

GOVERNMENT OF NAIROBI CITY COUNTY



THE NAIROBI CITY COUNTY ASSEMBLY

OFFICE OF THE CLERK

THIRD ASSEMBLY
(FIRST SESSION)



NCCA/TJ/PL/2022(29)

7th December, 2022

PAPER LAID

SUBJECT: REPORT OF EDUCATION COMMITTEE ON INDUCTION

Pursuant to Standing Order 196, I beg to lay the following Paper on the Table of this Assembly, today Wednesday 7th December 2022.

- THE 1ST REPORT OF THE SECTORAL COMMITTEE ON CHILDREN, EARLY CHILDHOOD EDUCATION AND VOCATIONAL TRAINING ON THE COMMITTEE'S INDUCTION WORKSHOP HELD FROM 14TH TO 17TH NOVEMBER 2022 IN MOMBASA COUNTY.

(The Chairperson, Sectoral Committee on Children, Early Childhood Education and Vocational Training)

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

THE NAIROBI CITY COUNTY GOVERNMENT



THE NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY – FIRST SESSION

THE FIRST REPORT OF THE SECTORAL COMMITTEE ON CHILDREN, EARLY
CHILDHOOD EDUCATION AND VOCATIONAL TRAINING

ON
THE INDUCTION WORKSHOP HELD FROM MONDAY 14TH TO THURSDAY, 17TH
NOVEMBER, 2022 AT CIALA RESORT, KISUMU COUNTY

NOVEMBER, 2022

Induction report

Clerk's Chambers,
CITY HALL,
NAIROBI.

Edition: December 2022

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1. PREFACE

1.1. Establishment and Mandate

Hon. Speaker,

The Sectoral Committee on Children, Early Childhood Education and Vocational Training is established on 27th October, 2022 pursuant to the Standing Order 209. The Committee's mandate amongst others, as outlined under Standing Orders 209 (6) is to:

- a. investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- b. study the programme and policy objectives of departments and the effectiveness of the implementation;
- c. study and review all county legislation referred to it;
- d. study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- e. investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the County Assembly;
- f. to vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 196 (Committee on Appointments); and
- g. make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

1.2 Oversight role and Subject Area

The Committee is further mandated to study, assess and analyse the relative success of the Early Childhood Education, Children Welfare and Vocational Training Departments as measured by the results obtained compared to their stated objectives and study the programme and policy objectives of departments and the effectiveness of the implementation. The Committee's subject area includes all matters relating to pre-primary education, village polytechnics, home craft centres, childcare facilities and children welfare in the County.

1.3 Committee Membership

The Committee Membership comprises of:

1. Hon. Perpetua Mponjiwa, MCA – Chairperson
2. Hon. Kennedy Swaka, MCA – Vice-Chairperson
3. Hon. Robert Mbatia, MCA
4. Hon. Waithera Chege, MCA
5. Hon. Jared Akama Ondieki, MCA
6. Hon. Maurice Ochieng Onyango, MCA
7. Hon. Abel Osumba Atito, MCA
8. Hon. Absalom Odhiambo Onyango, MCA
9. Hon. Agnes Wambui Njeri, MCA
10. Hon. Carrington Gichunji Heho, MCA

11. Hon. Diana Katile Mwangangi, MCA
12. Hon. Eric Kiogora Murigu, MCA
13. Hon. Eutychus Mukiri Muriuki, MCA
14. Hon. Fredrick Njogu Njoroge, MCA
15. Hon. Gerald Irungu Mukuru, MCA
16. Hon. Hannah Wanjiku Muriuki, MCA
17. Hon. Hellen Awuor Okello, MCA
18. Hon. James Karanja Karis Kariuki, MCA
19. Hon. Lily Akoth Kidenda, MCA
20. Hon. Naomi Kerubo Bosire, MCA
21. Hon. Peter Oweru Oluoch, MCA
22. Hon. Rachel Wanjiru Maina, MCA
23. Hon. Tricer Jeptoo Ayabei, MCA

1.4 Committee Secretariat

The Committee Secretariat is comprised of the following officer: -

1. Mr. Kevin Wasike – Snr. Clerk Assistant

1.5 Background for the induction Workshop

Hon. Speaker,

The County Assembly Committees are extensions of the Assembly established under the County Assembly Standing Orders and in accordance with Section 14 of the County Governments Act, 2012. The Committees are supposed to perform functions that the Assembly is not well fitted to consider in plenary. Following the constitution of County Assembly Committees on 27th October, 2022 and consequent election of Chairpersons, the Sectoral Committee on Children, Early Childhood Education and Vocational Training held its induction workshop from 14th to 17th November, 2022 at Ciala Resort in Kisumu County. The objectives of the meeting included the following;

- Appreciate and understand role and place of Committees in the County Assembly;
- Appreciate the role and mandate of the Sectoral Committee on Children, Early Childhood Education and Vocational Training;
- Appreciate and understand the role the Committee Chairperson, and the structures of the Committee;
- Understand the management of an effective Committee;
- Appreciate the practice and procedure in the Committee; and
- Linkage between the Committee and the County Executive Sector and other stakeholders.

