

Paper Laid

# GOVERNMENT OF NAIROBI CITY COUNTY



THE NAIROBI CITY COUNTY ASSEMBLY

## OFFICE OF THE CLERK

### SECOND ASSEMBLY-FOURTH SESSION

NCCA/T&J/2020 / (51)

8<sup>th</sup> September, 2020

#### PAPER LAID

Pursuant to Standing 191(6), I beg to lay the following Paper on the Table of the Assembly, today Tuesday, 8<sup>th</sup> September, 2020.

- a) THE REPORT OF THE SELECT COMMITTEE ON PROCEDURE AND RULES ON THE AMENDMENT OF STANDING ORDERS

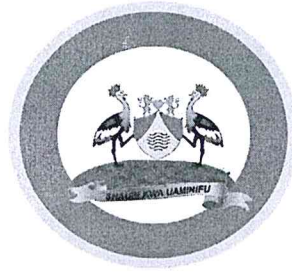
*(Chairperson, Select Committee on Procedure and Rules)*

Copies to:  
The Speaker  
The Clerk  
Hansard Editor  
Hansard Reporters  
The Press

Approved  
*[Signature]*  
08/09/2020



GOVERNMENT OF NAIROBI CITY COUNTY



THE NAIROBI CITY COUNTY ASSEMBLY

SECOND ASSEMBLY  
(FOURTH SESSION)

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NOTICE OF MOTION

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Hon. Speaker, I beg to give notice of the following motion:-

THAT, this Assembly Adopts THE REPORT OF THE SELECT COMMITTEE ON PROCEDURE AND RULES ON AMENDMENT OF THE STANDING ORDER, laid on the Table of the Assembly on Tuesday, 8<sup>th</sup> September, 2020

(Chairperson of the Select Committee on Procedure and Rules)

Approved

*[Signature]*

08/09/2020

Notice of Motion  
by Hon. John Kamukuru  
8/9/20  
S.C.A. Hoi



NAIROBI CITY COUNTY



NAIROBI CITY COUNTY ASSEMBLY

SECOND ASSEMBLY – FOURTH SESSION

REPORT OF COUNTY ASSEMBLY PROCEDURE AND RULES ON  
AMENDMENT TO THE NAIROBI CITY COUNTY ASSEMBLY STANDING ORDERS  
PURSUANT TO STANDING ORDERS 246

Clerks Chambers  
Nairobi City County Assembly  
City Hall Buildings  
Nairobi

Approved  
*[Signature]*  
08/09/2020

SEPTEMBER 2020





## 1.0 Preface

The Select Committee on County Assembly Procedures and Rules is established pursuant to the Provisions of Standing Order No. 200 and is mandated to:-

- a) Consider and report on all matters relating to these Standing Orders;
- b) Propose amendments to these Standing Orders and any such amendments shall upon approval by the County Assembly; take effect at the time appointed by the County Assembly;
- c) Propose rules for the orderly and effective conduct of committee business and any such rules, shall upon approval by the County Assembly, continue in force until amended or repealed by the County Assembly.

## 1.2 Committee Membership

The Select Committee on County Assembly Procedures and Rules comprises of the following Members:-

1. The Hon. Benson Mutura, MCA– Speaker and Chairperson.
2. The Hon. John Kamangu, MCA –Chairperson of Committees
3. Hon. Abdi Ibrahim Hassan, MCA - Majority Leader
4. The Hon. Paul Kiguathi Kados, MCA – Majority Party Whip
5. The Hon. Peter Gitau Wanyoike, MCA – Deputy Majority Leader
6. Hon. Esther Waithera Chege, MCA – Deputy Majority Whip
7. The Hon. Peter Imwatok, MCA – Minority Party Whip
8. The Hon. Joseph Komu, MCA
9. The Hon. Francis Ngesa, MCA
10. The Hon. Rose Adhiambo Ogonda, MCA
11. The Hon. David Ayoi, MCA

### Committee Secretariat.

- i. Mr. Joseph Njuguna– Committee Clerk.
- ii. Mr. Wifred Manyi – Committee Clerk.

## 1.4 Acknowledgement;

Hon. Speaker, I wish to acknowledge with gratitude the offices of the Speaker and the acting Clerk of the County Assembly for the support extended to it in the execution of its mandate.



I also thank the Secretariat for their input and valuable contribution during compilation of this report.

Finally, I would like to appreciate the Members of the Committee on County Assembly Procedures and Rules for their commitment and valuable contributions towards the amendments to Standing Orders.

