



REPUBLIC OF KENYA

NAIROBI CITY COUNTY ASSEMBLY

SECOND ASSEMBLY – (FIFTH SESSION)

ORDERS OF THE DAY

TUESDAY, FEBRUARY 16, 2021 AT 2.30 P.M.

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statement

8. *MOTION – (CHAIRPERSON, SECTORAL COMMITTEE ON TRANSPORT & PUBLIC WORKS)

Subject: Adoption of a Committee Report

THAT, this Assembly Adopts **THE REPORT OF THE SECTORAL COMMITTEE ON TRANSPORT AND PUBLIC WORKS ON INVESTIGATION INTO THE ALLEGED UNCONVENTIONAL CONSTRUCTION OF A BRIDGE ALONG POKOMO LANE IN INDUSTRIAL AREA**, laid on the Table of the Assembly on Tuesday, 24th November 2020.

(Question to be put)

9. *COMMITTEE OF THE WHOLE ASSEMBLY

Subject: Consideration of the Nairobi City County Pop-up and Street Vendors, 2019 (Assembly Bill No. 9 of 2019)

The Nairobi City County Pop-Up and Street Vendors Bill, 2019 (Assembly Bill No. 9 of 2019)

(Committee of the Whole Assembly)

(Hon. Kabiro Mbugua, MCA)

.../Notices

NOTICES

I. THE NAIROBI CITY COUNTY POP-UP MARKETS AND STREET VENDORS BILL, 2019 (ASSEMBLY BILL NO. 9 OF 2019)

NOTICE is given that the Chairperson of the Sectorial Committee on Trade, Tourism and Co-operatives intends to move the following amendments to the Nairobi City County Pop-up Markets and Street Vendors Bill, 2019, at the Committee Stage: -

CLAUSE 1

THAT, Clause 1 be amended by deleting the numeric “2019” and substituting with the numeric “2021” therefor.

LONG TITLE

THAT, the Long Title be amended by deleting the numeric “2019” and substituting with the numeric “2021” therefor.

CLAUSE 2

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

1. By inserting the following definitions in their alphabetical sequence: -
 - i. ‘disorderly manner’ means “involving or contributing to a breakdown of peaceful and law-abiding behavior”
 - ii. ‘public space’ includes “every place to which the public are entitled or permitted to have access whether on payment or otherwise in accordance with Section 3 of The Interpretation and General Provisions Act, CAP 2 of the Laws of Kenya”
 - iii. ‘informal trade’ means “unorganized small scale, self-employment creating activities which might involve individuals or unremunerated relatives of the business owner, small number of hired workers or totally without any hired workers which the street vendors engage in for

the purpose of increasing income generation”.

CLAUSE 3

THAT, Clause 3 of the Bill be amended as follows;

1. By inserting a new **Clause 3A** immediately after Clause 3 as follows;

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“3 A ”(1) The operation, regulation and management of pop-up markets shall be guided by the following values and principles :-

Values and Principles

- (a) Right of access by registered street vendors to trade within the designated pop-up market as gazetted
- (b) Equitable access for registered street vendors to the pop-up markets
- (c) Protection of the street vendors within the pop-up markets
- (d) Right to a fair hearing before revocation of licenses of registered street vendors
- (e) Ensuring human dignity and integrity of persons engaged in the management of the pop-up markets.

CLAUSE 7

THAT, Clause 7 of the Bill be amended as follows; -

- (i) In sub-clause 4 by inserting the words **‘a manual and digitized’** immediately after the word **‘maintain’** and by inserting the words **‘and such register shall be made available on request to members of the public’** immediately after the word **‘county’**.

CLAUSE 9

THAT, Clause 9 of the Bill be amended as follows; -

- i. In sub-clause (1) paragraph (b) by deleting the paragraph and substituting thereof with **“a street vending licence issued under this Act shall be valid for one year from the date it is issued or such period as may be specified in the licence; and”**
- ii. In sub- clause 1 by inserting a new paragraph (c a) as follows;

NEW PARAGRAPH

“c a” ‘the street vendor carrying on business as provided in the license shall not sub-let, transfer, assign or otherwise alienate any vending space, stall or property allocated to them for carrying out vending activities’

CLAUSE 10

THAT, Clause 10 of the Bill be amended as follows;

- i. In Sub-clause 1 by inserting the words **‘annually or’** immediately after the word renewed.

CLAUSE 20

THAT, Clause 20 of the Bill be amended as follows;

In Sub-clause 2 by deleting the words **‘not’** immediately after the word **‘shall’**.

CLAUSE 26

THAT, Clause 26 of the Bill be amended as follows;

- i. By inserting the words **‘6 months after enactment of this Bill’** immediately after the words this Act.

II. The Assembly resolved on Tuesday, 9th February, 2021 as follows: -

- a) **THAT**, notwithstanding the provisions of Standing Order 103(4), this Assembly orders that, each speech in a debate on a **Report of a Committee**, a Sessional Paper or any other Report submitted to the Assembly, be limited as follows: - A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that Order.
- b) **THAT**, notwithstanding the provisions of Standing Order 103(4), this Assembly orders that, each speech in a debate on **Bills NOT** sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party be limited as follows:- A maximum of three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Sectoral Committee, in that Order.

* Denotes Orders of the Day*

NOTICE PAPER I

**Tentative business for
Thursday, 18th February, 2021 at 2.30p.m.**

(Published pursuant to Standing Order 39(1))

IT IS NOTIFIED that the Select Committee on Assembly Business, at its last meeting, approved the following ***tentative*** business to appear in the Order Paper for Thursday, 18th February, 2021 at 2.30 p.m.: -

A. * MOTION – SECTORAL COMMITTEE ON JUSTICE & LEGAL AFFAIRS

Subjects: Approval of the Constitution of Kenya(amendment) Bill, 2021

THAT, the County Assembly notes the Report of the **SECTORAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS ON ITS CONSIDERATION OF THE CONSTITUTION OF KENYA (AMENDMENT) BILL, 2020**, laid on the Table of the Assembly onand, pursuant to Article 257(6) of the Constitution of Kenya **APPROVES** the Constitution of Kenya (Amendment) Bill, 2020.

