



## NAIROBI CITY COUNTY ASSEMBLY

### OFFICIAL REPORT

#### Third County Assembly – Fifth Session

Thursday 5<sup>th</sup> March 2026

The House met at 2.30 p.m.

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

#### PRAYER

**Hon. Speaker:** Hon. Members, you may proceed and take your seats.

#### QUORUM

**Hon. Speaker:** Clerk, confirm whether we have quorum for us to proceed.

*(The Clerk-at-the-Table confirmed there was quorum)*

Good afternoon, Hon. Members, we have quorum to allow us transact the business of the day. We may proceed. The Clerk is going to cite the business of the day. You are aware we had a sitting as the House Business Committee and for that reason, we have the Supplementary Order Paper before the Assembly.

#### COMMUNICATION FROM THE CHAIR

##### NOMINATION OF SELECTION PANEL TO RECRUIT MEMBERS OF THE COUNTY PUBLIC SERVICE BOARD

**Hon. Speaker:** Good afternoon once again, Hon. Members.

*(Loud consultations)*

As normally said, the Speaker is blind to the happenings. So, I am not aware of whatever is happening out there.

*(Loud consultations)*

I have a message from the Governor and wish to relay the same for your consumption.

Hon. Members, Standing Order No. 45 (1), relating to Messages from the Governor, provides that: -

*“The Speaker shall read to the County Assembly any message from the Governor or the Senator of the County delivered to the Speaker for communication to the County Assembly.”*

In this regard, Hon. Members, I wish to report that I received a letter REF: NCCGOV/ADM/093/2025, dated 19<sup>th</sup> August 2025 and REF: NCCGOV/ADM/141/2025, dated 8<sup>th</sup> December 2025 from the Governor.

Hon. Members, the message regards the nomination of selection panel for the purpose of recruiting suitable members of the County Public Service Board. I now wish to convey the following message:

Pursuant to the provisions of Section 58 (a) of the County Government Act, 2012, His Excellency the Governor hereby nominates the following individuals to constitute the selection panel to undertake a transparent and competitive recruitment process:

Ms. Sarah Migwi – The Chairperson

Ms. Esmeralda De Souza – Member representing the private sector

Mr. Brian Amadi – Member, lawyer and duly enrolled advocate of the High Court of Kenya, member of the Law society of Kenya

Mr. Isaiah Chebii – Member, accountant, member of the Institute of Certified Public Accountants of Kenya

Mr. Denis Miskellah – Member representative of Worker’s Union

Hon. Members, I now direct that the Sectoral Committee on Labour and Social Welfare proceeds with the vetting of the nominees as members of the selection panel for the purpose of recruiting suitable members of the County Public Service Board. You so stand guided. Thank you, Hon. Members.

*(Applause)*

## **PAPERS**

**Hon. Speaker:** The Hon. Leader of Majority will be laying papers in regard to the disbursement schedule to the Nairobi City County Assembly Fund for the financial year 2025/2026. Hon. Members, you are alive to the fact that Assemblies got autonomy, and for the reason, we need to approve the disbursement of the funds as required by the Constitution.

Hon. Majority Leader, approach the desk as we need to alter the sequence of the business. You may start with item No. 2.

### REPORT ON CONSIDERATION OF NAIROBI CITY COUNTY CIVIC EDUCATION BILL, 2025

**Hon. Speaker:** Under Order No. 5, I will allow Hon. Clarence Munga to proceed as we wait for the schedule to be distributed to Members.

**Hon. Clarence Munga:** Thank you, Mr. Speaker. Pursuant to Standing Order No. 135 (4), I beg to lay the following Paper on the Table of the Assembly, today, Thursday 5<sup>th</sup> March 2026:

The report of the Sectoral Committee Culture and Community Services on consideration of the Nairobi City County Civic Education Bill, 2025.

*(The Paper was laid on the Table)*

REPORT ON CONSIDERATION OF PUBLIC PETITION BY  
WOMEN AGAINST FEMICIDE IN NAIROBI CITY COUNTY

**Hon. Speaker:** Thank you. The Paper stand laid before the Assembly. Hon. Joyce

**Hon. Joyce Kamau:** Hon. Speaker, pursuant to Standing Order No. 196 and No. 221 (2), I beg to lay the following Paper on the Table of the Assembly, today, Thursday 5<sup>th</sup> March 2026:

The report of the Sectoral Committee on Labour and Social Welfare on consideration of Public Petition by Women Against Femicide in Nairobi City County.

*(The Paper was laid on the Table)*

**Hon. Speaker:** Thank you. The Paper stands laid

**PROCEDURAL MOTION**

SITTING ON TUESDAY, 10<sup>TH</sup> MARCH, 2026 AT 9:30 A.M. AND 2:30 P.M.

**Hon. Peter Imwatok:** Hon. Speaker, as the Government representative, I humbly ask this House to expunge this Procedural Motion from the proceedings because what I thought we could execute is not yet ready. Let us proceed as per the Calendar of the Assembly. Hon. Speaker, allow me to appreciate the Azimio side of the House...

**Hon. Speaker:** Hon. Majority Leader, before you proceed, approach the Chair.

*(Hon. Peter Imwatok consulted with the Speaker)*

**Hon. Peter Imwatok:** I was appreciating Members from the Minority and Broad Based Members available in the House.

Hon. Speaker, I want to convince this House that as the Leader of Government Business, there is business that I was to transact, but unfortunately, it is not yet completed. In case it is completed and we are to transact the business, then I will consult with the Leader of Minority and the Whips present, and we may call the Assembly at any particular time to come and execute the business. For now, I seek your indulgence for me to expunge this from the Order Paper. Thank you, Hon. Speaker.

