to the Assembly)

Hon. Robert Alai: NOTING THAT Nairobi City County host a significant number of informal traders who contribute substantially to the local economy by providing employment opportunities, enhancing livelihoods and fostering economic growth, hence despite their conditions, the informal sector remains unregistered mainly leading to challenges in regulation, revenue collection, service provision;

FURTHER NOTING THAT according to the Kenya National Bureau of Statistics 2014 report, 82.7% of jobs in Kenya being categorized in the informal economy i.e. jua kali with the majority being artisans such as carpenters, plumbers, electricians and other forms of crafts;

ACKNOWLEDGING the need for the County Government to provide a digital platform for registration, vetting, linking artisans to clientele within the County and its environs;

NOW THEREFORE, this Assembly resolves that; -

1. The County Executive develops and provide a seamless digital registration system for artisans and informal traders in the County;
2. Conduct a countywide registration process for all informal traders within the Nairobi City County through the established platform, issue business and personal trading numbers to all registered artisans and informal traders to enhance identification, regulation and access to County services;
3. Ensure sensitization and capacity building programmes for informal traders on the importance of registration, formalization and compliance with the County regulations; and
4. Reports back to this Assembly on the progress of the implementation in the three months from the date of adoption of this Motion.

Hon. Speaker, I wish to give the notice. Thank you.

Hon. Speaker: Thank you, Hon. Robert Alai. Clerk, kindly proceed.

STATEMENTS

Hon. Speaker: Hon. Sospeter Mumbi, on general statements.

NEGLECT OF CAPITAL PROJECTS, DEVELOPMENTS
AND SERVICE DELIVERY IN ROYSAMBU SUB-COUNTY

Hon. Sospeter Mumbi: Thank you, Hon. Speaker. The subject of my Statement is skills development in various sub-counties in the County.

Hon. Speaker, pursuant to Standing Order No. 46, I wish to make a general Statement and further seek the Speaker's direction on the supposed neglect of capital projects, developments, service delivery and County programmes and interventions in Roysambu Sub-county contrary to the provisions of Section 103 of the County Government Act, 2012 on the objective of the County planning as cited below.

In the Act 193 (b), the objective of the County Planning shall be to inter alia facilitate the development of well-balanced system of settlement and ensure productive use of scarce land, water and other resources for economic, social, ecological and other functions across the County. 103 (f) provides for the precondition for integrating under developed and marginalized areas to bring them to the level generally enjoyed by the rest of the County.

Hon. Speaker, Roysambu Ward being one of the 85 wards in the County and one of the five wards in Roysambu Sub-county, has in the recent years being considered among the best performing wards in the County with an annual revenue projection and target of Kshs.228 million in the year 2023-2024, and this year 2024-2025, a target of Kshs.282 million. However, as elected Member for Roysambu Ward, I register my dismay on behalf of the residents.

Hon. Speaker, while I appreciate the ongoing development in other wards and sub-counties, while I also appreciate the reason for introduction of boroughs administration system, I am concerned that with the neglect state of development in Roysambu Ward and Roysambu Sub-County at large, I feel that we have given too much for so little and for a bit too long now. Cases in particular, Hon. Speaker:

In the financial year 2023-2024, only one capital project of Kshs.20 million was implemented for construction of a 400-meter road name; Marurui Primary to Wakinyanjui Phase I. However, the project has stalled due to lack of payment.

Similarly, in the same financial year, my office pushed for a budget allocation of Kshs.5 million to construct a perimeter wall at Marurui Health Centre in a bid to curb perennial flooding and insecurity. Unfortunately, this project was not actualized thus jeopardizing the operations of the facility particularly during the rainy season.

Additionally, in the year 2024-2025, my office pushed for an allocation of Kshs.20 million, which translated, to a 400-metre road for Phase II of Marurui Primary to Wakinyanjui with another Kshs.20 million for rehabilitation of Lumumba First Avenue and Kshs.5 million for a perimeter wall at Marurui Health Centre. However, it is quite disappointing and unfair that only Marurui Primary to Wakinyanjui Road was retained in the supplementary budget. Worst still, the fate of this project and its implementation remains unknown. Reason being, Phase I of Marurui Primary

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to Wakinyanjui Road has already stalled and the financial year is less than three months away. This will mean that no single project will be achieved in Roysambu Ward in the year ending 2024-2025.

Again, Hon. Speaker, we have given so much for so little for a bit too long now. As an empowered community and in partnership with the resident association and sub-county officers, my office spearheaded a survey on the status of street lighting in Roysambu Ward. This exercise culminated into a mapping report which highlighted the deficit and the interventions required as far as street lighting is concerned. Further, the report was shared with the Chief Officer in charge of Works, Engineer Tirop and the Director of Lighting, Eng. Gitonga. So far, no substantive action has been taken to address the said concerns.

Further, on 12th October 2023, my office requested for a Statement in the Assembly regarding a public land for a nursery school at Lumumba. On 17th October 2024, the response was given that the land is public. Notably, the Chief Officer Lands, Madam Wangari gave an undertaking to have the land given back to the public by mid of November 2024, last year. The same sentiments were shared by the Chair of Planning, Hon. Alvin Palapala, on Hansard in his response to the Statement. It is now almost five months, Hon. Speaker, and the undertaking is yet to be honored. Hon. Speaker, again we have given so much for so little and for a bit too long.

Following the heavy flooding that continue to wreak havoc to the residents of Garden and Thome Estates, my office launched a taskforce to look into possible long-term interventions for flood mitigation in the mentioned areas. Through this task force, a report was generated and shared with the relevant authorities, including the Disaster and Management Sector of the Nairobi City County Government through the CECM Bramwel. I again shared with KENHA, Nairobi River Commission among others. Unfortunately, no response or feedback has been received so far and in particular from the Disaster and Management CECM.

Additionally, my office further wrote to the CEO Ward Development Fund, requesting for termination of the contractor in charge of Safari Brook which has stalled for over one year with no substantive reason. Similarly, my office has written numerous letters appealing for support from the County to maintain and fix the dilapidated roads in Roysambu Ward, a list of the said roads is attached. That list was shared to the Chief Officer in charge of Roads and that is why we ended up having a demonstration in my area last week.

Mr. Speaker, my office again has escalated the concerns of Roysambu Ward residents on noise pollution through Statement in the Assembly. The affected areas include but not limited to; Garden Estate, Ridgeways, Mirema, Lumumba and USIU. Hon. Speaker, yet we have given so much for so little and for a bit too long now.

Hon. Speaker, it is very unfortunate that I was heckled while doing my mandate of representation by the Liquor Board Committee, that is a sensitive matter.

As a remedy, I seek the following interventions:

1. The Select Committee on County Finance, Budget and Appropriation intercede by employing affirmative action and use the anticipated FY 2025-2026 budget estimates

- to leverage the Roysambu Ward and Sub-County at large to merge up the other developing wards and sub-counties;
2. The Committee on County Finance, Budget and Appropriation to give life to Section 103 (f) of the County Government Act, 2012 by ensuring fiscal planning documents provide the preconditions for integrating underdeveloped and marginalized areas to bring them to the level generally enjoyed by the rest of the County for effective service delivery; and
 3. All pending projects be prioritized but not on the expense of the newly identified projects especially if public funds have been allocated and appropriated for the same to ensure that no public funds are lost.

Hon. Speaker, we have given so much for so little for a bit too long now, hope not any longer for the people of Roysambu Ward. I seek your guidance, Hon. Speaker, and I thank you for the opportunity.