**Mr. Speaker**, it is therefore my pleasant duty and privilege, on behalf of the Committee on County Assembly Procedures and Rules to present the Report of the Committee on the amendments of the County Assembly Standing Orders.

Signed.....

Chairperson: Hon. Benson Mutura

Date .....







## 2.0 PROPOSED AMENDMENTS TO STANDING ORDERS

Hon. Speaker, the below tabulated amendments to the Nairobi City County Assembly Standing Orders, is in line with the Provisions of **Standing Order No. 246** which provides that; *"The County Assembly Procedure and Rules Committee may at any time propose amendments to these Standing Orders."*

Hon. Speaker, the Committee at its sitting held on Tuesday, 8<sup>th</sup> September, 2020 deliberated on the proposed amendments and adopted the same.

*Table 1: Amendments Table.*

### RE: PROPOSED AMENDMENTS TO THE STANDING ORDERS PURSUANT TO STANDING ORDER 247

IT is notified that I intended to move the following amendments to the Standing Order pursuant to the provision of Standing Order 247, namely: -

S/NO	STANDING ORDER	PROPOSED AMENDMENT(S)	JUSTIFICATION
	15	<p>That Standing Order 15 be amended by deleting the Standing Order and substituting with the following new Standing Order thereof:</p> <p><b>PART III – DEPUTY SPEAKER AND CHAIRPERSON OF COMMITTEES</b></p> <p><b>Election of Deputy Speaker</b></p> <p>15. (1) As soon as practicable after the election of a Speaker following a General Election, a Deputy Speaker shall be elected in accordance with Article 178(2) (b) of the Constitution and Section 11 of the County Governments Act, 2012 <i>(as amended by Section 7 of the County Governments (Amendment) Act, 2020)</i>.</p> <p>(2) If the office of the Deputy Speaker falls vacant at any time before the end of the term of</p>	<p>Creation of a distinct Office of the Deputy Speaker pursuant to Section 11 of the County Governments Act, 2012 <i>(as amended by Section 7 of the County Governments (Amendment) Act, 2020)</i>.</p>



		<p>Assembly, the Assembly shall, as soon as practicable, elect a Member to that office.</p> <p>(3) The Speaker shall preside over the election of the Deputy Speaker under paragraph (1).</p> <p>(4) The procedure for electing a Deputy Speaker shall, with necessary modifications, be the same as that prescribed for the election of the Speaker.</p> <p>(5) The procedure for removing a Deputy Speaker shall with necessary modifications, be the same as that prescribed for the removal of the Speaker.</p>	
	16	<p>That Standing Order 16 be amended by deleting the Standing Order and substituting with the following new Standing Order therewith:</p> <p><b>Chairperson of Committee of the Whole Assembly</b></p> <p><b>16.</b> (1) The Deputy Speaker shall be the Chairperson of Committees and shall preside over all Committees of the whole Assembly.</p> <p>(2) If the Deputy Speaker is absent, or if the Deputy Speaker considers that it is desirable that he or she should take part in any proceedings in Committee otherwise than as the person presiding, the Speaker or a Member of the Chairpersons' Panel shall take the Chair.</p> <p>(3) In instances where paragraph (2) applies, the Speaker or a Member of the Chairpersons' Panel shall submit the report of the</p>	<p>Delineate the Chairperson of Committees as distinct from Office of the Deputy Speaker</p>





		Committee of the whole Assembly.	
	19	THAT Standing Order 19 be amended in paragraph 1 and 2 by deleting the words "Chairperson of Committees" whenever it appears and substituting thereof with the words "Deputy Speaker."	Align Standing with reference to Deputy Speaker and Chairperson of Committees
	164	THAT, Standing Order 163 paragraph (1) be amended:  a. by inserting the following new sub-paragraph f(A) as follows: fA. Members of the Chairpersons Panel  b. deleting paragraph 163(3) in its entirety.	Expand membership of the Business Committee
	169	THAT Standing Order 169 be amended in paragraph (1) by deleting the word "twenty-one" and substituting therefor the words "twenty-three."	Expand the Membership of Select Committees
	203	THAT Standing Order 203 be amended in paragraph (1) by deleting the word "twenty-one" and substituting therefor the words "twenty-three."	Expand the Membership of Sectoral Committees
	204	THAT Standing Order 204 be deleted and substituted with the following new Standing Order:  Liaison Committee  204. (1) There shall be a Committee to be known as the Liaison Committee which shall consist of:	Having created the Office of the Deputy Speaker, provide for separate Chairmanship of the Liaison Committee by the First Chairperson of the Panel