**Hon. Speaker:** Leader of Minority, please

**Hon. Anthony Karanja:** Thank you, Hon. Speaker. I want to appreciate the Kenya kwanza who are online. We are tech savvy, we come from a coalition that supports ICT. I support what he has said. Thank you.

**Hon. Speaker:** Hon. Members, this is a Motion before the Assembly under Standing Order No. 9 which requires the Leader of Majority to request for a sitting of Tuesday. He is persuading the House not to go that direction, if I am right. For that reason, I will have to put the question, if they hold the same feeling as requested by the Hon. Majority Leader. Hon. Members, I will put the question under Order No. 9

*(Hon. Member spoke off the record)*

**Hon. Speaker:** Mine reads 9, I do not know where the confusion is. Clerk, this is confusing.

Hon. Members, I will now put the question. This is an alteration of the Assembly Calendar, which the Leader of Majority is objecting. Is it the feeling of the Members that we don't pass Motion No 8? I want to persuade the Hon. Majority to do the right thing

*(Loud consultations)*

**Hon. Peter Imwatok:** Hon. Speaker, I have not moved the Motion... To withdraw this particular Motion before the Order Paper. It is allowed for the Leader of Government Business to withdraw some proceedings in the Order Paper, when I am satisfied that there is no business for me to transact on behalf of the Assembly that day. I brought it to the House Business that I wanted an extension of Tuesday sitting, subject to the agenda of the government which is to be executed. Unfortunately, we are not yet ready with it. So, Hon. Speaker, I am asking the House to revert back to the Calendar as it is

Hon. Speaker, after consulting with my counterpart, we have agreed that Order No. 8 be expunged from the Order Paper until the Government side is ready with the business we are to transact. For now, I seek your indulgence on this and revert to the original Calendar. Thank you.

**Hon. Speaker:** Thank you. Motion No. 8 stands withdrawn, Hon. Members.

*(Motion withdrawn)*

## MOTION

### ADOPTION OF REPORT ON CONSIDERATION OF MOU BETWEEN NAIROBI CITY COUNTY GOVERNMENT AND SIDIAN BANK

**Hon. Wilfred Odalo:** Thank you, Hon. Speaker. Before I move the Motion, allow me to appreciate the Members of this great Assembly for availing themselves on a Thursday.

Hon. Speaker, you realize that on Thursdays we lack quorum, but as you can see, the House is full. Azimio side is full and ready for the business that we are to transact. The other side...

**Hon. Speaker:** Chairman...

**Hon. Wilfred Odalo:** The other side is also full.

**Hon. Speaker:** I just wanted to inform you that most of the Members are online

**Hon. Wilfred Odalo:** The other side is also full. As we are all aware, we were to do a Supplementary and Finance Bill today, unfortunately, we will do it on a later date. Nevertheless, Hon. Speaker, allow me to move this Motion. A number of times we usually have a hitch on payment of salary. On the interests of Nairobians and the staff we serve, the Executive looked at it and to have a remedy to cater for the salaries.

THAT, pursuant to Section 6 (3) of the County Government Act, CAP 265 and Standing Order No. 196, this Assembly adopts the 38<sup>th</sup> Report of the County Finance, Budget and Appropriations Committee on Consideration of the Memorandum of Understanding (MOU) between the Nairobi City County Government and Sidian Bank Limited on payroll support services, laid on the Table of the Assembly on Wednesday 4<sup>th</sup> March 2026.

Hon. Speaker, in my moving notes, I will give the history and how the Committee has worked tirelessly to come up with this report.

Hon. Speaker, last year, 2025, the Executive submitted to the County Assembly, the Memorandum of Understanding between Nairobi City County Government and the Sidian Bank Limited on payroll support services. In the MOU, the County Government decided a partner with the City and Bank Limited for a period of three years for the provision of payroll support services where the bank shall advance the County 30 days' salary advance to ensure timely processing of salary among other related services.

Hon. Speaker, this is to advance the County salary advance so that we may not be late in paying our salaries for both Executive and the County Assembly. The request for borrowing was necessitated by the fact that the previous bank – remember that we had a previous arrangement with the Cooperative Bank – had given shorter repayment period, hence charging higher repayment interest. Whenever there was a delay in equitable share, thus straining the County finance, the County Government opined that this borrowing will be essential to ensure the salaries are paid without delay and also to avoid disruption of County operations.

The bank will therefore offer a whole 30 days upon which the County will be required to settle the amounts advanced to payroll services and proper requisition in the time. The county will avail 0.5% a month late payment fee.

Hon. Speaker, this arrangement will allow our salaries to be paid even for two months when the equitable share money has not yet been paid, and they are only charging at 0.5%. It is important to remind this Honorable House that the Executive has had a similar arrangement in the past with the Cooperative Bank. So, anybody alluding that we are doing a loan is misleading. The arrangement has been there, and we used to have it with the Cooperative Bank.

Once this MOU comes into operation, it shall guarantee that the staff of the County Government receive their salaries on time at the end of every month without any delays, which will boost their morale and increase their productivity, a key factor in successful provision of the services. Hon. Speaker, protect me from Hon. Rex.