Hon. Speaker: Hon. Member, as you seek the guidance of the Chair, mine is to direct it to the Budget and Appropriation Committee and the relevant committee to take up the concern as raised by the Hon. Member for Roysambu Ward and report in a record of two weeks.

(A Hon. Member raised a Point of Order)

Hon. Member, you need to get your Standing Orders correctly. We are on Order No. 6 where Members request for Statements and that does not attract debate. It is a concern by the Hon. Member for Roysambu Ward. Let us move to Order No. 7 (ii), Hon. Sospeter on behalf of the Assembly Business Committee. Is it you or Hon. Katile? Hon. Katile, kindly proceed.

BUSINESS APPEARING BEFORE
ASSEMBLY FOR WEEK BEGINNING 2ND APRIL 2025

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 2nd April 2025.

Hon. Speaker the Assembly Business Committee met on Tuesday 1st 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 2nd April 2025, this Assembly shall be considering the following Business;
 - i. Under Order No. 8, Hon. Chege Mwaura, MCA and Member for Ngara Ward, will move a Procedural Motion for the Second Reading of the Nairobi City County Betting, Lotteries and Gaming Bill, 2023 (Assembly Bill No. 12 of 2023).
 - ii. Under Order No. 9, Hon. Robert Alai, Member for Kileleshwa Ward shall be moving a substantive motion urging the County Executive in conjunction with NTSA to develop guidelines for registering and issuance of reflective number

plates for all wheel barrows, rickshaws, hand carts, animal drawn carts, lagged trolleys and tricycles in the County.

2. Further on Thursday 3rd April 2025, the Assembly will be considering the under listed Business; under Order No. 8, the Chairperson of Public Accounts Committee, shall be moving a resolution motion for the adoption of a committee report on the consideration of the report of the Auditor General on the financial statements of the Nairobi City County Assembly Service Board Mortgage Scheme Fund for the year ended 30th June 2019, laid on the table of the Assembly on 19th September 2024.
3. Lastly, Hon. Speaker, on Tuesday 8th April 2025, the Assembly will similarly be considering the under listed Business;
 - i. Under Order No. 8, the Chairperson of Planning Committee shall be moving a resolution Motion for adoption of a committee report on the vetting of the nominee for appointment as a Non-Executive Chairperson for Nairobi County Rural and Urban Affordable Housing Committee.
 - ii. Under Order No. 9, the Hon. Mark Mugambi and member for Umoja I Ward will move a substantive Motion in support of football teams 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 8th 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. Diana Katile, Member of the County Assembly, designated Member by the Assembly Business Committee. Thank you.

Hon. Speaker: Thank you Hon. Katile. Hon. Kados.

REQUEST FOR STATEMENT ON CONCERNS RAISED ON
SLAUGHTERHOUSES IN NJIRU, MATOPENI SPRING VALLEY AND
RUIAI ON ILLEGAL MOVEMENT AND GRAZING OF CATTLE INTENDED FOR SLAUGHTER

Hon. Paul Kados: Thank you, Hon. Speaker. Pursuant to Standing Order 47 (2) (c), I rise to request for a Statement from the Chairperson of the Sectoral Committee on Agriculture and Fisheries regarding concerns raised by residents of Nairobi County especially in some slaughter houses in Njiru, Matopeni Spring Valley on the illegal movement and grazing of cattle intended for slaughter within the Ward.

Hon Speaker, Regulation 10 (1) of the Meat Control (Local Slaughterhouses) Regulations, 2012 states that, "*Animals brought for slaughter shall be confined in lairages and shall not be*

moved about unnecessarily." Further Section 20 (1) of the Meat Control Act stipulates that, "Any person who contravenes or fails to comply with any of the provisions of this Act or any regulations made thereunder shall be guilty of an offence."

Hon Speaker, there has been a notable concern raised that animals meant for slaughter are being transported into Mihang'o Ward and are being left to graze in undesignated areas, potentially exposing local livestock to foot-and-mouth disease and other animal health risks. This raises serious concerns regarding public health and the enforcement of slaughter regulations within the County.

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

- i. A comprehensive report on the process of issuing Letters of No Objection being managed to prevent unauthorized movement of livestock within areas not permitted for movement;
- ii. A detailed report on the steps taken by the County Executive to prevent the risk of foot-and-mouth disease among other disease due to unauthorized grazing of slaughter-bound animals;
- iii. Whether enforcement actions are being taken against those who are illegally bringing cattle for slaughter into the Ward and allowing them to graze, contrary to existing regulations; and
- iv. Measures put in place to ensure that all cattle transported for slaughter are accompanied by valid movement permits that clearly indicate the owners of the cattle and adhere to the 24-hour slaughterhouse timeline.

Hon. Speaker: Hon. Members, I am about to make a communication. The Chair of Agriculture to make an undertaking on the period of time he would want to respond to the Hon. Member.

Hon. Emmy Isalambo: Thank you, Hon. Speaker. The message that the Deputy Speaker has brought is of importance to Nairobians, so, we ask for two weeks to come up with a response.

Hon. Speaker: Hon. Deputy Speaker, is that okay with you?

Hon. Paul Kados: Yes, Hon. Speaker.

Hon. Speaker: Thank you.

COMMUNICATION FROM THE CHAIR

PAYMENT OF FUNDS RECEIVED FROM THE COUNTY TREASURY

Hon. Speaker: Hon. Members, before we move to the next Order, I had requested to bypass the Business as it appears in the sequence in the Order Paper, but now I am ready to proceed. Hon. Members, you may recall that I made a commitment to update the Assembly on the status of the finances of the County Assembly of Nairobi today Wednesday. Before I communicate this, I want to put a reminder on your roles and responsibilities. Each Member in this House must be ready to collectively own up to your actions and resolutions because it is in this House where you make decisions. It is you who passes the Appropriation Bill and the Budget, and I hope you

understand the budget making process in details. The Assembly schedule provides the allocation of monies to various sectors, and we have schedules on local travels, committee retreats and foreign travels. All these are normally apportioned a budget.

We have a budget under the office of the Clerk, office of the Speaker, the County Assembly Service Board and committees at the disposal of Members at every given time. Hon. Members, when you realize that the Board has travelled, you should be cognizant that they have allocations for such trips. It is a vote line under the County Assembly Service Board. So, I do not expect a Member to question why the Speaker has a vote and you passed here during the budget. That money is usually allocated to facilitate either Members on their local or foreign trips, and for some reason, the Chair has always asked Members to bear with the institution to a point where Members travel abroad. I am aware of members who travelled sometime last year in September to Singapore and were compensated last month.

You are aware that we are in the Fourth Quarter, and if we do not utilize these monies, what happens to the Controller of Budget? I hope you understand why I am bringing you all up to speed.

Hon. Members, I have the following further communication on matters relating to Assembly resources, as promised during yesterday's sitting. I wish to provide an update regarding the payment of funds received from the County Treasury.