1.6 Acknowledgement

Hon. Speaker,

I wish to acknowledge with gratitude the offices of the Speaker and the Clerk of the County Assembly for the support extended to the Committee to facilitate its first induction workshop.

Finally, much thanks to the Members of the Committee and the Secretariat for their dedication, untiring commitment and valuable contributions during the induction workshop.

Hon. Speaker,

It is therefore my pleasant duty and privilege, on behalf of the Members of the Sectoral Committee on Children, Early Childhood Education and Vocational Training to table the first report of the Committee on the induction workshop held from 14th to 27th November, 2022, at Ciala Resort in Kisumu County.

Signed

Hon. Perpetua Mponjiwa, MCA
Chairperson

Date

2.0. INTRODUCTION

The County Assembly Committees are extensions of the Assembly established under the County Assembly Standing Orders and in accordance with Section 14 of the County Governments Act, 2012. The Committees are supposed to perform functions that the Assembly is not well fitted to consider in plenary. Following the constitution of County Assembly Committees on 27th November, 2022 and the consequent election of Chairperson and the Vice-Chairperson of the Committee on 1st November, 2022, the Sectoral Committee on Children, Early Childhood Education and Vocational Training undertook its induction workshop held from 14th to 27th November, 2022, at Ciala Resort in Kisumu County.

The workshop entailed the overview, establishment and role of Committees in achieving the mandate of the County Assembly, legal underpinning of Committees of the Assembly, rationale for Committees in the Assembly, limitation of mandate of Committees, overview of the management and operation of Committees in the Assembly, mandate of the Sectoral Committee on Children, Early Childhood Education and Vocational Training, roles/duties of Committee Chairperson, Members and the Secretariat, management of Committee, procedure and practices in Committee and the budget documents.

2.1. Official Opening

The workshop was officially opened by a word of prayer by the Chairperson before welcoming Members to the meeting. The Chair then invited Members, the facilitator and the Secretariat to introduce themselves and subsequently urged Members to actively participate in the proceedings to enable them grasp the basics on the establishment, management and operations of the Committee. In her introductory remarks, the Chairperson stated the following as the objectives of the retreat;

- a) To appreciate and understand the role and place of Committees in the Assembly;
- b) To appreciate the role and Committee;
- c) To appreciate and understand the role of the Committee Chairperson and structures of the Committee;
- d) To appreciate the linkage between the Committee, the County Executive and other stakeholders; and
- e) The Budget Documents and Committee's role in budget making process.

2.2 Expectations from Members

The Members present presented their expectations from the induction workshop which included the following: -

- ✓ Improvement of the education system in the County;
- ✓ Under the role of the Members for active participation in the Committee's proceedings;
- ✓ Have strong foundation in early childhood education and link to vocational training; and
- ✓ Link the Committee to stakeholders including the National Government.

In his opening remarks, the facilitator – Mr. Douglas Katho – Clerk Assistant at the National Assembly informed the Committee that the induction workshop would equip Members with requisite skills necessary in understanding the roles of the Committees in scrutinizing the proposed laws, policies and Regulations. He then took Members through the induction programme after being adopted by the Committee as proposed by Hon. Lily Kidenda, MCA and seconded by Hon. Abel Osumba Atito, MCA.

3.0 PRESENTATION BY THE FACILITATOR

The facilitator took the Members through the induction on various topics as follows;

3.1 Overview of Role of Committees in Achieving the Mandate of the Assembly

a) Role of County Assembly

The Presenter informed that the County Assembly performs the following functions;

- the County Assembly exercises legislative authority pursuant to Article 185 (1 & 2) of the Constitution of Kenya, 2010;
- scrutinizes and monitors the actions of the County Executive pursuant to Article 185 (3) of the Constitution of Kenya, 2010;
- vet and approve key County Government appointees;
- ensure the laws and budgets it has approved are being properly implemented;
- subject the County Executive plans, policies and actions to public debate and hearings as provided in Articles 185 (4) and 196 of the Constitution of Kenya, 2010; and
- approve the budget, expenditure and borrowing of the County Government.

b) Legal Underpinning of Committees of the Assembly

The facilitator informed that Committees in the Assembly are smaller units or groups of Members of the County Assembly that allow the Assembly to perform several functions simultaneously; allows for detailed investigation and discussions on issues; and in-depth review of policy matters, Bill and other Assembly Business issues. The power of the County Assembly to appoint Committees is derived from: -

- The Constitution – Articles 124, 195;
- Enabling Acts – County Governments Act, 2012, Parliamentary Powers & Privileges Act;
- The Standing Orders;
- Resolutions of the Assembly; and
- Practice.