**Hon. Speaker:** You are protected.

**Hon. Wilfred Odalo:** Thank you. Hon. Speaker, for years, our staff have been enjoying timely payment courtesy of the MOU that the County Executive had previously. Upon the expiry of the MOU, you can remember that at one point the salary delayed. That was the expiry of the MOU we had with the Cooperative Bank. The Executive looked at it and opened all the avenues for any well-wishers to cater for the gap.

Mr. Speaker, the Finance Budget and Appropriation Committee has looked at the Memorandum of Understanding between Nairobi City County Government and the Sidian Bank Limited, and it has certified that the proposed short-term borrowing is in line with the finance plan for the County and its conformity to Article 212 of the Constitution, as well as Section 58, 140 and 142 of the PFM Act 2012.

In this regards, the committee is confident that the request for authority to borrow is clearly within the limits allowed by law. The terms of the proposed loan and the plan is aligned to the fiscal objective set in CFSP and Debt Management Strategy Paper, which was tabled in this Assembly. The Committee confirms that the proposed borrowing is in line with the Regulation 177 of the Public Finance Management Act, 2015.

Mr. Speaker, Sir, I wish to ask these Hon Members to support this MOU and grant the County Government an opportunity to enhance the operation of the ultimate benefits of the citizens of Nairobi who stands to enjoy improved and timely services from the County Government. A well-known saying goes; *'A government that works for the people must work on its time for the people'*.

Mr. Speaker, having revived the MOU between the Nairobi City County Government and the Sidian Bank Limited, the Committee, pursuant to provision of Section 142 (1) of the Public Finance Management Act, 2012, recommends that this County Assembly adopts the 38<sup>th</sup> Report of the Select Committee on County Finance, Budget and Appropriation on the Memorandum of Understanding between Nairobi City County Government and the Sidian Bank Limited on payroll support services, that they have presented to us.

Hon. Speaker, on that note, I would like to actually persuade Members that this will give a timely payment of our salary both from the Executive and the assembly side.

Hon. Speaker, allow me to invite one of my Members of the Finance Committee, Hon. Kiragu to second the motion.

**Hon. Anthony Karanja:** Thank you, Hon. Speaker. Just like what the Chairman of Budget has said, I think it is very important that when staff of Nairobi City County work, they are guaranteed that their salary will be there on time.

Hon. Speaker, I know especially in the month of July and September, we usually have a problem. It is with this in mind and also with the delays from the exchequer that the County Executive came up with this proposal and asked the County Assembly to approve a short-term borrowing that allows them to borrow to be able to manage cash flow.

Hon. Speaker, I want to second this report and say that as Budget Committee, we have sat down, looked at it for the last four months and we have actually cracked our heads with all the numbers, all the figures and the law, and we have finally come up with a report. I beg to second.

*(Applause)*

*(Question proposed)*

**Hon. Speaker:** Hon. Members! I have got a request from Hon. Majority Whip.

**Hon. Moses Ogeto:** Thank you, Hon. Speaker. With your indulgence, I want to stand here to support this Motion, except that the Deputy Speaker is disturbing me. He is asking me how we did as Members of Budget Committee. I want to tell the Deputy Speaker that we are very learned. We have the best doctor called Dr. Wilfred Oluoch Odalo.

*(Applause)*

Hon. Speaker, the Chairman has reminded us that on many instances this County Assembly receives its salary because of this advancement by the Cooperative Bank of Kenya. Unfortunately, I am seeing now, he is taking us to Sidian Bank. It is allowed. Hon. Speaker, this advance will help the County Executive to ensure that it streamlines its operations and ensures that the strikes, which the union calls for due to delayed salaries, comes to an end. I believe now henceforth we will not be in a position to see the staff demonstrating.

Hon. Speaker, this Committee has men and women who are qualified and have respected the PFM Act. This Committee has also respected how debt management in this County should be run. With those few remarks, I beg to support.

**Hon. Speaker:** Hon. Emily.

**Hon. Emily Oduor:** Thank you Hon. Speaker, I stand to support. As we all know, Nairobi is a unique county. Most of us, both Members of the County Assembly and the Executive staff, live in rented houses. Normally by 5<sup>th</sup> of the month, the landlords expect us to pay rent. The salary delays have caused many people to be thrown out of their houses. We looked at such issues and that is why as the Budget Committee we agreed that the Executive should go ahead and enter into this agreement with Sidian Bank.

Additionally, as it has been stipulated by the Majority Whip, every 3<sup>rd</sup> or 4<sup>th</sup> day of the month we hear vuvuzelas around the city by doctors and nurses demonstrating because they are supposed to be paid by the 5<sup>th</sup> of the month. When they do that our hospitals are left with patients having no one to attend to them. It is our people who suffer. That is why the Committee felt that it would be very important for this agreement to go through so that salary delays will be a thing of the past. With those few remarks Hon. Speaker, I support.

**Hon. Speaker:** Hon. Emmy Isalambo, or you pressed the mic by mistake?

**Hon. Emmy Isalambo:** Hon. Speaker, I stand to support this Motion. This MOU between the Vounty and the Sidian Bank is going to ease a lot of other things for example our insurance

and other medical issues in the Assembly and the Executive. This is timely, and we hope to see no more salary delays and expiry medical insurance for the Assembly and the Executive. With those few remarks, I beg to support. Thank you, Hon. Speaker.