		<p>(a) the First Chairperson of the Chairpersons Panel, who shall be the chairperson;</p> <p>(b) the Majority and Minority Party Whips;</p> <p>the Chairperson of Committees;</p> <p>(c) the Chairperson of the Women Caucus;</p> <p>(d) Chairpersons of all Committees of the County Assembly excluding <i>Ad Hoc</i> Committees.</p>	
	New Standing Order 204	<p><b>Select Committee on Members' Service and Facilities</b></p> <p>204. (1) There shall be a Select Committee to be known as the County Assembly Committee on Members' Service and Facilities.</p> <p>(2) The Committee shall comprise of a Chairperson and not more than fourteen other members.</p> <p>(3) The County Assembly Committee on Members Service and Facilities shall be responsible for;</p> <p>(a) receiving and considering views of Members on the services and facilities provided for their benefit and wellbeing, including catering, sports and health club;</p> <p>(b) advising and reporting on all matters connected to the services and facilities provided for Members.</p> <p>(4) In exercising its mandate, the committee shall liaise and consult with the County Assembly Service Board from time to time.</p>	Create the Committee on Welfare, Catering and Library



#### 4.0 Recommendations

On the foregoing, the Committee recommends as flows, THAT;-

- a) That Pursuant to Provisions of Standing Order No. 246, the Assembly Approves the report of the Committee on the proposed amendments to the Nairobi City County Assembly Standing Orders as contained in Table 1; and,
- b) That the amended Standing Orders take effect from the time of adoption of this report.

xxxxxxxxxxxxxENDxxxxxxxxxxxxxxxxxxxx





THE COUNTY GOVERNMENT OF NAIROBI CITY



Clerk's Chambers,  
Nairobi City  
County Assembly,  
City Hall Buildings,  
NAIROBI.

**NAIROBI CITY COUNTY ASSEMBLY**  
**SELECT COMMITTEE ON PROCEDURES AND RULES**  
**REPORT ON AMENDMENT OF STANDING ORDERS**  
**8<sup>TH</sup> SEPTEMBER 2020**

<b>NO.</b>	<b><u>NAME</u></b>	<b><u>SIGNATURE</u></b>
1.	Benson Mutura	
2.	Waltera Chege	
3.	ABDI J. HUSSEIN	
4.	Kados Paul	
5.	John Kamukama	
6.	J.M. Konyu	
7.	Rose Oganda	
8.	David Aydi	
9.	Peter Imwale	
10.	Peter Wanjorke	
11.		





MINUTES OF THE 1<sup>ST</sup> SITTING OF NAIROBI CITY COUNTY ASSEMBLY SELECT COMMITTEE ON PROCEDURE AND RULES HELD ON TUESDAY 8<sup>TH</sup> SEPTEMBER, 2020 FROM 1:30 PM.

PRESENT

1. Hon. Benson Mutura, MCA– Speaker and Chairperson.
2. Hon. John Kamangu, MCA –Chairperson of Committees
3. Hon. Abdi Ibrahim Hassan, MCA - Majority Leader
4. Hon. Paul Kiguathi Kados, MCA – Majority Party Whip
5. Hon. Peter Gitau Wanyoike, MCA – Deputy Majority Leader
6. Hon. Esther Waithera Chege, MCA – Deputy Majority Whip
7. Hon. Peter Imwatok, MCA – Minority Party Whip
8. Hon. Joseph Komu, MCA

ABSENT

1. Hon. Francis Ngesa, MCA
2. Hon. Rose Adhiambo Ogonda, MCA
3. Hon. David Ayoi, MCA

SECRETARIAT

- |                       |                        |
|-----------------------|------------------------|
| 1. Mr. Sammy Kiptoo   | - Director L & P       |
| 2. Mr. Wilfred Manyi  | - Snr. Clerk Assistant |
| 3. Mr. Joseph Njuguna | - Snr. Clerk Assistant |

MIN 001/SEP/2020

– PRELIMINARIES

The meeting was called to order at 1:30 pm by the Committee Chairperson and he conducted the opening prayers.

AGENDA

1. *Preliminaries*
2. Opening remarks by the Chairperson
3. **Amendments to the Standing Orders**
4. Any other business, and
5. Adjournment and Date of the Next Meeting

The Chairperson read through the agenda of the meeting which was adopted as proposed by Hon. Peter Wanyoike, MCA and seconded by Hon. Waithera Chege, MCA.