What Committees are capable of: -

- Finding out the facts of a case;
- examining witnesses;
- sifting through evidence, and drawing up reasoned conclusions;
- gathering of evidence from expert groups or individuals;

- 'take Parliament to the people' and allow direct contact between members of the public; and
- promote public debate on a subject at issue.

c) General roles of Committees

The Presenter highlighted the following as the general roles of Committees:-

- Oversight the County Executive;
- Initiating legislative proposals;
- Scrutinizing of legislative proposals and Bills;
- Conducting investigations and reporting to the plenary for action;
- Reviewing and approving the budget and expenditure;
- Reviewing audited accounts of County Government and public agencies;
- Approval of public appointments; and
- Approval of county planning and development plans.

d) Rationale for Committees in the Assembly

The depth and breadth of work in a legislature cannot be conducted in plenary sessions; the detailed work of the legislature is thus carried out by specialized Committees.

- Provides the opportunity for more detailed, in-depth investigation and discussions;
- Allow review of policy matters or bills more closely than would be possible by the entire chamber;
- Serve as the focal point for legislation and oversight;
- Present their observations, findings and recommendations (reports) to the Chamber for the final debate; and
- Serves as point for people inside and outside the legislature to seek to influence legislative products by providing information about what they want/ will accept.

3.2 Mandate of the Sectoral Committee on Children, Early Childhood Education and Vocational Training

The presentation covered the establishment of the Committee, its membership, functions, mandate and stakeholders.

3.2.1 Functions of the Committee

The functions of the Committee include the following;

- investigate, inquire into and report on all matters relating to the management, activities, administration, operations and estimates of relevant departments;
- examine the programme and policy objectives and the effectiveness of the implementation;
- study review all County legislations referred by the Assembly;
- study, assess and analyse the relative success of the departments as measured by the results obtained as compared with their stated objectives;

- to vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 202 (Committee on Appointments); and
- make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.

3.2.2 Mandate of the Committee

Pursuant to the paragraphs 9 of Part 2 of the Fourth Schedule to the Constitution of Kenya, 2010 and the Third Schedule to the County Assembly Standing Orders, the Committee's mandate covers the following areas which are in relation to the roles of the County Government; all matters relating to pre-primary education, village polytechnics, home craft centres and childcare facilities; children welfare.

3.3 Conduct of Committee Business

3.3.0 Overview of the Management of Committees

The presentation covered the role of the Chairperson and Vice-Chairperson of the Committee, attributes of an effective Chairperson and Members of Committee, Managing Members in a meeting and role of the Committee Secretariat.

3.3.1 Role of Chairperson of a Committee

The facilitator dissected roles of the Chairperson of the Committee where he stated that a Committee Chairperson plays a key role in the effectiveness of the Committee. He/she is the most important personality and is usually responsible for convening and managing the Committee. He shared some of the roles of a Chairperson of Committee as follows: -

- Spokesperson of the Committee – he/she presents position of the Committee and talks on behalf of the Committee;
- Presides over committee meetings – ruling on procedural and relevance issues, such as the relevance of questions or amendments to that Committee's mandate;
- Performs the functions and exercises the powers assigned to office of the Chairperson by the committee, resolutions of the Assembly or legislation;
- Deals with disorder among members or by the public where the latter are admitted to hearings;
- Answers oral questions and responds to Statements in the Assembly on behalf of the Committee;
- Signs committee reports after consideration of a matter;
- requests the appearance of witnesses or the production of papers on behalf of the Committee;
- Controls the hearing of evidence and directs the proceedings;
- Liaises with the government and other members of the committee on the progress of important legislation; and
- Maintains open communication channels with all committee members for effective functioning of Committees.

The Presenter further highlighted the specific role of a Chairperson before, during and after a meeting as follows: -

a) Before the Meeting

- Agenda Setting;
- Formulates the agenda in consultation with the Secretariat and Members; and
- Develops a discussion plan.

b) During the meeting

- Presides at meetings of the Committee;
- Perform the functions and exercise the powers assigned to the office of the Chairperson by the Committee, resolutions of the Assembly or legislation; and is the spokesperson of the Committee pursuant to Standing Order 172;
- Introduces agenda items - preliminaries, adoption of the agenda;
- Enforces rules of procedure, summarizes debate, highlight points of convergence or divergence;
- Allocates time to every agenda item and attempts to impress upon members to stick to set timelines;
- Ensures that democracy prevails and that equity in contributions is respected and achieved;
- Keep to the order of the agenda;
- Be familiar with the protocol of meetings e.g. insist that only one person at a time may address the meeting & that members address the chair;
- Fair, impartial/neutral;
- Decisions must specify way forward – purpose, resources, time frame, terms of reference, supervision; and
- Allow AOB – devote $\frac{1}{4}$ time for preliminary & AOB and $\frac{3}{4}$ time for main business, (80-20 Rule).