**Hon. Speaker:** The right of reply from the mover of the Motion.

**Hon. Wilfred Odalo:** Hon. Speaker, there are a number of consultations from the Leader of Majority, you know there were allegations that you are a missing person. The Majority Leader was asking me whether it is the missing Speaker or a robot? Hon. Speaker, allow me---

**Hon. Speaker:** Chairperson for Budget, you are supposed to reply on the Motion before the House.

**Hon. Wilfred Odalo:** Hon. Speaker, allow me to build ground of replying affidavit because I have confirmed that he is the original Speaker... Allow me to thank the secretariat, most of our work are majorly done by the secretariat who are professionals on those lines. Also, allow me also to thank your office because they have facilitated our outside sittings to the latter. That is why most of our resolutions have never been challenged. Allow me also to thank the Members of the Budget Committee, they are ever there, a phone call away and they are ready to do their work.

Hon. Speaker, allow me to say also that as the Chair of Budget Committee, I am privy to some issues that will be discussed in the coming days when the time is right, and we will have a role to do a number of things. With those few remarks, I beg to reply. Thank you.

*(Applause)*

*(Question put and agreed to)*

## COMMITTEE OF THE WHOLE ASSEMBLY

*[Mr. Speaker left the Chair]*

### IN THE COMMITTEE

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

NAIROBI CITY COUNTY BETTING,  
LOTTERIES AND GAMING BILL, 2023

**Hon. Speaker:** Hon. Members, the Assembly reverts to the Committee of the Whole Assembly. There is a member who was nominated. I have just seen the Deputy Speaker around. The first Member of the Speaker's panel? Take up the Chair.

**Hon. Temporary Chairperson:** Hon Members, you may now be seated. Sergeant-at-Arms, no Member should leave the House.

Hon. Members, we are now in the Committee of the Whole Assembly to consider the Nairobi City County Betting, Lotteries and Gaming Bill, 2023 (Assembly Bill No. 12 of 2023). We shall start the Bill with Clause 3.

*Clause 3*

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndu'ngu:** Hon. Chair, I beg to move:

THAT, Clause 3 of the Bill be amended as follows: -

- (i) By inserting a new sub-clause immediately after Sub-Clause 3 (c) as follows:

New Sub-Clause

‘Prize Competitions for promotions within the County’

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

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

*(Clause 3 as amended agreed to)*

*Clause 4*

*(Question that Clause 4 be part of the Bill)*

*(Question put and agreed to)*

*Clause 5*

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndu'ngu:** Hon. Chair, I beg to move:

THAT, Clause 5 (1) of the Bill be amended as follows: -

- (i) In sub clause (1) by inserting the word ‘Advisory’ immediately before the word ‘Board’
- (ii) Clause 5 (1) (b) of the Bill be amended by deleting the paragraph in its entirety and substituting therefor the following new paragraph as follows: ‘The Chief Officer for the time being responsible for Security and Compliance’.
- (iii) Clause 5 (1) (d) of the Bill be amended by deleting the paragraph in its entirety and substituting therefor the following new paragraph as follows: ‘The Chief Officer for the time being responsible for matters related to Betting, Lotteries & Gaming or a representative designated in writing who shall not be below the level of Director’
- (iv) Clause 5 (1) (e) of the Bill be amended by deleting the word six appearing before the word persons and substituting it thereof with the word five and substituting the 5 years’ experience with 3 years’ experience.

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

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

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

*(Clause 5 as amended agreed to)*

Clause 6

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndu'ngu:** Hon. Chair, I beg to move:

THAT, Clause 6 of the Bill be amended as follows: -

- (i) Clause 6 (a) of the Bill be amended by deleting the sub-clause in its entirety and substituting therefor the following new sub-clause as follows: 'Advise on the implementation of National policies, norms and standards in relation to betting, lotteries and gaming activities in the County'.
- (ii) Clause 6 (b) of the Bill be amended by deleting the sub-clause in its entirety and substituting therefor the following new sub-clause as follows: 'Coordinate with the Gambling Regulatory Authority on matters of mutual interest'.
- (iii) Clause 6 (d) of the Bill be amended by deleting the sub-clause in its entirety and substituting therefor the following new sub-clause as follows: 'Advise on the issuance of lottery licenses within the County.'
- (iv) Clause 6 (e) of the Bill be amended by deleting the sub-clause in its entirety.
- (v) Clause 6 (f) of the Bill be amended by deleting the sub-clause in its entirety.
- (vi) Clause 6 (g) of the Bill be amended by deleting the sub-clause in its entirety and substituting therefor the following new sub-clause as follows: 'Advise on guidelines, policies and procedures for the conduct of gaming and
- (vii) Clause 6 (h) of the Bill be amended by deleting the sub-clause in its entirety.

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

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

*(Clause 6 as amended agreed to)*

Clauses 7, 8, 9 and 10

*(Question that Clauses 7, 8, 9 and 10  
be part of the Bill)*

*(Question put and agreed to)*

*Clause 11*

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndu'ngu:** Hon. Chair, I beg to move:

THAT, Clause 11 of the Bill be amended as follows: -

- (i) Clause 11 (3) (a) of the Bill be amended by deleting the paragraph in its entirety and substituting therefor with the following new paragraph as follows: 'Possesses a relevant university degree course from a university recognized by the Commission for University Education'

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

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

*(Clause 11 as amended agreed to)*

*Clause 12*

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndu'ngu:** Hon. Chair, I beg to move:

THAT, Clause 12 of the Bill be amended as follows:

- (i) By deleting the word 'director' appearing before the word 'shall' and substituting it thereof with the word 'directorate'.