As you are all aware, the Nairobi City County Assembly relies on the County Executive for funding to facilitate its operations and any delay in receiving the funds has a potential of grounding our operations. Accordingly, from the requested amount of Kshs.500 million, we have been able to receive only Kshs.239, 438,082, which we have since paid as follows: -

S/N	Receipt Date	Requisitioned Amount (Kshs)	Particulars
1.	06.03.2025	57,793,806	January Salary- IPPD
2.	06.03.2025	11,858 170	January Salary- Ward Office
3.	13.03.2025	6,760,812	Ward Office Imprest
4.	13.03.2025	2,042,200	Professional Bodies
5.	13.03.2025	25,581,400	Committee Allowances
6.	13.03.2025	2,000,000	Fuel
7.	14.03.2025	16,824,172	Lapfund
8.	14.03.2025	4,375,442	Lapfund
9.	14.03.2025	1,193,259	Hotels & Adverts
10.	14.03.2025	19,336,800	Committee Allowances
11.	14.03.2025	1,588,399	Professional Bodies
12.	19.03.2025	1,182,535	Insurance-Kenya Orient
13.	21.03.2025	20,467,179	Speaker's Motor Vehicle

14.	21.03.2025	20,364,960	Ward Office Imprest- Pending Bills (refunded to Loans and Mortgage)
15.	21.03.2025	28,253,510	Lapfund PB
16.	21.03.2025	4,611,452	Insurance PB
17.	21.03.2025	1,521,480	Laptrust-PB
18.	21.03.2025	5,788,636	Training Fees Foreign
19.	21.03.2025	2,447,070	Laptrust-PB
20.	21.03.2025	1,915,000	O&M Claims-FUT
21.	05.11.2024	3,611,800	Allowances- Domestic
	TOTAL	239,438,082	

Hon. Members, I take this opportunity to urge the County Treasury and relevant State agencies such as the Controller of Budget to prioritize the release of these funds to enable the Assembly fulfil its mandate effectively. Adequate and timely funding is critical in ensuring that legislative duties are carried out without disruption and that all financial obligations are met. I appreciate your patience and cooperation as we work towards the resolution of this matter.

Hon. Members, I received a call from the Governor and we had a discussion. He has slotted a meeting with the Assembly administration, leadership and the Executive tomorrow at 10:00 a.m. over the issues raised by the Assembly.

GETTING BACK ON TRACK: RESTORING EFFECTIVENESS AND ACCOUNTABILITY IN SECTORAL COMMITTEES

Hon. Speaker: Hon. Members, I have a further communication on getting back on track: restoring effectiveness and accountability in sectoral committees. Due to the gravity of the issues the Communication raises, I request all Hon. Members to remain attentive.

Hon. Members, the strength and effectiveness of any legislative body lie in the work of its committees. Sectoral committees serve as the backbone of oversight, legislation, and representation, ensuring that government policies and programs are implemented efficiently and in the best interest of the people. These committees are tasked with scrutinizing county executive actions, monitoring service delivery, and providing well-researched reports with substantive recommendations to guide this House in making informed decisions. Without active and functional committees, our mandate as representatives of the people is significantly weakened.

Hon. Members, this Assembly has a proud history of vibrant and proactive committees that have played a critical role in ensuring accountability and good governance. In the past, our committees have exposed inefficiencies, influenced policy changes, and provided strong oversight on county affairs. It is through the diligent work of these committees that key service delivery improvements have been realized in various sectors. It is therefore deeply concerning that committees of this Assembly especially sectoral committees have relapsed in their oversight

responsibilities. The current state of affairs paints a sad picture that now calls for immediate action by the Chair.

Hon. Members, I have analyzed a number of weaknesses exhibited by our committees which I can summarize as follows: -

i) Failure to produce Substantive Reports

Many committees have failed to generate well-researched reports with actionable recommendations. Reports presented to this House often lack depth, are repetitive, and do not provide concrete solutions to the challenges facing the county. This failure has weakened the Assembly's ability to hold the Executive accountable.

ii) Lack of regular Site Inspection Visits

Committees are mandated to conduct site inspections to assess the implementation of county projects and services. However, many committees have neglected this responsibility, choosing instead to rely on second-hand information from county officials. Where they conduct inspection visits, their reports are either not forthcoming or do not provide information that may help to hold to account executive officials who continue to act with impunity.

A critical area of concern is the physical planning and construction area. We have left Executive officials in the Planning Department to run their affairs with little accountability. This neglect has resulted in the blatant disregard of the Physical Planning Act, leading to the approval of substandard buildings and the proliferation of rogue developers who prioritize profit over safety and quality.

(Applause)

For instance, Section 19 of the Physical Planning Act (Cap 286) require involvement of residents before approval of any development. Unfortunately, this has been disregarded on many occasions resulting in realizing high-rise buildings coming up in our wards, and for some reason with the knowledge of the hon Members who happen to be the custodian of the various wards. It is quite unfortunate that this has been disregarded on many occasions.

Without strict oversight, illegal developments have continued to emerge, endangering lives and contributing to Nairobi's growing urban chaos. The failure of the Sectoral Committee on Planning and Housing to conduct regular inspections and enforce compliance has allowed these violations to persist, putting residents at risk of disasters such as building collapses.

iii) Complacency and laxity among Committee Members

There has been a noticeable decline in the enthusiasm and commitment of committee Members. Some committees barely meet... Hon Member the Speaker is on the Floor. Some committees barely meet and when they do, deliberations are often unstructured and lack focus. In some instances, committee Members fail to attend scheduled sittings, further delaying the committee's work or resulting in lack of any substantive output.

The House is starved with critical business such as Bills since most committees are holding on business as simple as pre-publication scrutiny of legislative proposals which have timelines. In addition, the most impactful program to Hon Members and the residents in general i.e. the Ward

Development Program has collapsed due to this complacency by the relevant Committee. This also extends to the health of residents especially with the mushrooming of restaurants which pose a public health concern.

iv) Delayed or non-implementation of Committee Resolutions.

Even in cases where committees make recommendations, there is little follow-up to ensure that their resolutions are implemented. To make matters worse, I have not seen the Implementation Committee table its report in the recent past. This has allowed County departments to ignore or delay necessary reforms without consequences.

v) Lack of proactive Oversight on major County Programs

Committees have not been proactive in scrutinizing key County projects, budgets, and policies. Instead of taking a forward-looking approach to oversight, some committees only react after problems arise, making it difficult to prevent mismanagement or wastage of public funds. Why are committees for instance not reporting on issues like a failed public transport system, lack of street lighting in our estates, garbage problem and the challenges in the health sector?

vi) Poor Coordination between Committee Chairs with respective CEC Members and Committee Secretariat.

Some committee chairs and members have not established effective working relationships with County Executive Committee Members, chief officers, and their own committee secretariats. This has resulted in delays in receiving crucial information, poor communication and, ultimately, ineffective oversight.

Hon Members, with the forgoing, I have a duty to guide this Assembly so that it can provide leadership and oversight that drives positive change. Our committees must operate with diligence, commitment, and integrity to ensure that County resources are utilized efficiently and services delivered effectively. I therefore wish to direct as follows: -

1. **Committee Status Reports:** I direct that all the sittings of next week i.e. Tuesday, Wednesday and Thursday shall be dedicated to receiving status reports from all Committees. All committee chairpersons must appear before the House next week to present a status report on their work, detailing achievements, challenges, and pending assignments. Additionally, they must provide an assessment of their working relationship with the secretariat, relevant County Executive Committee Members, and Chief Officers. I do not expect the usual annual reports that have been the norm before the Liaison Committee. I expect very informative and forward-looking report and the Chair must understand all the facts in the report. The Clerk is directed to prepare a schedule on how the Chairs shall appear before the House on Tuesday, Wednesday and Thursday. For that reason, I direct the House Business Committee to reassign the allocation of Business that was to appear on Tuesday to a later date, and reserve Tuesday, Wednesday and Thursday for the chairmen to articulate the issues in regards to their various committees.
2. **Ward Development Programme:** The Chairperson of the Ward Development Fund Committee must provide a detailed report on the status of all ongoing and completed projects under the Program, including challenges affecting their implementation. The

Chair must report on the status of the Bill on this matter and explain why the Committee has not finalized on its consideration at whatever stage it is. The Chair to provide the list of requisition, the names of the contractors to be paid.