c) After the meeting

The Chairperson ensures:-

- Action items are implemented;
- Must ascertain that typed minutes are a true reflection of the previous meeting, - minutes are effectively written (factual and correctly);
- Draft Minutes are circulated to members before next meeting if rules permit;
- Evaluates the meetings;
- The spokesperson of the Committee;
- Represents the interests of the Committee in the Liaison Committee; and
- Tables and moves the report of the Committee, on behalf of the other Committee Members.

The Presenter briefed the Committee on the requisite qualities of a good Chairperson of a Committee. He stated that the Committee Chairperson is the Presiding Officer in

Committee, he/she assumes roles similar to those of the Speaker of the Assembly. Committee Chairpersons must possess qualities that will enhance effectiveness, such as: -

- **Competence** – demonstrate understanding of parliamentary process, have a solid working relationship with members and key staff and know the content of key matters assigned to the Committee;
- **Flexibility and adaptability** – learn to adapt new conditions when circumstances change;
- **Firmness and decisiveness** – stand firm when decision are made;
- **Honesty and dependability** – be honesty and forthright with committee members, staff and media to earn respect;
- **Openness** – build strong open communication links for trust;
- **Fairness** – treat committee members fairly;
- **Tolerance** – understand and accept that members will not support Committee leadership/position all the time;
- **Patience** – recognize times when it is necessary to be patient;
- **Humility** – Accept responsibility for mistakes;
- **Stamina** – project high energy level however long it may take to address matters
- **Consensus building** – demonstrate high sensitivity to diverse opinions in view of building consensus and synergy; and
- **Impartial** – treat all members and attendees with equity irrespective of party or position.

3.3.2 Role of the Members of a Committee

a) Before the meeting

- Familiarize themselves with the agenda items and prepare adequately to partake in the debate;
- Know the venue;
- Collect all supportive evidence;
- Clarify unclear issues with the chairman or the secretary;
- Thoroughly reads and understands Standing Orders/other rules applicable; and
- Well informed/aware about various items on the agenda to be discussed.

b) During the meeting

- Attend meeting with open mind; Respect views of others;
- Be a good listener and have keen interest in committee business /proceedings;
- Be receptive to new/other approach(es);
- Present views precisely, clearly & confidently;
- Not allow personal preferences to obscure opposing views;
- Help Chair maintain order; Note main points of meeting for future reference;
- Preparedness to take the lead occasionally on particular items of agenda;
- Bears in mind/focuses on the goals, mandates and functions of the committee;
- professionally deals with and respects the secretariat/staff;

- Raise points of order or information;
- Support others to reach consensus for purposes of collective decision making; and
- Take part in voting (if any).

c) After the meeting

- Carry out tasks allocated (if any);
- Evaluate your performance and other members during the meeting; and
- Consult officials or members to clarify on tasks.

3.3.3 Role of the Committee Secretariat

- Rendering advice on procedural matters;
- Identification of gaps or areas requiring legislation for consideration by the Committee through a review of existing legislation or a situational analysis of areas within the mandate of the Committee;
- Formulation of ideas for conversion into legislative proposals;
- Facilitating public participation and the consolidation and harmonization of amendments to Bills;
- Planning and coordination of Committee's programmes and meetings;
- Prepare and circulate Notices of Meetings;
- Prepare Programme of Sitzings;
- Handle all Committee Correspondences;
- Taking of Minutes;
- Determine Quorum of Committee meetings;
- Prepare Chairperson's brief;
- Committee Documents/Papers– Maintaining and safe record;
- Preparation of Draft Report;
- Keep track of Committee Budget and Finances and advise the Committee accordingly;
- Prepare Committee Work plan and Budget/Finances;
- Rendering legal advice;
- Drafting Bills and Committee stage amendments to Bills;
- Assisting Committees and Members to scrutinize Bills; and
- Carrying out legal research on legal and procedural matters.

2.3.4 Attributes of an effective Members of a Committee

The Presenter highlighted some of the attributes of an effective Member of a Committee as follows: -

- Committee Members should be committed and devoted and take their Committee business seriously so as to improve the level and quality of Executive accountability to the public;

- Punctuality – the Committee members must observe punctuality because the Secretariat has powers to adjourn the meeting in the event there meeting lacks quorum pursuant Standing Orders 181;
- Avoid technical appearance;
- Members of any Committee should respect the office of the Chairperson;
- Members should avoid discussing about the subject of their inquiry in public until their report is laid on the Table of the House so as not to pre-empt the debate; and
- Prior to a meeting, it is important that the Committee meets at least thirty (30) to prepare Members and strategize for the meeting.