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

*(Clause 12 as amended agreed to)*

*Clause 13*

*(Question that Clause 13 be part of the Bill)*

*(Question put and agreed to)*

*Clause 14*

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndu'ngu:** Hon. Chair, I beg to move:

THAT, Clause 11 of the Bill be amended as follows: -

- (i) Clause 14 (j) of the Bill be amended by deleting the sub-clause in its entirety and substituting it therefor with the following new sub-clause as follows:

‘Conduct daily supervision of casinos and generation of casino returns and other duties as prescribed by the County Public Service Board’

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

*(Clause 14 as amended agreed to)*

Clause 15

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndu’ngu:** Hon. Chair, I beg to move:

THAT, Clause 15 of the Bill be amended as follows:

- (i) By inserting a new sub-clause after sub-clause (e)

New Sub-Clause

‘A county gaming inspector shall ensure strict implementation and enforcement of self-exclusion measures in all licensed gambling premises within the County’

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

*(Clause 15 as amended agreed to)*

Clause 16

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndu’ngu:** Hon. Chair, I beg to move:

THAT, Clause 16 of the Bill be amended as follows: -

- (i) By deleting the word ‘director’ appearing before the word ‘shall’ and substituting it thereof with the word ‘directorate’.

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

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

*(Clause 16 as amended agreed to)*

Clauses 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26

*(Question that Clauses 17, 18, 19, 20, 21, 22, 23, 24, 25 and 26 be part of the Bill)*

*(Question put and agreed to)*

Clause 27

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndu'ngu:** Hon. Chair, I beg to move:

THAT, Clause 27 of the Bill be amended by deleting the entire clause in its entirety.

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

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

*(Clause 27 as amended agreed to)*

Clause 28

*(Question that Clause 28 be part of the Bill)*

*(Question put and agreed to)*

Clause 29

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndu'ngu:** Hon. Chair, I beg to move:

THAT, Clause 29 of the Bill be amended by deleting the entire clause in its entirety.

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

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

*(Clause 29 as amended agreed to)*

Clauses 30 and 31

*(Question that Clauses 30 and  
31 be part of the Bill)*

*(Question put and agreed to)*

Clause 32

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndu'ngu:** Hon. Chair, I beg to move:

THAT, Clause 32 of the Bill be amended as follows: -

- (i) Clause 32 (1) of the Bill be amended by deleting the sub-clause in its entirety and substituting therefor the following new sub-clause as follows: 'Pursuant to Article 209 (3) (b) of the Constitution, the County may charge an entertainment tax on all betting, lotteries and gaming activities licensed under this Act with a percentage determined by the miscellaneous Nairobi City County Finance Act.'

*(Question, that the words to be inserted in*

*place thereof be inserted, put and agreed to)*

*(Clause 32 as amended agreed to)*

*Clauses 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50 and 51*

*(Question that Clauses 33, 34, 35, 36, 37, 38,  
39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49,  
50 and 51 be part of the Bill)*

*(Question put and agreed to)*

*Clause 52*

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndu'ngu:** Hon. Chair, I beg to move:

THAT, Clause 32 of the Bill be amended as follows: -

- (i) Clause 52 (1) of the Bill be amended by deleting the sub-clause in its entirety and substituting therefor the following new sub-clause as follows: 'There is hereby established a fund to be known as the County Betting, Lotteries and Gaming Fund managed by an Administrator appointed by the County Executive Committee Member in charge of Finance.'
- (ii) Clause 52 (5) of the Bill be amended by adding a new paragraph (e) 'Such licenses and other fees as may be payable under this Act'

New Sub-Clause

Inserting a new sub-clause immediately after sub-clause 52 (5) (a) to read: - 'The monies in the Fund shall be used to facilitate the conduct of goods & services of good causes in the County or for any other purposes provided in the Act.'

New Paragraph

Inserting a new paragraph immediately after sub-clause 52 (5) (a) to read: -

- a) Charitable causes including; -
  - i. Facilitate the protection and rehabilitation of vulnerable or problem gamblers;
  - ii. Providing care and protection for the physically or mentally afflicted, the needy, the aged, orphans and vulnerable children; and
  - iii. Aid to the needy, such as through the healthcare services; provision of food, shelter, or Sports, recreation, arts and culture including; -
    - 1. Support for county teams to participate in local and regional sports;
    - 2. Facilitation for the acquisition and provision of equipment to sports and recreation facilities Support for the identification, nurturing and development of talent in sports and arts;

3. Facilitating training and capacity building programmes for persons involved in sports and recreation, creative arts, artistic production, contemporary and cultural practitioners;
  4. Facilitating the identification, development and capacity building of technical personnel and sports support personnel involved in sports and recreation Promotion of culture, arts, and heritage, such as through the support of museums or cultural events; and
  5. Facilitate training of County gaming inspectors on emerging trends in the industry.
- b) Clause 6 (b) Emergencies including; -
- i. Response to emergencies or crises affecting communities or populations including natural disasters, conflicts, public health crises, or other unforeseen events that require urgent intervention; and
  - ii. Response as well as disaster risk reduction initiatives that help communities prepare for and respond to emergencies and disasters.

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

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

*(Clause 52 as amended agreed to)*

*Clauses 53, 54 and 55*

*(Question that Clauses 53, 54 and 55 be part of the Bill)*

*(Question put and agreed to)*

*Clause 56*

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndu'ngu:** Hon. Chair, I beg to move:

THAT, Clause 56 of the Bill be amended by deleting the words 'related to sports' appearing after the word 'causes.'