3. **Site Inspection Visits:** Committees must resume regular site visits to assess the progress and impact of County programs and services. These visits must inform the committees' inquiries and subsequent reports. If need be, close the sites which are not up to date.

(Applause)

4. **Planning and Development Oversight:** The Sectoral Committee on Planning and Housing is directed to inspect all ongoing developments across Nairobi and report to the House within two weeks. In line with the Physical Planning Act, the Committee must also ensure that public participation is conducted for all developments before commencement as required under Section 19 of the Physical Planning Act (Cap 286) and guided by the area elected Members.

(Applause)

5. **Health and Public Safety Inspections:** The Sectoral Committee on Health Services must inspect all food joints and restaurants in Nairobi and report within two weeks on their compliance with health and sanitation regulations. The safety and well-being of Nairobi residents must remain a top priority.
6. **Review of the Standing Orders:** I direct the Procedure and Rules Committee, to which I chair, to urgently finalize and table its report which is long overdue on the review of Standing Orders, particularly on the issue of introduction of question times that will see CEC Members appear before this House on Wednesdays to respond to urgent matters.

(Applause)

Hon. Members, let us recommit to the responsibilities entrusted to us and work towards an Assembly that truly serves the interests of the people of Nairobi. I want to promise that I will personally monitor compliance with these directives, and failure to adhere will subsequently attract action as required by our Standing Orders and the Constitution. The time for action is now. The House is so guided. Thank you, Hon Members.

(Applause)

BILL

Second Reading

THE NAIROBI CITY COUNTY BETTING, LOTTERIES AND GAMING BILL, 2023

Hon. Speaker: Hon. Chege Mwaura.

Hon. Chege Mwaure: Thank you, Mr. Speaker for that insightful direction. We will adhere to it.

Hon. Speaker, I rise to move:

THAT, the Nairobi City County Betting, Lotteries and Gaming Bill, be read a Second Time

Mr. Speaker, as I move, I want to start by stating that Article 34 of Fourth Schedule of the Constitution of Kenya captures betting, casinos and other forms of gambling as a national function. Further, the second part talks about the county governments. Under Article 4 of the same, there is cultural and public entertainment, and public amenities that include betting, casinos and other forms of gambling as a county function.

Hon. Speaker, there is a huge growth in the betting, gaming and lotteries within the country. However, very little has happened in terms how the county addresses itself and secures its own citizens in ensuring that some of these issues that are brought by the growth of the betting, lotteries and gaming industry do not affect the society. Freedom is good and gambling is allowed, it is just that when it crosses over and there is no responsible gambling or gaming, then the society decays because of lack of regulations and we have anarchy. The Bill seeks to address those gaps that this money lucrative industry refuses to address.

On issues like addiction, today if you look at an alcoholic, you can easily tell what his problem is, but those symptoms don't appear for someone suffering from gambling addiction. It is not in the face or in how they dress. So, you might not know what is happening psychologically and emotionally and the kind of distress that comes with it. Justification for this Bill starts from there. If we don't come strongly and organize a way of regulating betting, lotteries and gaming, then we will have a problem.

The growth of the industry has moved from the days when we were kids and saw Charity Sweepstake and national lottery for one big something happening over Christmas, to today at the comfort of your phone, listening to the radio, or watching TV. There is a lot of easiness when it comes to people placing a bet, and it does not regulate the age, time and to what extent. When you go to withdraw your own money, the bank gives you a maximum amount that you can withdraw out of an ATM, but gambling does not tell you up to what extend you can gamble. So, it opens up a huge area that we have not looked into. These concerns are what we want to raise in this noble process of coming to regulate this industry.

Hon. Speaker, the financial aspects and impact are enormous to families and societies, and it is just a matter of time when it becomes a national pandemic. Almost 90% of the national betting happens in Nairobi yet we have no clue when it comes to regulations. Therefore, this is a timely Bill to try and address these things.

Hon. Speaker, this Bill wants to introduce restrictions so that our minors are not exposed to gambling. We also want this Bill to create a proper revenue stream for the County. More importantly, we want to bring responsible gambling measures so that while it is okay for you to gamble where it is legal, why don't we now create a framework where it is responsible and we give you timelines even for advertising? Today in the morning, you will hear some radio stations

guiding you on how to gamble. These are the issues we want to raise. What I urge the honorable House to deal with; -

1. Create an awareness so that these conversations do not become a county assembly awareness program. We blow it out so that the county and the country can have an in-depth conversation about the pros and the cons about gambling, betting and lottery. While the Bill seeks to regulate, I need to be clear to Members because I know that some of my colleagues are fans of soccer and also place bets on various teams. This bill is not banning gambling but it seeks to regulate so that responsibly we can address this issue; and
2. Create a frame work and conversation around this big topic. It is a big business and it funds the Sports Fund of the country. 90% of the gambling proceeds are actually Nairobians' monies. The County must find a way of being able to tap into those proceeds and channeling them to actual good support for ensuring this doesn't move to a menace, spoil our societies and shatter families.

Hon Speaker, if Members will agree that it moves to the Second Reading, I will appreciate and have a bigger conversation, not just in this House but in the wards, county and the country at large.

Mr. Speaker, I beg to move and request the Leader of Minority to second. Thank you.

Hon. Speaker: Leader of Minority, please.

Hon. Anthony Karanja: Thank you, Hon Speaker, I want to second this Bill and also make a few remarks on the same. I think there cannot be a better time to rectify what has been done wrong or what is going wrong than now. As a country we are sinking deep into depression from industries that do not add value to the country. This country started with two casinos in the 1990s to 31 today and 99 betting companies. It is an open secret that SportPesa today – I am sorry to name one company of many – is more profitable than Safaricom. Betting companies have grown a million fold in the last two years. The growth of the gambling and betting industry is a reflection of an economic erosion in the country.

Hon. Speaker, 84% of our people aged between 18 and 35 years are active gamblers in Kenya. This is the highest percentage anywhere in this continent. The leading cause of suicide, job loses, marriage breakages, business loses and depression is betting and gambling. The most if not all betting and gambling houses and companies are owned by foreigners, most of whose countries have either banned or have strict laws prohibiting gambling and betting. Hon. Speaker, I would still want to go back to SportPesa, whose face is a Member of Parliament of Kasarani, Hon. Karauri. He only owns 5% of SportPesa, the other 95% is owned by foreigners who I suspect take 95% of the profit they make from this country and invest in other countries.

Between 2019 and 2023, betting and gambling grew from 1.9 to 13.9% in this country. No other industry or any other activity including farming has grown anywhere close to that. That is more than 1000%.

Hon. Speaker, more than 40% of all advertisements in the country are from betting and gambling companies. We need to make a bold decision like when we were dealing with nuisance of smoking. We need to ban any advertisements through this Bill because it is our function as a

county; it is a devolved function. It is within our powers to say that nobody will be allowed to advertise, whether on National TV, billboards or fliers. Hon. Speaker, every newspaper today has an A3 size of paper pushing and urging us to keep betting every single day.

Hon. Speaker, Kenya leads in Africa in gambling with 84% participation, followed by Nigerians at 78% and South Africa at 74%. This is according to the Business Insider. This is something that is supposed to send shockwaves to the parents who are here and to the parents who are in this country.

In the year 2023 alone, 28 new betting firms the size of SportPesa were registered in this country. If Nairobi is the capital of Kenya where 60% of the GDP is, I can assure you that we are contributing about 90% of all the betting revenue that these companies are taking. The time is now, it cannot be tomorrow or any other time that we call out not just the betting companies but the enablers, the participants, the investors and anybody who is urging our parents, ourselves and our children to bet.

