



REPUBLIC OF KENYA
NAIROBI CITY COUNTY ASSEMBLY
SECOND ASSEMBLY – (SIXTH SESSION)

ORDERS OF THE DAY

TUESDAY, MARCH 1, 2022 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. *COMMITTEE OF THE WHOLE ASSEMBLY – TO CONSIDER THE
NAIROBI CITY COUNTY EARLY CHILDHOOD DEVELOPMENT
AND EDUCATION BILL, 2021 (ASSEMBLY BILL NO.5 OF 2021)**

Subject: Committee of the Whole Assembly

The Nairobi City County Early Childhood Development and Education Bill, 2021 (Assembly Bill No.5 of 2021)

(Hon. Jayendra Malde, MCA)

(Committee of the Whole Assembly)

9. * MOTION – HON. DANIEL NGENGI, MCA

Subject: Construction, installation and unveiling of a statue in honour of the late Kenneth Matiba

THAT, aware that Article 186 (1) of the Constitution of Kenya 2010, and paragraph 5 of the Fourth Schedule to the Constitution provide for the functions and powers of County Government on County transport including county roads, street lighting, public road transport traffic and parking; **further aware** that the Country has since independence been honouring her eminent citizens who have had remarkable contribution to the development of the Republic by not only naming or renaming facilities or roads after them but also unveiling of statues that offer constant reminiscence and recollection of their unique attributes; **observing that** by honouring them in such a manner is a national expression of gratitude for their outstanding deeds; **appreciating that** the County Assembly has in recent times moved to invoke its legislative and representation mandates to pass Motions urging for the recognition of such distinguished and illustrious citizens; **Noting that** there are heroines and heroes who have not only roads/streets named or renamed after them, but also statues unveiled in an elevated act of honour for instance, Dedan Kimathi, Tom Mboya and most recently, Ronald Ngala; **acknowledging that** the late Hon. Kenneth Matiba was among conspicuous persons in the second liberation which culminated into Kenya becoming a multiparty state and the commencement the clamour of the current celebrated Constitution 2010 alongside former Rt. Hon. Raila Odinga, the late Charles Rubia, the late Martin Shikuku and SC Paul Muite; **further acknowledging that** he has a remarkable record in industrial, hospitality and education sectors, and an accomplished public servant having served as the first indigenous African Permanent Secretary for Education in 1963; Permanent Secretary for Commerce; Chairperson of the Kenya Football Federation from 1974-78; a Member of Parliament for Kiharu constituency; Cabinet Minister for Health; Culture & Social Services; and Transport & Communications; **appreciating that** as a result of his distinguished stature in the society of Kenya, he was in 2021 honoured by Nairobi City County Assembly which passed a Motion to have Accra Road renamed after him; **recognizing** that heroes and heroines in whose honour statues have been installed and unveiled have their personalities, character, outstanding abilities and distinguished deeds more accentuated and memorized locally, this **Assembly urges** the County Executive in conjunction with the Nairobi Metropolitan Services to construct, install and unveil the statue of late Kenneth Matiba along the recently renamed Kenneth Matiba Road as an act of elevated honour of the locally and globally celebrated legend of inspirational of the young generation.

NOTICES

- I. **NOTICE** is given that the Chairperson of the Sectoral on Children, Early Childhood Education and Vocational Training intends to move the following amendments to the Nairobi City Early Childhood Development and Education Bill, 2021, at the Committee Stage.

LONG TITLE

THAT, the Long Title be amended by deleting the numeric “2021” and substituting with the numeric “2022” thereof.

CLAUSE 1

THAT, Clause 1 be amended by deleting the numeric “2021” and substituting with the numeric “2022” thereof.

CLAUSE 2

THAT Clause 2 of the Bill be amended as follows;

(i) By deleting the definition of **“parent”** and replacing therefor the following “means the mother or father of a child and includes any person who is liable by law to maintain a child or is entitled to his custody”

(ii) By inserting the following new definitions in their proper alphabetical sequence:

“ECD” as “means Early Childhood Development”

“Education” “means the giving of intellectual, moral, spiritual instruction or other training to a child”;

“Guardian” in relation to a child includes any person who in the opinion of the court has charge or control of the child;

“Public School” as “schools established owned or operated by the Government and includes sponsored schools.

“Pre-primary school” as “an educational establishment or learning space offering early childhood education to children before they begin compulsory education at primary school”

“Service provider” in this Act has the meaning assigned to a pre-primary school institution”.

CLAUSE 3

THAT Clause 3 of the Bill be amended as follows;

(i) In sub-clause (e) by deleting the provision in its entirety and substituting therefor the following **“protection of the right of every learner in the pre-primary educational institution including the medium of instruction for all learners of the same educational level”**

CLAUSE 7

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

(i) By deleting it in its entirety and replacing therefor the following **“The County Education Board shall consist of the membership as outlined under Section 20 of The Basic Education Act, 2013.”**

CLAUSE 21

THAT Clause 21 of the Bill be amended as follows; -

i. In sub-clause (2) by deleting the word **“to”** appearing immediately after the words **“one year or”**.