The presenter stated that success of any legislature depends on the effectiveness of its Committees. Committees are effective where their membership and secretariat function optimally according to the required rules. This should apply to the Committee Leadership, Members and the Secretariat. Every Committee is as strong as its Leadership, Members and the Secretariat.

3.3.5 Conduct of Meetings

The presenter briefed the Committee on the some of the provisions on conduct of meetings and operations of the Committee as follows: -

- a) **Notice of Meetings** – he stated that a notice of a meeting of a select committee shall be given by the Clerk to all Members of the Committee showing the date, time, venue and agenda of the meeting. A notice shall be deemed to have been given upon circulation through the official email addresses of a Member, the Assembly website or by delivery of the notice in the office of a Member or posting of the notice in the precincts of the County Assembly.
- b) **Sittings of the Committee** – a sitting of a Committee shall be held at such a place, date and time as shall be determined by the Chairperson or on a petition made by at least seven members of the Committee but no meeting of a Committee may be held outside the precincts of Parliament without the approval of the Speaker.
- c) **Frequency of Meetings of a Committee** – unless the Assembly otherwise resolves, every Select Committee shall meet at least once in two months. Except for the Assembly Business Committee, a select committee shall not meet during a sitting of the Assembly without the written permission of the Speaker and that a sitting of a committee shall stand suspended when a division or quorum bell is rung.

3.3.6 Rules and Procedures that govern Committee meetings

The Presenter took the Committee through some of the rules of debate that governs Committee's meeting. He stated that the Procedure in Committees shall be as nearly as possible, the same as that in Committee of the Whole Assembly and that deliberations in Committees must be confined to the mandate and limited to the matter referred to them by the Assembly. The following are some of the key Rules and Procedures Governing Committee Meetings: -

- a) All proceedings should be conducted in Kiswahili, English or in Kenyan Sign Language – Standing Order 85;
- b) A sitting shall be held at such place, date and time as shall be determined by the Chairperson or on a petition made by at least seven members of that Committee – Standing Order 178. A Committee shall not sit during a sitting of the County Assembly without Speaker's written permission pursuant to Standing Order 182 (2);
- c) A meeting of a Committee may not be held outside the precincts of Assembly without the approval of the Speaker – Standing Order 178;
- d) The Minutes of a Committee should be kept in the same form as the Votes and Proceedings of a Committee of the Whole – Standing Order 186;
- e) Members desiring to speak should address a request to the Chairperson – Standing Order 86;
- f) The substance of the proceedings of a Committee should not be made public before the Committee has tabled its report to the Assembly;
- g) A Member who wishes to speak on any matter in which the Member has a personal interest should first declare that interest – Standing Order 98;
- h) A Member should be responsible for the accuracy of his/her contributions;
- i) The quorum of a Committee is a third of its membership – Standing Order 174 (2);
- j) Unless quorum is achieved within thirty minutes of the appointed time, a meeting of a Committee of the Assembly shall stand adjourned – Standing Order 181;
- k) A notice of a meeting of a Committee should be given by the Clerk showing the date time, venue and agenda of the meeting – Standing Order 177;
- l) A member who fails to attend 4 consecutive sittings without the permission of the Chairperson (Speaker), the Committee should be notified and may resolve that the member be replaced – Standing Order 183;
- m) Every Member present should sign the attendance register - the names of Members present at each sitting of a Committee shall be entered in the minutes of that sitting;
- n) A Committee may establish sub-committees as it may consider necessary – Standing Order 179;
- o) A Member who is adversely mentioned in a matter under deliberation by a Committee should not be present at any meeting at which the Committee is deliberating on the matter, but he/she may appear to adduce evidence as a witness before that Committee – Standing Order 180;
- p) Every Committee should meet at least once in two months unless the Assembly resolves otherwise except for the Assembly Business Committee – Standing Order 182;
- q) Any question arising in a Committee should be decided by vote and the resolution on any such vote shall constitute the decision of the Committee on that question;
- r) Committee may, with the approval of the Speaker, engage such experts as it may consider necessary in furtherance of its mandate – Standing Order 201;
- s) Committee work should be limited to its mandate as provided for in any law, the Standing Orders or a resolution of the Assembly – Standing Order 174;
- t) Committees shall enjoy and exercise all the powers and privileges bestowed on County Assembly by Articles. 195 and 196 of the Constitution - power to Summon,

call for evidence, Similar powers to High Court, Conduct business in open manner, facilitate Public participation; The statute, Section 17 of the County Governments Act, 2012 - Powers, privileges and immunities of a County Assembly provides that the national law regulating the powers and privileges of Parliament shall, with the necessary modifications, apply to a County Assembly;