Hon Speaker, if any of these Members have had the opportunity to watch news, there is a company that issues a very big cheque worth millions of shillings every day in between the prime time news; about 30 seconds advert. We need to question where they are getting this money. If the money is what they are collecting from our boda boda people, school going children and people who work in this County – I would want to remind this House that some years back, the only Kenyan who has been honored by the Arsenal Football Team was a man who committed suicide after losing a bet. He was called Suleiman Omondi, a 29-year-old man from Pipeline. He lost a bet which he had placed on Arsenal Football Team. The only thing that Arsenal could have done was just send a condolence message and tell Kenyans that football is not that serious. It is our duty, mandate and responsibility to come and dive in to the deep end of this matter and put it to a stop, and steer this debate in this House and in this country.

I can assure you, Hon Speaker, that this is not just about Kenya, there is a deliberate effort to convert Africa into a useless nonproductive continent because the five countries that have been targeted are; South Africa, Kenya, Uganda, Nigeria and Ghana. They have been targeted by foreign countries of Eastern Europe. As I finish, I want to give you a preview of what other countries have done to their laws, which I am urging this House to do so that we are able to reach where we are supposed to be.

In mainland China, gambling has been strictly prohibited. Only gambling is allowed in Macau, which is a touristic province in the People's Republic of China. Further, it does not allow its citizens to gamble. If you go to Macau today, you can gamble as a Kenyan. If you go as a Chinese, you are not even allowed to place a bet. Russia prohibited gambling since 2009. It is only allowed in four zones. Notably, Russia is the origin of most casino games. Online and electronic gambling is banned.

Hon. Speaker, the casinos have been brought in our hands, pockets and bedrooms. You can bet as much as you wish from your phone.

Countries where gambling is illegal include; North Korea, United Arab Emirates, Cambodia, Brunei, Japan, Singapore, Cyprus, Qatar, Lebanon, Poland, etc. Other countries like

Britain and US actually limit how much an individual can gamble. Our country has no limits. As late as March 19th this year, a teacher in Keiyo committed suicide after losing Kshs. 900,000 of a loan she had taken.

Hon. Speaker, if we continue with this debate, I can assure you as the head of this institution that you will be able to identify members of staff and Members of this Assembly who have been grossly affected by this vice. Aviator is making more money in Kenya than in any other country. Most of us know what Aviator is. It is even affecting most Members of this House; it is very sad.

On the way forward, and what I will urge my colleague Hon. Chege and the Committee is that, betting and gambling be seriously controlled before it reaches uncontrollable levels. Tax should never be an incentive to facilitate the growth of this industry. I have seen during National Tax Awards our National Government and the Kenya Revenue Authority awarding betting companies for paying taxes, without looking at the socio-fabric that this industry is destroying. With the knowledge that Africa has the fastest growing betting and gambling industry, with Kenya leading in Africa, study should be done to look into long term impact on the economy and social life in the Country. Betting and gambling should... Hon. Speaker, I beg your attention.

Hon. Speaker: You are out of time but you can conclude.

Hon. Anthony Karanja: Thank you. Hon. Members, my proposal to this Bill as we continue is that, we restrict betting to only casinos which are embedded in our 5 star hotels, nowhere else. If you go to our estates, we have a gambling shop every twenty meters, and especially in the informal settlements.

Hon. Speaker, it is within our power to control radio and TV advertisements within the boundaries of this County. We can tell them that they need to use technology to avoid Nairobi. We should say no to the level of advertisements. It is not just sports betting, if you listen to our vernacular radio stations especially all the Kikuyu radios, because I listen to some them, it is horrible, terrible and unbelievable the way they urge people to send money to them. All advertisements should be stopped during prime time and billboards across the County.

Hon. Speaker, I want to urge these Members to stand up and make this matter so big not just in Kenya but in Africa. After my research, I have established that the people who are investing in gambling and totalizer machines in this country are the Chinese from a country which I have told you that it does not allow any form of gambling and have banned their citizens from gambling anywhere in the world.

Hon. Speaker, I want to second and urge Members that we be serious and make sure that if anything we have to achieve as this County Assembly, let that be one of them. Thank you.

Hon. Speaker: Thank you, Hon. Member for giving such in-depth insights on the Bill.

Question Proposed

Hon. Speaker: Hon. Diana Mwangangi.

Hon. Diana Mwangangi: I rise to support the Motion and say that indeed it is a good step towards regulating the issues of gambling which has continued to be growing menace in this

Country. Indeed, we have seen people losing jobs and families because of the addiction to gaming and gambling. This has been as a result of the uncontrolled advertisements and uncontrolled availability of these machines within reach, which would mean that they are utilizing the little resources they have for this purpose. If this Bill becomes law, we will see change as far as our County is concerned. As legislators, it is our duty to protect our citizens from that which harms them. If this gambling is not regulated, it will lead us to a very bad place. It is for that reason that I beg to support.

Hon. Speaker: Hon. David Magoba.

Hon. Hashim Kamau: Sorry, Mr. Speaker, I am using his card. My card got lost.

Hon. Speaker: Kindly proceed, Hon. Hashim.

Hon. Hashim Kamau: Mr. Speaker, listening to Leader of Minority and Secretary General of CAF, I want to say thank you to them for preaching Islam because that is what we are preaching in the mosques, either to regulate, approve or allow. It is *Haram*, Hon. Speaker.

Mr. Speaker, I am seeking your guidance. When the Bill was read the First Time, it was committed to Trade Committee. They did public participation as per the Standing Orders and they are supposed to table a report before the commencement of the Second Reading. I do not know whether the report is ready and tabled. Two, it is the Chair of Trade who is supposed to move or sponsor the Motion because now it has become the property of the Committee. It has left the desk of the SG. Thank you.

Hon. Speaker: Thank you, Hon. Member. Before we proceed on your concern as raised, I have the report of the said Committee on Trade, Tourism and Cooperatives on the Second Reading of the Nairobi City County Betting, Lotteries and Gaming Bill, 2023 which was tabled before the Assembly. But now on the mover being Hon. Chege, he happens to be the sponsor of the Bill. So, he is in order to move the Motion. Hon. Paul Ndung'u?

Hon. Paul Ndung'u: Thank you, Mr. Speaker for giving me this opportunity. The said Member asking all those questions is a Member of Trade, Tourism and Cooperatives Committee, and if you happen to look at that document, the Member was present at the public participation.

Secondly, I want to support the Bill by our CAF Secretary General, Hon. Mwaura Chege. But with your indulgence, Hon. Speaker, we would like this Bill to come back to the Committee because it came to this House in 2016, if I am not wrong, and we were not in this House. The betting firms went to court because of this Bill. We had some amendments and the owner of the Bill knows that. Mr. Speaker, with your indulgence, kindly you can give directions on this Bill.

Hon. Speaker: The Bill can always be reintroduced to the House as much as it was introduced during the First Assembly; it is in order. Actually you have indicated that there are some amendments which hopefully are in line with requirements of the law. For that reason, the Members will get an opportunity to go through the amendments at the Committee of the Whole Assembly. You stand guided. Hon. Joyce?

Hon. Joyce Kamau: Thank you, Hon. Speaker. I also want to support this Bill. My colleagues have already said enough but I want to add that betting is the cause of the rise in

insecurity in our city. Sustaining the habit of betting is very expensive and most victims cannot afford to sustain. So, they end up stealing and causing all these insecurities to sustain the habit.