CLAUSE 25

THAT Clause 25 of the Bill be amended as follows; -

i. In sub-clause (a) by deleting the words **“the service provider, specifying the date of birth of each”** appearing immediately after the word **“attended”** and substituting therefor the following **“the early childhood education centre”**

ii. by inserting a new sub-clause (ca) immediately after sub clause (c)
(ca) **“monitoring and tracking records for the child development”**

CLAUSE 27

THAT Clause 27 of the Bill be amended as follows; -

i. In sub-clause (1) by inserting the words **“in consultation with the Kenya Institute of Curriculum Development”** to appear immediately after the words **“Executive Committee Member”**

CLAUSE 28

THAT Clause 28 of the Bill be amended as follows; -

- i. In sub-clause (1) paragraph (a) by deleting the words appearing immediately after “**private schools**”
- ii. In sub-clause (1) paragraph (b) by deleting the words appearing immediately after “**public schools**”
- iii. In sub-clause (2) by deleting the words appearing after the words “**private status**”

CLAUSE 29

THAT Clause 29 of the Bill be amended as follows; -

- i. In sub-clause (3) paragraph (a) by deleting the word “**intellectually**”
- ii. In sub-clause (4) by inserting the words “**assistive devices used by learners with disabilities**” immediately after the words “**learning materials**”.

CLAUSE 30

THAT Clause 30 of the Bill be amended as follows; -

- i. by inserting the words “**in consultation with the Cabinet Secretary for Education**” immediately after the words “**The Executive Committee Member**”

CLAUSE 31

THAT Clause 31 of the Bill be amended as follows; -

- i. In sub-clause (1) by deleting the words “**County government**” appearing immediately after the words “**consultation with the**” and substituting therefor with the following “**Executive Committee Member**”

CLAUSE 38

THAT Clause 38 of the Bill be amended as follows; -

- (i) In sub-clause (1) by deleting the words “**under this section as ECD teacher**” appearing immediately after the words “**recruitment panel**” and substituting thereof “**in a public school**”

CLAUSE 39

THAT Clause 39 of the Bill be amended as follows; -

- (i) By deleting the words “**Section 34**” appearing immediately after and replacing therefor the following “**Section 38**”

CLAUSE 40

THAT Clause 40 of the Bill be amended as follows; -

- (i) In sub-clause (2) by deleting the words **“Section 36 (2)”** appearing immediately after the word **“under”** and replacing thereof **“Section 38 (2)”**

CLAUSE 41

THAT Clause 41 of the Bill be amended as follows; -

- i. In sub-clause (1) by deleting the word **‘Section 65’** appearing immediately after the word **“under”** and substituting thereof **‘Section 64’**

CLAUSE 45

THAT Clause 45 of the Bill be amended as follows; -

- (i) By inserting the word **“implement”** immediately after the word **“shall”**; and
- (ii) by deleting the words **“Standards Assurance Board”** appearing immediately after the words **“in consultation with”** and substituting thereof the following **‘Cabinet Secretary for Education’**; and
- (iii) By deleting the word **“establish”** appearing immediately after the word **“stakeholders”**.

CLAUSE 46

THAT Clause 46 of the Bill be amended as follows; -

- i. In sub-clause (1) by deleting the words **“Standards Assurance Board Council”** appearing immediately the words **“apply to the”** and substituting **“Education, Standards and Quality Assurance Council”**

CLAUSE 47

THAT Clause 47 of the Bill be amended as follows; -

- i. By inserting the words **“established under The Basic Education Act, 2013”** immediately after the words **“Education Appeals Tribunal”**.

CLAUSE 48

THAT Clause 48 of the Bill be amended as follows; -

- i. by deleting the entire Clause

CLAUSE 49

THAT Clause 49 of the Bill be amended as follows; -

- i. By deleting the entire clause.

CLAUSE 59

THAT Clause 59 of the Bill be amended as follows; -

- i. In sub-clause (1) by deleting the words **“Section 56(3)”** appearing immediately after the words **“person authorized by”** and substituting **“Section 58(3)”**.

CLAUSE 63

THAT Clause 63 of the Bill be amended as follows; -

- i. By deleting the words **“Section 56(3) or Section 57”** appearing immediately after the words **“conferred by”** and substituting with the words **“Section 58(3) or Section 59”**.

PART VII

THAT Part VII of the Bill be amended as follows; -

- i. In the title PART VII by inserting the words **“LICENSING, REGISTRATION AND ACCREDITATION PROCEDURES OF PRE-PRIMARY SCHOOLS”** immediately after the word **“ASSESSMENT”**.

PART VIII

THAT Part VIII of the Bill be amended as follows; -

- i. In the title PART VIII by deleting the title in its entirety.

II. The Assembly resolved on Thursday, 10th February, 2022 as follows: -

- a) **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.
- b) **THAT**, notwithstanding the provisions of Standing Order 103(4), this Assembly orders that, each speech in a debate on any **Motion**, including a Special motion be limited in the following manner:-A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each 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 ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; 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** *