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

*(Clause 56 as amended agreed to)*

*Clauses 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, and 72*

*(Question that Clauses 57, 58, 59, 60, 61,*

62, 63, 64, 65, 66, 67, 68, 69, 70, 71,  
and 72 be part of the Bill)

*(Question put and agreed to)*

Clause 73

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndu'ngu:** Hon. Chair, I beg to move:

THAT, Clause 73 of the Bill be amended as follows: -

- (i) By deleting the words 'two hundred thousand shillings or to imprisonment for a term not exceeding three months' and substituting it thereof with the words 'one million shillings or to imprisonment for a term not exceeding one year.'

- (ii) The Second Schedule be amended by adding the following fees and charges;

Betting satellite shops license

Item	Unit of measure	Category	Charges
Application/ renewal fee	Per shop	Betting	10,000
Grant fee	Per shop	Betting	150,000
Annual fee	Per shop	Betting	100,000
Transfer (location fee)	Per shop	Betting	50,000
<b>Draw permit for 3 months</b>			
Item	Unit of measure	Category	Charges
Draws permit	Per draw	Draw	5,000
<b>Bingo permit for 3 months</b>			
Item	Unit of measure	Category	Charges
Bingo permit	Per Bingo	Bingo	30,000
<b>Online Gaming (Casino) Premises License</b>			
Item	Unit of measure	Category	Charges
Application/Renewal fee	Per premise	Gaming	10,000
Grant fee	Per premise	Gaming	1,500,000
Annual fee	Per premise	Gaming	750,000
Transfer (location fee)	Per premise	Betting	200,000

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

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

*(Clause 73 as amended agreed to)*

Clauses 74, 75, 76 and 77

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*(Question that Clauses 74, 75  
and 76 be part of the Bill)*

*(Question put and agreed to)*

*New Clause 15(e) (a)*

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndung'u:** Thank you, Hon. Chair. I beg to move:  
THAT, the New Clause 15 (e) (a) be now read a Second Time.

*(Question of the New Clause 15(e) (a) proposed)*

*(New Clause 15 (e) (a) read a First Time)*

*(Question, that the New Clause 15 (e) (a) be  
read a Second Time, proposed)*

*(Question, that the New Clause 15 (e) (a) be read  
a Second Time, put and agreed to)*

*(Question, that the New Clause 15 (e) (a) be added to  
the Bill, put and agreed to)*

*New Clause 52 (5) (a)*

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndung'u:** Hon. Chair, I beg to move:  
THAT, the New Clause 15 (e) (a) be now read a Second Time.

*(Question of the New Clause 52 (5) (a) proposed)*

*(New Clause 52 (5) (a) read a First Time)*

*(Question, that the New Clause 52 (5) (a)  
be read a Second Time, proposed)*

*(Question, that the New Clause 52 (5) (a) be read  
a Second Time, put and agreed to)*

*(Question, that the New Clause 52 (5) (a)  
be added to the Bill, put and agreed to)*

*New Paragraph 52 (5) (a) (a)*

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndung'u:** Hon. Chair, I beg to move:

THAT, the New Clause 15 (e) (a) be now read a Second Time.

*(Question of the New Paragraph 52 (5) (a) (a) proposed)*

*(New Paragraph 52 (5) (a) (a) read a First Time)*

*(Question, that the New Paragraph 52 (5) (a) (a) be read a Second Time, proposed)*

*(Question, that the New Paragraph 52 (5) (a) (a) be read a Second Time, put and agreed to)*

*(Question, that the New Paragraph 52 (5) (a) (a) be added to the Bill, put and agreed to)*

*First Schedule*

*(Question that First Schedule be part of the Bill)*

*(Question put and agreed to)*

*Second Schedule*

*(Question that Second Schedule be part of the Bill)*

*(Question put and agreed to)*

*Clause 2*

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndu'ngu:** Hon. Chair, I beg to move:

THAT, Clause 2 of the Bill be amended by inserting the following definitions in their proper alphabetical sequence:

- (a) "Betting Shop" a place where people can go to bet on something such as horse race or other sport events. It can be a subsidiary of a bookmaker or totalizator"
- (b) "Directorate" means the Department of Betting, Lotteries and Gaming headed by a Director.
- (c) "Fund" means the County Betting, Lotteries and Gaming Fund established under Section 52;
- (d) "Gaming" means the playing of a game of chance for prize winning and includes lottery and betting;
- (e) "Gaming Machine" means any device which is operated electronically or mechanically or both that is designed for-
  - i. Placing bets for playing a game of chance which does not require action by a player other than the manipulation of the machine;
  - ii. Playing a game of chance which requires no action by a player other than the manipulation of the machine; or

- iii. The purpose of playing a game of chance or a game of fixed chance and Skill, which may result in payable winnings.
- (f) “Good Cause” means a charitable cause or an event for charity. “trader” means a person who buys and sells goods and services within Nairobi City County;
- (g) “Gross Winnings” means total revenue received from all betting, lotteries and gaming activities before any deductions are made.
- (h) “Prize Competition” means a scheme or competition in respect of which direct or indirect consideration is paid to participate, and of which the result is determined partly by a considerable element of chance.