Mr. Speaker, betting is also the cause of rising suicide in our country. At the moment, six out of one 100,000 betters commit suicide every year because of betting. With that, I support that betting be controlled. Let it go back to Casinos because betting is supposed to be for the rich, not for the poor people who are contemplating between having food and taking the money to casinos. We should regularize and support our citizens and families by controlling betting in this city.

Hon. Speaker: Thank you. Mheshimiwa Kimemia.

Hon. Anthony Gathumbi: Thank you very much, Mheshimiwa Speaker for this moment. I want to zero in on addiction and poverty. I will speak about my ward. I have seen hawkers who sell their wares but end up using the money in gambling shops thinking that they are going to get millions. I have seen these people getting sick and others committing suicide. I think it is important that we regulate, and if it is possible this is the right way to go.

On poverty, I have seen these people who advertise gambling showing us very poor people that can be helped with gambling money. I was attracted by Lotto that is aired on KBC helping poor families, so I decided to put some money in it so that the people can benefit from my Kshs.35. These small amounts are the most dangerous amounts because a person who is betting thinks that Kshs.35 is a small amount, but they repeatedly continue betting again and again until they finish the money they have. As said by Hon. Joyce, these companies target the most vulnerable people of society. Therefore, I support the regulation bit by Hon. Chege and thank him for having brought it because addiction is a big problem and it brings poverty to our people. Thank you very much and may God bless you.

Hon. Speaker: Thank you. Hon. Wachira.

Hon. Patrick Macharia: Thank you, Mr. Speaker. I am using the card for Hon. Wachira. I think it is high time you order replacement of cards as most Members don't have.

Hon. Speaker, as I rise to also support this Motion, I remember when I was in class eight my mother gave me Kshs.800 to go and buy a good '08 Jeans' at Eastleigh. Because we were not so much wealthy and I wanted to buy the jeans and a *madoadoa* shirt which had some tigers, as I was passing through the fence of the Kenya Defense Forces, I found some people there who had some three cards and people are around them. They were saying that if you chose a particular card you win. Since I was in urge of buying a trouser and a shirt with my Kshs.800, I went there and tried my luck to bet with Kshs.500 so that I may win another Kshs.500 to buy the shirt. I won the first round but the second and the third round, my Kshs.800 was not there. Since then, Hon. Speaker, I have never betted. That was my learning lesson. I see people betting and wonder what they do. Betting is not only being done by adults but also kids. What are we setting to the next generation of this country?

Hon. Speaker, if you go to Mathare Hospital, just around two meters from here, you will find people with mental disorders. Some of them succeeded not committing suicide but they got stressed up. We are giving our doctors so much work and we don't have money to pay. I was

saying the day that even in this House and City Hall we need psychiatrists to come and help people because they are suffering from betting.

Hon. Speaker, I support this Motion. This thing should have been banned long time ago.

Hon. Speaker: Thank you. Hon. Alai.

Hon. Robert Alai: Hon Speaker, I don't know if we know the import of this Bill. I have just read it and I think it is not discouraging betting, the Bill in fact encourages betting and even seeks to give the County a stake in the betting industry. It is also introducing licenses and charges on other gaming like the pool table. The Bill is even proposing to have a public lottery. I still support the Bill because I think it is something that is needed.

Last year, there was an operation which was carried out in this City by the Enforcement Department targeting what we call 'betting kiosks'. They were all removed but the biggest victim of the operation were the lotteries which was being conducted by Kenya Charity Sweepstake, a private company. The company appealed to some of us asking why we cracking down on them instead of us using them to solve some of the social challenges we have in the City. I think public lotteries are important for the County because it can be used to handle some of the issues, for example, funding the 'Dishi na County'. If we want to support the people who are not so blessed economically, we can use the lotteries to support them.

I believe the licenses that are going to be introduced are critical, but we need also to find a way to ensure that when we legalize it or when we involve the County in some of these issues, it doesn't allow every Tom, Dick and Harry to create a casino house everywhere. What we need to do in the Bill is to introduce an amendment at the Committee of the Whole House to limit the number of operators we can have in this city. We can also ensure that we auction the licenses of the operators we expect to be carrying out the limited betting allowed. I think we also need to limit the number of years the company or the entity which is going to carry out public lottery from seven years to four years so that the entity does not operate for so long; seven years is a long time.

This Bill is critical for bridging the gap in our society. It is a well thought out idea, but I think also we need to update it because a lot of regulations have changed. In 2022, the betting revenue was almost Kshs.600 billion, now it has reduced to Kshs.80 billion because of some regulations that were brought at National Government level. We need to align the Bill with the regulations which were introduced at National Government so that it doesn't bring in a conflict, and ensure that at least the County gets a stake. There is no way this business has gone to for so long while we have been sitting on it and even helping them thrive but we have not claimed our actual state.

I have seen betting contributing negatively to some of our critical pass times, like football now is at risk because of match fixing which is brought about by betting. I think we can work to ensure that we support this business but we also align our regulations with National Government to ensure it happens safely because it is part of the economy and it is happening in an environment where we can claim our stake but claim it safely and protect society. I beg to support.

Hon. Speaker: Thank you. My screen is clear, an indication that there is no more contribution. Oh! Hon Hellen then Hon Kidenda. Hon. Oyugi, you are under intervention; you are not in the request list.

Hon. Hellen Okello: Asante sana, Bwana Spika kwa kunipatia fursa hii. Naunga mkono Mswada huu ambao umekuja wakati ufaao. Kabla tusahau, hapo awali kuna yale yalikuja kama mabenki lakini yalikuwa michezo ya kubahatisha ambapo watu walikuwa wanachukua mkopo. Kwa mfano, ukichukua laki tatu upeleke pale, unapewa laki sita. Watu wetu wengi walichukua mkopo wakapeleka pale. Waliopelika kwanza walipata, wakarudi tena mara ya pili wakapata na mara ya tatu walipeleka pesa nyingi sana, na kwa bahati mbaya waliweza kupoteza pesa hizo.

Bwana Spika, watu wengi sana wamepoteza maisha yao kwa sababu ya mchezo wa bahati na sibu. Mchezo huu unavunja familia nyingi. Kama wawakilishi wa kaunti ya Nairobi, ni jukumu letu kuwalinda watu wa Nairobi ambao walitutuma katika Nyumba hii ili tuwawakilishe.

Mimi hushangaa sana wakati ninatazama habari, wakati wa mapumziko wanasih watu kuwa ukiweka kiwango fulani ya pesa utapata zaidi. Si kweli maana watu wengi hupoteza. Kama wenzangu walivyosema, ukiangalia shilingi hamsini utadhani ni pesa kidogo lakini tujiulize ni watu wangapi walioweka shilingi hamsini na ni wangapi walipata. Tunafaa tujiulize hizo kampuni zinatengeneza pesa ngapi, na kama watu wa Nairobi wananufaika. Hawanufaiki, Bwana Spika.

Inafaa tuhimize watu wetu wawachane na mchezo wa bahati na sibu maana inalenga walio na mapato ya chini na pia hawaelewi. Tunafaa tuhukumu huu mchezo. Hata katika televisheni zetu hazifai kuonyeshwa. Kama alivyosema Kiongozi wa Wachache, lazima tudhibiti mchezo huu kwa kuruhusu wale wanaoelewa na wale ambao wana pesa. Tulinde wana Nairobi. Asante.

Hon. Speaker: Thank you. Hon. Lily Kidenda.

Hon. Lily Kidenda: Thank you, Hon. Speaker. Allow me to thank our Secretary General, Hon Chege Mwaura, who has brought up this to the Assembly. I would also like to thank our Minority Leader who has ably documented critical things about this Bill, and other Hon. Members who have spoken to it.