- u) A Member of the County Assembly may attend and participate in a meeting of any Committee of which he or she is not a Member, but such Member shall not be entitled to vote on any matter. Such a Member May only speak if invited by the Chairperson to do so – Standing Order 192; and
- v) The deliberations of a Committee shall be within the mandate of the Committee – Standing Order 194. The Committee may not consider any matter that is not contemplated within the mandate of the County Assembly under the Constitution. The County Assemblies have their Mandate limited to the devolved functions.

ii) What to expect in a Committee

- a) Communication with the Executive;
- b) Cooperation with other committees within the legislature;
- c) Institutional memory;
- d) Strengthening the link with other oversight bodies; and
- e) Neutrality in the performance of its functions.

iii) Etiquette for Members

Meeting Etiquette refers to codes of behavior an individual ought to follow while attending meetings and discussions. This earns respect and appreciation. The following were some of the shared etiquettes: -

- o Members not attend to phone calls during meetings unless it is an emergency;
- o Members to observe punctuality in meetings- never be late for meetings;
- o Be a good listener;
- o Members should not convert the meeting room into a battle ground. Speak politely and do respect your colleagues; and
- o Members to attending meeting in official attire - never attend meetings in casuals.

3.4 Consideration of Bills, Petitions, Statements, Reports and Site Visits

The presentation covered procedures and practices in executing Committee mandates in line with consideration of Bills, Petitions, Statements, Reports and Site visits.

3.4.1 Consideration of Bills in the Committee

I. Consideration of Bill (During Pre-publication period)

Pursuant to Standing Order 125 the Committee undertakes the following; -

- o The committee scrutinizes a Bill within 21 days upon referral by the Speaker.
- o The committee examines the proposal and seeks the views of the sponsor and the relevant County Executive Committee Member on the likely impact, effect, outcome and consequence of the legislative proposal and

- The Committee may in consultation with the sponsor of the legislative proposal, suggest variations with a view to improving the legislative proposal, but the sponsor is not bound to incorporate such variations.
- After expiry of the 21 days, the Speaker may direct the publication of the Bill, with or without the pre-publication scrutiny report of the committee.

II. Consideration of Bill (First Reading)

Pursuant to Standing Order 134

Once a Bill is read a first time, it is committed to the relevant Sectoral Committee which, among others, is expected to conduct public hearings and then prepare a report to the Assembly within 20 calendar days.

The report is then tabled in the Assembly which guides the Assembly in its deliberations on the Bill. It contains proposed amendments by the Committee.

3.4.2 Consideration of Petitions

In consideration of Petition the Committee undertakes the following procedures Pursuant to Standing Order 221: -

- The Assembly refers Petitions to the relevant Sectoral Committee;
- In not more than 45 calendar days from the time of reading the prayer, respond to the petitioner(s) by way of a report;
- The Petition Report is laid on the Table of the Assembly and not debated upon although the Speaker may, in exceptional circumstances, allow comments or observations but this is limited to not more than 20 Minutes; and
- The Clerk shall, within 15 days of the decision of the Assembly, in writing, notify the petitioner(s) of the decision of the County Assembly on the petition.

Committee Processes Involved:

- The Committee Clerk through Consultations with the Chairperson creates timelines/Schedule for the Committee to adopt in working on the Petition;
- The Committee invites the stakeholders likely to be interested in the Petition;
- Conduct hearings with the Petitioner and Witnesses;
- Committee can proceed to writing the Report;
- The report must be adopted by the Committee members in a sitting; and
- Thorough proof reading is required and the must sign the report.

3.4.3 Consideration of Statements

Participants were taken through procedures undertaken when Statement requested is committed to relevant Assembly Committees for response pursuant to Standing Order 47 (2) (c); procedures are; -

- A Member requests for statement on particular matters of interest;
- The relevant officer of the County Executive under whose purview the matters raised in the Statement fall, should be invited to a meeting of the Committee to deliberate on the Statement;

- The Member who requested for the Statement shall be invited when the Committee is deliberating on the matter;
- The Chairperson of the Committee shall report to the Assembly the Committee's consideration of a Statement request on the progress; and
- A response to a Statement as tabled by a Chairperson of a Committee may not be debated, unless the Speaker directs so for the convenience of the Assembly.

3.4.4 Conduct of Site Visits

The presenter stated that the Committee should be able to conduct site visits to ascertain issues raised during its meetings or statements requested by Hon. MCAs in the Chamber. The information gathered from the site visits informs the Committees report on the matter under inquiry. Examples of Visits can be to County children facilities, early childhood education centres and vocational training centres in the County among others.