MIN 002/SEP/2020

OPENING REMARKS BY THE CHAIRPERSON

The Speaker welcomed the Members to the meeting and assured them of his support to ensure the Assembly's three cardinal roles of legislation, oversight and representation were facilitated seamlessly.

MIN 003/SEP/2020

AMENDMENTS TO THE STANDING ORDERS

The Majority leader proposed that the standing orders needed to be amended pursuant to the provisions of Standing Order 247, to align it with the provisions of the County Government Act (amendments) of 2020.

The proposed amendments were seconded by Hon. Joseph Komu and Hon. Paul Kados. Amendments proposed were as attached

MIN 004/SEP/2020:

ADJOURNMENT & DATE OF NEXT MEETING

There being no other business and the time being Ten minutes to Two O'clock, the meeting was adjourned.

The dates for the next meeting would be communicated through notice.

CONFIRMED AS TRUE RECORD OF THE PROCEEDINGS

DIRECTOR (Legislative Services): 

DATE:  8/9/2020

CHAIRPERSON: 

DATE:  8/9/2020

The Clerk  
Nairobi City County Assembly  
City Hall Buildings  
Nairobi

**RE: PROPOSED AMENDMENTS TO THE STANDING ORDERS**  
**PURSUANT TO STANDING ORDER 247**

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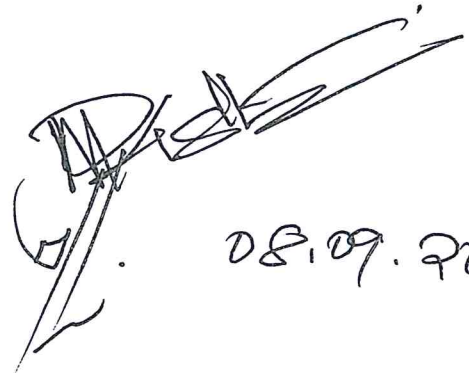
		<p>same as that prescribed for the election of the Speaker.</p> <p>(5) The procedure for removing a Deputy Speaker shall with necessary modifications, be the same as that prescribed for the removal of the Speaker.</p>	
	16	<p>That Standing Order 16 be amended by deleting the Standing Order and substituting with the following new Standing Order therewith:</p> <p><b>Chairperson of Committee of the Whole Assembly</b></p> <p>16. (1) The Deputy Speaker shall be the Chairperson of Committees and shall preside over all Committees of the whole Assembly.</p> <p>(2) If the Deputy Speaker is absent, or if the Deputy Speaker considers that it is desirable that he or she should take part in any proceedings in Committee otherwise than as the person presiding, the Speaker or a Member of the Chairpersons' Panel shall take the Chair.</p> <p>(3) In instances where paragraph (2) applies, the Speaker or a Member of the Chairpersons' Panel shall submit the report of the Committee of the whole Assembly.</p>	<p>Delineate the Chairperson of Committees as distinct from Office of the Deputy Speaker</p>
	19	<p>THAT Standing Order 19 be amended in paragraph 1 and 2 by deleting the words "Chairperson of Committees" whenever it appears and substituting thereof with the words "Deputy Speaker."</p>	<p>Align Standing with reference to Deputy Speaker and Chairperson of Committees</p>
	164	<p>THAT, Standing Order 163 paragraph (1) be amended:</p>	<p>Expand membership of the Business Committee</p>

		<p>204. (1) There shall be a Select Committee to be known as the County Assembly Committee on Members' Service and Facilities.</p> <p>(2) The Committee shall comprise of a Chairperson and not more than fourteen other members.</p> <p>(3) The County Assembly Committee on Members Service and Facilities shall be responsible for;</p> <p>(a) receiving and considering views of Members on the services and facilities provided for their benefit and wellbeing, including catering, sports and health club;</p> <p>(b) advising and reporting on all matters connected to the services and facilities provided for Members.</p> <p>(4) In exercising its mandate, the committee shall liaise and consult with the County Assembly Service Board from time to time.</p>	
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1. ABDI HASSAN



2. PAUL KADOS KIGUKSHI



3. JOSEPH KAMU

08.09.2020

		<p>a. by inserting the following new sub-paragraph f(A) as follows:</p> <p>fA. Members of the Chairpersons Panel</p> <p>b. deleting paragraph 163(3) in its entirety.</p>	
	169	<b>THAT</b> Standing Order 169 be amended in paragraph (1) by deleting the word "twenty--one" and substituting therefor the words "twenty-three."	Expand the Membership of Select Committees
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	New Standing Order 204	Select Committee on Members' Service and Facilities	Create the Committee on Welfare, Catering and Library