I would like to bring to our attention the mental damage that our children have been exposed to because of betting. The critical nature of this thing is how it has been camouflaged and packaged as beautiful and profitable even though behind the scenes, a lot do happen. You never bet first time and lose, you win. It is designed in such a way to get you to look again. This thing called addiction is so underestimated, people do not realize that addiction is a prison that will suck the actual life out of you and it will destroy your mental health. My focus today is going to be on the regulatory body of this thing. Whatever we decide to do, it is important to know that it is our responsibility. It will be said in the year of. If we do not take critical action to negate the death hole that betting is giving to our children and our adults because we are not immune, as older people are not immune, then it will be said that we actually provided the bullet that killed our institutions.

We know bankers today who have lost their jobs because of betting. They start stealing slowly and nobody notices, but before they know it, they lose their jobs and their families broken.

Some are begging on the streets. Many times our leaders say, check what you do in this County. There are people out there who are pushing *mkokotenis* who were once Hon. Members.

I would like to ask, who is going to sit on this regulatory body? Is it someone who really understands the depth of addiction when it comes to this and other addictions? Addictions come in many forms. I would like us to look at how our media, both print and the electronic media have just totally lost it. They need to be called upon to take responsibility for what they put out there.

I pray that as we discuss this Bill, we will give it the seriousness it deserves. Thank you for putting it on our phones and giving it to us. Let us all read it closely and clearly and understand what decisions we are going to make.

Let us speak with one voice and redeem our nation which has been robbed, and robbers are supposed to be behind bars. I would like to see some people put behind bars. The sadness is, even those who are promoting this, their children are not safe. But to sit here and listen that a country that has banned betting in the whole state is being entertained here to give our children rot to bring them to their knees. We have to stand as a team and work together to see that we look at this critically, speak to it critically, and make decisions that we can be proud of even as leaders. Thank you, Hon. Speaker, and thank you for this Bill and everything that has been said.

Hon. Speaker: Thank you. Hon. Oyugi. Then the mover of the Bill to reply.

Hon. Kennedy Oyugi: Thank you, Mr. Speaker. Respectfully allow me to begin by saying that I oppose this Bill. I wonder whether we understand how many people are employed by these betting companies. If we abolish betting in this County, I don't know where these people who are fully depending on the employment opportunity from the betting companies will go.

Hon. Speaker: Hon. Member, the Bill does not talk of abolishing it; it talks of regulating and coming up with measures.

Hon. Kennedy Oyugi: Regulating might also lead to the abolishment. Mr. Speaker, so allow not to gag me with the way I am giving it.

Hon. Speaker: Okay, kindly proceed.

Hon. Kennedy Oyugi: Thank you. Mr. Speaker, one, ask yourself why the proliferation of these betting companies is in this country. Again, the beauty of it is that the mover and the seconder are senior members of the Kenya Kwanza administration, which is allowing and which is giving licenses to these betting companies. That tells you that there is a gap. Why are Kenyans joining betting companies? It is because it is a source of livelihood for a number of members of this county. That is why they are joining the betting firms. If I were from the Kenya Kwanza Government, I would have given an alternative.

Point of Order

Hon. Speaker: Hon. Oyugi, there is a Point of Order from Hon. Kiragu. Hon. Kiragu, under what Standing Order?

Hon. Anthony Karanja: Thank you, Hon. Speaker...

Hon. Kennedy Oyugi: Which Standing Order?

Hon. Speaker: Please, can you be seated? The Member is already on the floor.

Hon. Anthony Karanja: Hon. Speaker, he is a senior member, and he knows which Standing Order I am standing on.

(Hon. Kennedy Oyugi spoke off the record)

Hon. Speaker: Kindly do not engage the Member. The Member is addressing the Chair, please. That is what I want.

Hon. Anthony Karanja: Thank you, Hon Speaker. I am sure he is a senior Member, and he knows which Standing Order I am standing on. I refer him to the Standing Order. Hon Speaker, as you know...

Hon. Speaker: Kindly, before you proceed, get your facts right, Hon. Minority Leader. Just be seated, get your facts right and get your Standing Orders right, then you may request the opportunity again.

Hon. Kennedy Oyugi: Thank you for the protection, Mr. Speaker. What I am saying in essence is, if it is true that betting is killing our people and bringing laziness to our country. As a government, what are we doing to address this? I cannot be putting my money where my mouth does not belong. What alternative measures are you giving out to Kenyans as a member of a Kenya Kwanza Government, the ruling party? So, Mr. Speaker, respectfully again, I beg to oppose. Thank you.

Hon. Speaker: Thank you. Before I give you an opportunity, let me go through the Standing Order.

Point of Order

Hon. Speaker: You may proceed, Hon. Minority Leader.

Hon. Anthony Karanja: Hon. Speaker, it is unfortunate that he has finished misleading this house, especially because the party that actually put us in this mess is the party called Jubilee, which is a constituent party of the Azimio Government.

(Hon. Kennedy Oyugi spoke off the record)

Hon. Speaker: Order, Oyugi, please.

Hon. Anthony Karanja: Hon. Speaker, we cannot talk about the number of people who lose their jobs when it comes to destroying. We should be talking about the number of lives they are destroying.

Hon. Speaker, I have listened to two members. One is the Member for High Rise Ward, who is Hon. Oyugi, and I am very disappointed. I will make sure that the people of High Rise Ward know his stand on this issue of betting. I would also want the Chairman to fully support the Bill that he has brought to this house.

Hon. Speaker: But, Hon. Member, you are not the sponsor of the Bill.

Hon. Anthony Karanja: I am not the sponsor.

Hon. Speaker: I really wonder why you are quite passionate about Members who oppose the Bill. This is a House of debate and every Member has a reason, either to support or oppose. You can only persuade Members of this Assembly to support your initiative. So, you may be seated.

(Hon. Anthony Karanja spoke off the record)

Hon. Speaker: I hope we do not drag the National Government into this. Hon. Emmy, we have called out the mover to reply. Unless it is... Just one point. Please proceed. Kindly be seated. Hon. Member.

Hon. Emmy Isalambo: Thank you, Hon. Speaker. First, I congratulate my chair of Public Accounts Committee for bringing in such a nice initiative.

First of all, lottery or vetting is entertainment, just like any other. So, the input of bringing in a law that is going to cap where it goes and how it comes is very important. Moreover, keep in mind that we want to have board of members who will govern it. Just like when you want to do M-Pesa or a bank transaction, you have to deposit such an amount of money for you to get the license. I am hoping you will put in that thing as we support the Bill. Thank you so much, Hon. Speaker.

Hon. Speaker: Thank you, Hon. Member. I now call the mover to reply. Again, Hon. Members, before Hon. Chege proceeds to reply, you know, the Standing Order requires the hours of meeting should be by 5:30p.m. We still have one motion, which I suspect might also take some time depending on the mood of the House. So, if in any case we must transact the business, then at exactly 5.30 p.m., I would request a Member to move a motion of adjustment on the hours of the meeting. Therefore, you stand guided. Hon. Chege Mwaura, please.

Hon. Chege Mwaura: Mr. Speaker, I thank you so much. Also, I want to thank the Members because today is a great day that we have a Bill proceeding and the business of the House is not being interrupted. Now you are even asking for an extension of the time so that the motions can be moved. I thank you. I was pushing Mheshimiwa Sospeter yesterday, and I was telling them their power is here. This is where you learn how to control any business you want and even executive. So, I am happy. If that extension comes, we will still be here to pursue it so that members feel the importance of having their time in the Assembly.