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

*(Clause 2 as amended agreed to)*

*Long Title*

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndu’ngu:** Hon. Chair, I beg to move:

THAT, Long Title be amended by deleting the numeric ‘2023’ and replace with the numeric ‘2026’ thereof;

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

*(Long Title as amended agreed to)*

*Clause 1*

**Hon. Temporary Chairperson:** Mover?

**Hon. Paul Ndu’ngu:** Hon. Chair, I beg to move:

THAT, Clause 1 be amended by deleting the numeric ‘2023’ and replace with the numeric ‘2026’ thereof;

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

*(Clause 1 as amended agreed to)*

**Hon. Chairperson:** Mover?

**Hon. Paul Ndu’ngu:** Hon. Chair, I beg to move that the Committee do report to the Assembly its consideration of the Nairobi City County Betting, Lotteries and Gaming Bill, 2023 (Assembly Bill No. 12 of 2023) and its approval thereof with amendments.

*(Question proposed)*

*(Question put and agreed to)*

*(The House resumed)*

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

### **REPORT**

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

**Hon. Speaker:** Hon. Members, you may be seated. Let's proceed with the Chair.

**Hon. Malyun Abdi:** Hon. Speaker, I beg to report that the Committee of the Whole Assembly has considered the Nairobi City County Betting, Lotteries and Gaming Bill, 2023 (Assembly Bill No. 12 of 2023) and approved the same with amendments.

**Hon. Speaker:** The mover!

**Hon. Paul Ndung'u:** Thank you, Mr. Speaker. I beg to move that the Assembly do agree with the Committee in the said report.

*(Question proposed)*

*(Question put and agreed to)*

### **THIRD READING**

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

**Hon. Paul Ndung'u:** Thank you, Mr. Speaker. I beg to move that the Nairobi City County Betting, Lotteries and Gaming Bill, 2023 (Assembly Bill No.12 of 2023) be now read a Third Time.

*(Question proposed)*

**Hon. Speaker:** Hon. Majority Leader, you may proceed.

**Hon. Peter Imwatok:** Hon. Speaker, I have never seen a lengthy Bill like this one in this House. This is a unique one. I congratulate the Chair for Trade. I have never known he can really express himself fully, the time he is been here, in English. I knew he is a Swahili man. But I want to say, indeed, longevity counts. If you told Hon. Petit in 2021 to stand before this House and lead us on such a Bill, it could have been an issue. Congratulations, Chair. Now I agree you are the real Chair.

*(Applause)*

Hon. Speaker, I want to commend also the Committee. We are currently operating without a Betting and Control, Lotteries and Gaming Bill after the past one expired. I think it is timely because currently we are doing an illegality. We are collecting revenue in betting and gaming

without a proper legislation. So I want to congratulate the entire Committee of Trade led by their able Chair. I can now say authoritatively that Chairman, Hon. Petit has done us good and we are proud of you. Mr. Speaker, I beg to support.

**Hon. Speaker:** Thank you, Hon. Katile, you have an issue?

*(Hon. Diana Mwangangi spoke off the record)*

Thank you. I have been notified of the amendment which was made. It is no longer 2025 but 2026.

*(Question put and agreed to)*

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

## MOTIONS

### ADOPTION OF REPORT ON STATUS OF WASTE DISPOSAL MECHANISMS OF FARMERS CHOICE, BURMA MARKET AND KIAMAIIKO ABATTOIR

**Hon. Speaker:** Do we have the Chair?

**Hon. Cyrus Mubea:** The Chair is not in, Mr. Speaker.

**Hon. Speaker:** I do not have any communication from the Chair indicating that the Vice Chair will take up the role. For that reason, it is declined. Let us proceed.

*(Motion dropped)*

### ADOPTION OF REPORT ON CONSIDERATION OF REPORTS OF AUDITOR-GENERAL ON FINANCIAL STATEMENTS OF NAIROBI CITY COUNTY ASSEMBLY SERVICE BOARD CAR LOAN AND MORTGAGE SCHEME FUND FOR YEARS ENDED 30<sup>TH</sup> JUNE 2022, 2023 AND 2024

**Hon. Speaker:** Hon. Chege Mwaura is not in the House.

**Hon. Abel Atito:** Yes, Hon. Speaker. Protect me from Catherine.

**Hon. Speaker:** You are protected.

**Hon. Abel Atito:** Yes. I am standing in for my Chair, who is engaged somewhere else. I think he communicated to your office.

**Hon. Speaker:** Yes. In the case of Hon. Chege Mwaura, he was in my office, and actually he brought the request in written form. Are you ready to dispense with the business?

**Hon. Abel Atito:** Yes, I am ready to proceed.

**Hon. Speaker:** Kindly proceed.

**Hon. Abel Atito:** Thank you very much. Hon. Speaker, I beg to move the following Motion:

THAT, this Assembly adopts the report of the Auditor General on the financial statement of the Nairobi City County Assembly Service Board mortgage scheme fund for the years ended 30<sup>th</sup> June 2022, 2023 and 2024, laid on the table of the Assembly on Thursday, 4<sup>th</sup> December 2025.

Hon. Speaker, pursuant to the provisions of Standing Order 203, the primary mandate of the Committee is to oversight the expenditure of public funds by Nairobi City County entities to ensure value for money and adherence to the government's financial regulations and procedures.

The Committee further aims at ensuring that Nairobi City County public funds are prudently and efficiently utilized. The Committee executes its mandate on the basis of annual and audit reports prepared by the Audit Office of the Auditor General (OAG).

Hon. Speaker, for the 2022 financial year, the Committee identified issues such as inconsistencies in loan records, variances in interest income and loan repayments, inaccurate financial statements, unsupported administrative expenses and a lack of proper documentation for funds transfers. Other concerns include failure to adhere to the maximum loan limits, lack of competitive procurement processes, absence of mortgage insurance policies, and poor record-keeping, such as failure to maintain an interest register.