The Secretariat is expected to:

- Coordinate and obtains authority from the Speaker on advice by the Clerk;
- Do all the logistical arrangements which include availing transport for Members and informing the local administration of the visit to ensure Security for Members; and
- Coordinate with the County Executive to have technical officers to accompany the Committee.

3.4.5 Consideration of Committee Reports

The Presenter stated that the Committee's work is communicated through the reports it tables *including half year reports*.

The half year progress report usually addresses the following issues: -

- Bills Committed to the Committee,
- Statement requests,
- Petitions,
- Inquiries/ investigations,
- Studies from field visits
- The Committee findings and recommendations to the Assembly are critical when the Assembly adopts the Committee report.
- When Assembly adopts the report, the recommendation gets the force of a formal Assembly's resolution.
- Therefore, the Assembly will have monitored County Executive compliance with these recommendations through the Select Committee on Implementation.

3.4.5.1 Types of Reports

The Presenter highlighted the following Committee Housekeeping Reports:

- Half year reports;
- Annual Reports;
- Progress reports;
- Situational Reports; and
- Legacy report

3.4.5.2 Key Components of a Report

The Presenter shared some of the key components of a report which include: - Cover Page; Executive Summary / Preface; Background; Main Body – capturing the detailed proceedings undertaken by the Committee on the issue at hand; Observation; Findings; and Recommendations.

3.4.5.3 Qualities of a good Report

The Presenter further stated that a good Committee report should contain the following qualities: -

- Factual – based on facts, verified information and valid proofs;
 - Clear and Easily understandable – non colloquial language;
 - Free from errors and duplication;
 - Facilitates right decision making;
 - Result focused and result oriented;
 - Well organized and structured;
 - Ethical reporting style; and
 - Timely prepared and tabled in the Assembly
-
- ❖ In consideration of a Committee report, the presenter stated that inquiries result in a report to the County Assembly, with recommendations to the relevant departments, the wider government and other institutions. That once collection of evidence is concluded, a draft Report is prepared and shared with Members for consideration. Confidentiality among members on the content of the draft report is paramount until it is tabled in the Assembly;
 - ❖ The Committee Chair is responsible for presenting the draft report for consideration by the Committee. The Chair also leads the consideration of the report paragraph by paragraph to make decisions. Suitable amendments proposed by members, if any, are drafted, discussed and decided on through consensus or taking a vote upon the Chair putting the questions;
 - ❖ Members opposed to the Report to register dissenting view/minority report (SO 196);
 - ❖ Members adopt the report and append their signatures to confirm their approval. Adoption is by a majority of the membership of the Committee. Chair Signs the report and staff facilitate processing for tabling including preparing paper laid and notice of motion for debate;
 - ❖ Chair to table the report in the Assembly together with a Motion for adoption;
 - ❖ That Committee Members should support the Chair/Vice Chair by seconding Motion for adoption of the Committee Reports; be present and contribute to the Motion on adoption of Committee Reports in the Assembly and support the adoption of the Report (by lobbying and negotiations).

3.4.5.4 Committee Recommendations in a Report

- In drafting a Committee report, the Presenter stated that wording of recommendations should be Specific, Measurable, Attainable, Result oriented and with Timelines of implementation. He further stated that recommendations should

not be advisory in nature e.g CEC Finance should put in place austerity measure to ensure that approved budgets are allocated to spending units in time. On the other hand, spending units must ensure that funds allocated to them are utilized optimally and in time.

N/B: The presenter informed the Committee that the nature of these far-reaching resolutions that are in some nature non-committal can provide room for government agencies not to act as quickly and satisfactorily as they should and that Without specific timelines on the recommendations, the Assembly is likely to find it difficult to properly track the County Government's implementation of its directives and because of their broad nature end up not being the responsibility of any of the members of the executive and therefore likely to be ignored.

- **Assigning Responsibility** – all recommendations should assign actors. The presenter stated that although implementation of a resolution falls primarily on the C.E.C Member responsible, many a times is carried out by a number of actors within the Department. By Spelling out the responsibility of each actor in fulfilling these indicators dismisses the air of non-committal and generalization and also holds each actor to account.
- **Timings for report back** – providing timelines for report back that will be captured in the indicators of implementation places linkage and responsibilities for action and adoption. Have timelines in implementation of the recommendations.

3.4.6 Conduct of Inquiry

The presenter briefed the Committee on the conduct of inquiry by stating that an inquiry means an investigation into a matter, seeking information by questioning or interrogation.

A Committee inquiry is the reflection of parliament's constitutional role in overseeing the government. It is tool for the Executive to account. All Committees can conduct inquiries into matters within their mandate.