Mr. Speaker, I have had very good responses from members and, of course, even dissenting ones. Again, I am happy that the debate was balanced. There were heavyweights on the opposing side as well as the ones supporting. To me, that is the interest and the business of the House.

Mr. Speaker, I started by mentioning Article 34 of the Fourth Schedule of the Constitution so that the Members who felt maybe we are not addressing everything – Article 34 gives national betting, casinos, and other forms of gambling as a National function. The Second Schedule gives county governments a mandate. Article 4 talks about betting, casinos, and other forms of gambling as part of the cultural activities, public entertainment, and public amenities as a fact of a county government's business. What Members need to understand is that the industry that manages gambling is also a cartel in itself. So, the laws that favor them on the national side, they hide around

there. The ones that favor them for the county, they hide around there. If there is no regulation or some framework of some sort, then we give them an opportunity to take advantage and take us in circles. The most important thing is to have a vehicle. Whether it is well equipped or it needs better tires and everything, so to speak, we will clothe it as we progress. But let us first of all have a vehicle.

The Chair of Trade had a public participation done. Two, ever since I tabled this Bill, the Committee of Trade has been working hand in hand with the Executive so that we do not have a gap where the cartels might come and say the Assembly did not do this or the Executive did not do this. I know he will agree that by having a combined effort between the Executive and the Department of Trade when the Bill was given to the Committee, they scrutinized it from both ends.

That is why Mheshimiwa Alai, when he's mentioning issues with regards to we are not coming clearly to abolish some of the things or it even giving opportunities for licensing and all that, that was the input of the Executive. We did not want do our own bill here, then the Executive comes with another bill that is contradicting each other, and we give the cartels an opportunity to hide around there. So, we carried one bill that carries both the concerns of the Executive in terms of raising revenue and the concerns of the Assembly which are social responsibility in nature, so that the vehicle is balanced on both ends.

Mr. Speaker, just for the concerns of Mheshimiwa Hashim, even as the Bill passes the Second Reading, we are not going to rush it the way we rushed some of the bills we wanted to pass *haraka*. No. It will still be open to scrutiny and the committee is still alive to it. We want a conversation like the ones we have here to be happening in our wards and to happen with Nairobians so that by the time we agree this is the law, we have sufficient information passed there to the public. We are not in a hurry. Therefore, I am intending that even the committee can improve it further. When the Members bring amendments, again we improve it further so that by the time we come in with a law, there will be nowhere to hide for unscrupulous gamblers and unscrupulous people who want to take us to areas that are not rightfully there.

Mr. Speaker, I want to remind you, because you were there in the First Assembly, when we passed the Liquor Fund, the idea was to bring a fund that can take care of the menaces that are brought by alcoholism. So, as Mheshimiwa Kidenda is talking about regulation, where we missed it a bit with the liquor is the regulation strength of what we put in. The first board was not clever enough to be able to facilitate the things that we had in mind when we were putting up the Liquor Fund.

Where we are going to go correctly, and Mheshimiwa Alai and Mheshimiwa Oyugi, is to make sure that the regulatory body, which is actually put here as the functions of the board, are very clear on where these monies that are going to be collected are going to do. For the people who do not know, the Liquor Fund collects about Kshs. 400 million a year. So, in about 10 years, they have done about Kshs.2.5 to Kshs.3 billion. But in terms of what you would want to see in terms of maybe sporting activities to help us strengthen that issue of rehabilitation houses, there is none. Mheshimiwa Alai mentioned that there is a Sports Fund at the National level, and its main component, which is the gaming and lottery license fees are taken there.

Mheshimiwa Minority Leader will remember when we went for this debate in the Senate, the amounts of money that the Sports Fund gets from gaming is not less than Kshs.10 billion per year. In fact, at that time, the minister himself was asking that that money go directly to the treasury before it goes to the fund first. Why? Because they look at it from a financial point of view.

Where we want to be very clear as an Assembly and as representatives of the people, is the social aspect of it. How much money, as Mheshimiwa Oyugi is mentioning, from the monies that are generated from gaming and lottery are Nairobians getting. The companies that are happy to raise taxation, what are they doing to the County so that we feel there is a commensurate improvement of our lives with this industry? So, we are not fighting the industry, as Mheshimiwa Emmy is talking about.

Mr. Speaker, you will interrogate and see Article 6 talks about the functions of the board. Its business is to promote and implement national policies, norms and standards between betting, lottery and gaming activities for the county, and to recommend for issuances of lottery licenses for betting and gaming activities within the County.

If you look at Article 36, it talks about the bulk of the money coming from the lottery must be for charitable, sporting, and other purposes as the main component of allowing you to get a license.

Article 37 talks about incidental entertainment that comes with the lotteries. So, we want to balance and see to what extent we are talking about the entertainment bit and what amount we are talking about in activities that will fund Nairobians.

Hon. Speaker, finally, it is about pyramid schemes. I was a young man when I saw people flying from some building in town, and there was still Parliament, and there was still a County Council then. I think it was in the 2000s. No one said anything, but people used to go borrow money, and then they would come and put this money into a pyramid scheme. No one was there fighting. We must be there to fight. We cannot allow Nairobians to face the way we felt when people were dying because of pyramid schemes.

Mr. Speaker, as an amendment, I will agree with what the leader of the Minority has mentioned about the enablers and the conduits. They must be called out. The stations, the TV channels, the telecoms – and I am not ashamed to mention even Safaricom – all these...

Hon. Speaker: Time out. Hon. Member, we are exactly at five.

Hon. Chege Mwaura: Hon. Speaker, it is not red yet. Give me two minutes. I beg to reply, and I promise Members that it will be participatory. We are going to carry along all the views that are coming. Thank you.

Hon. Speaker: Thank you.

(Question put and agreed to)

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

MOTION**GUIDELINES FOR REGISTERING AND ISSUANCE OF
REFLECTIVE NUMBER PLATES FOR ALL WHEELBARROWS, RICKSHAWS,
HANDCARTS, ANIMAL DRAWN CARTS, LUGGAGE TROLLEYS AND TRICYCLES**

Hon. Speaker: Hon. Members, we are in Order No. 9.

(Hon. Member raised a Point of Order)

I really do not understand which reference you are making on request of Order.

(The Member spoke off the record)

Hon. Member, I think you are out of Order. You can only rise on a Point of Order when there is business to transact. So, do not put the cart before the horse or the horse before the cart.

Hon. Robert Alai?

(The Member spoke off the record)

The Member is on the floor first, give him time first.

Hon. Robert Alai: Hon. Speaker, thank you. I can read the mood of the House and the feeling of the Members. I beg, Hon. Speaker, with your kind indulgence, to postpone this Motion to Tuesday. I have a funeral, I am burying an uncle on Saturday, so I will travel to the village tomorrow. I ask that we transact the business on Tuesday next week.

Hon. Speaker: Thank you, Hon. Member, and sorry for the loss of your uncle. On request by Hon. Alai, Hon. Members, is that the feeling of the House or you seek for the extension, under Standing Order No. 33? Do we seek an extension of the hours of the meeting, Hon. Members?

Hon. Members: No!

Okay. So, Hon. Members, by request of the mover, the Motion No. 9 stands deferred and directed back to the House Business Committee for consideration.

(Motion deferred)

ADJOURNMENT

Hon. Speaker: Hon. Members, we come to the conclusion of the Business of the day. I so direct that the Assembly adjourns under our Standing Orders, to tomorrow, Thursday 3rd April 2025 at 2.30 p.m. Thank you, Hon. Members.

The House rose at 5.05 pm.