The Committee recommended stronger internal controls, proper reconciliation of financial records, improved documentation practices, adherence to the procurement laws and regular monitoring of loan administration processes.

Hon. Speaker, for the financial year 2023, the committee noted continued inaccuracies in financial reporting, including interest, income, receivables, transfers and cash flow statements. There were also concerns regarding unsupported committee allowances and irregular transfers of funds from the Car Loan and Mortgage Fund to the County Assembly.

The Committee recommended stricter review of financial statements before submission for audits, regulation of reconciliation of financial records, improved documentation of expenditures and clear classifications of financial transactions. Additionally, it emphasized the need for formal agreements governing transfers between the Fund and the County Assembly, capacity building on financial reporting standards and phasing out the practice of borrowing from the Fund to finance Assembly operations.

Finally, Hon. Speaker, for the financial year 2024, the Committee highlighted operational and administrative challenges, including unremittable payroll deductions, long outstanding receivables from the County Assembly, delays in loan deductions and lack of automation in financial reporting.

To address these issues, the Committee recommended timely remittance on payroll deductions, prioritization of repayment of funds owed to the scheme, establishment of a legally binding memorandum of understanding for any future borrowing and strict enforcement of loan deduction procedures. The Committee also proposed the development and implementation of the Enterprise Resource Planning (ERP) system to automate the Fund's financial management and improve accuracy, efficiency and transparency.

Hon. Speaker, on behalf of the Committee, I would like to thank the Fund administrator for appearing before it and subsequently submitting written responses which provided valuable insights into the reports of the Auditor General. I also sincerely thank the office of the Speaker and the Clerk for the services extended to the Committee while considering this matter. The Committee further wishes to appreciate the officers from the Office of the Auditor General and the Committee

secretariat for their explanatory advisory services that enabled Members to effectively execute their mandate.

Hon. Speaker, I beg to move that the Assembly adopts this report and the recommendations therein. I now call upon Hon. Mugo to second.

**Hon. Cyrus Mubea:** Mr. Speaker, Sir, I second the Motion.

*(Question proposed)*

**Hon. Speaker:** Members, my screen is clear in its indication that there is no Member who is ready to contribute further on this Motion in question. That gives the right for the mover to proceed and give a reply.

**Hon. Abel Atito:** Thank you, Hon. Speaker. I want to take this opportunity to congratulate the office of the Speaker and the Clerk, the entire secretariat and the Members of the Public Accounts Committee for coming up with this full report, and having invited relevant officers and departments to interrogate. I want also, on behalf of the Chair, to appreciate our Chair for the good leadership. I must also categorically appreciate you for having considered because you know this is the Committee that sits on a Monday due to the workload that it has. Thank you very much. Hon. Members, I beg to reply.

**Hon. Speaker:** Thank you, Hon. Atito and Hon. Members.

*(Question put and agreed to)*

ADJOURNMENT IN ACCORDANCE WITH  
COUNTY ASSEMBLY CALENDAR

**Hon. Peter Imwatok:** Hon. Speaker, allow me to move the following Motion:

THAT, pursuant to the provisions of Standing Orders 30 (1) and 31 (3), this Assembly adjourns until Tuesday 7<sup>th</sup> April 2026 at 2.30 p.m., in accordance with the Calendar of the County Assembly (Regular Sessions).

Hon. Speaker, as you are aware, it is important for this Assembly to have a break for the sake of connectivity. And more importantly, some of us who are the broad-based achievers are having several meetings across the city to make sure the city is aligned to the Cooperation Agreement that we passed before this House.

Hon. Speaker, the engineers are so busy on the ground, and they want their representative at least to concur with them on the ground on various roads and other issues that needs us to talk to our constituents. This time it is a bit okay because we have something to do. We are sure that the one-kilometre road in every ward is beginning as quickly as possible.

Also, this recess will give us time to align with our people, because we are only less than 500 days to a general election. Hon. Speaker, with those few remarks, allow me to invite the Minority Whip, who is seated next to me, to second it.

**Hon. Mark Mugambi:** Thank you, Hon. Speaker. I beg to second.

*(Question Proposed)*

**Hon. Speaker:** Ochieng Jera.

**Hon. Samson Ooko:** Thank you, Hon. Speaker. I wish to thank the Majority Leader for this Motion. Just to mention what the Majority Leader has mentioned here about the Cooperation Agreement that we passed here a few days ago, as a Member of this Assembly, I am equally looking forward to meeting the contractors and the engineers from KURA so that they can be able to come down to my ward and actualize this promise.

I have always mentioned here that my ward, Lindi, is the poorest ward in Nairobi. If we are able to get that one kilometer road and streetlights, I am sure my ward will change. The people I represent here will be very happy for seeing such a development coming from the National Government, working together with the County Government. In that regard, I am sure that I am also having time to go and meet with my people down in Lindi for a period of one month.

I beg to support this Motion, and thank you so much, Hon. Speaker, for leading us to the best way possible. You are really doing a wonderful job. We support you and the leadership of the House. Just like I mentioned yesterday, Hon. Speaker, I am here supporting Governor Sakaja and the President. I hope that when you come back, we will continue the business of the House. Thank you, Sir.

#### **ADJOURNMENT**

**Hon. Speaker:** Hon. Members, that brings us to the close of the business of the day. The Assembly stands adjourned in accordance with the Calendar of the County Assembly (Regular Sessions), to 7<sup>th</sup> April 2026 at 2.30 p.m. Thank you.

*The House rose at 4:42 p.m.*