3.4.6.1 Sources of Inquiries

The Presenter stated that inquiries may emanate from the following sources: -

- Assembly resolution;
- A Committee resolution;
- Speaker's direction; and
- External interest groups and members of the public (through Public Petitions).

He stated that an inquiry can be conducted by an Ad Hoc Committees established by the Assembly; Select Committees on matters within their jurisdiction or Joint Committees on subjects of inquiry that fall within the mandate of more than one Committee.

3.4.6.2 the process of conducting an inquiry

The Presenter briefed the Committee on the process of conducting an inquiry as follows: -

- ❖ Decision to conduct an inquiry;
- ❖ Terms of reference, drafting of work plan (witness list);
- ❖ Briefing of Committee Members;
- ❖ Collecting evidence (hearing witnesses, field visits, expert opinion /advice);
- ❖ Drafting of report;
- ❖ Adoption of Committee report;
- ❖ Presentation and tabling of report for adoption by the County Assembly; and
- ❖ Implementation of Committee recommendations.

3.4.7 Parliamentary Study Visits

The Presenter stated that parliamentary study visits involves Parliamentary diplomacy, Benchmarking on best practices (oversight and projects/consideration of Bills) and capacity building. The Parliamentary study visit process involves the following: -

- ✚ Identifying the objective of the field visit/Committee resolution;
- ✚ Identifying who will undertake the visit/ Delegation /Sub Committee/concept note and dates of travel;
- ✚ Inform the Principal Secretary, Ministry of Foreign Affairs (request relevant Kenyan Embassy to arrange the visit);
- ✚ Obtain authority to hold sitting outside Parliament after confirmation by the host;
- ✚ Briefing of the delegation/Sub Committee;
- ✚ Organizing logistics (Visa, travel /health insurance, imprest, accommodation, airport travel/transport, Authority to travel; and
- ✚ Committee report.

4.0. BUDGET MAKING PROCESS

The County Assembly Budget Officer (Mr. Musa Senator) took the Committee through key budget documents and the role of the Committee in the budget making process. He briefed the Committee on key budget documents such as;

- Sectoral plans (Section 109 of the County Governments Act, 2012);
- County Integrated Development plan (Section 108 of the County Governments Act, 2012);
- Annual Development plan (Section 126 of the Public Finance Management Act, 2012);
- County Fiscal Strategy Paper (Section 117 of the Public Finance Management Act, 2012);
- The Budget Estimates; and
- Supplementary Budget.

The officer further shared with the Committee the Sector projects as approved in the FY 2022/23.

5.0 EMERGING ISSUES AND WAY FORWARD

After a successful vigorous induction of Members of the Sectoral Committee on Children, Early Childhood Education and Vocational Training, the Committee made a number of deliberations and therefore made the following proposals;

a) Emerging issues

- Develop and adopt a work plan for the Committee taking into consideration of the expected budget documents; and
- Plan for a meeting with County Executive Committee Member, Chief Officer and Directors of Sector of Education.

b) Way forward

- ✓ Identifying more stakeholders for the Committee to work with during its lifetime;
- ✓ The Committee to work towards developing a good rapport with the County Executive for the effective operations of the Committee and the County at large;
- ✓ Plan for training of Members on the budget related issues such as budget calendar, budget documents, financial provisions in the Public Finance Management Act, 2012;
- ✓ Members to develop trust among themselves. The Committee to instill itself with some virtues such as trust, openness among others.
- ✓ Consideration of the legacy report from the previous Assembly to review the pending businesses such as legislations and reports for implementation by the County Executive;
- ✓ The Members to exercise commitment in the Committee business, being punctual and having active participation in the proceedings of the Committee; and
- ✓ The Committee to follow up on the implementation of the Sector projects and programmes as approved in the budget.

APPENDIX 1: GROUP PHOTOS



INDUCTION WORKSHOP FOR THE MEMBERS OF THE NAIROBI CITY COUNTY ASSEMBLY SECTORAL COMMITTEE ON CHILDREN, EARLY CHILDHOOD EDUCATION AND VOCATIONAL TRAINING HELD FROM 14TH TO 17TH NOVEMBER, 2022 AT CIAA RESORT, KISUMU COUNTY.

THE NAIROBI CITY COUNTY GOVERNMENT



NAIROBI CITY COUNTY ASSEMBLY
(THIRD ASSEMBLY – FIRST SESSION)

INDUCTION WORKSHOP FOR MEMBERS OF THE SECTORAL COMMITTEE ON CHILDREN, EARLY CHILDHOOD
EDUCATION AND VOCATIONAL TRAINING

14th to 17th November, 2022

AT

CIALA RESORT

KISUMU COUNTY

PROGRAMME

Clerk's Chambers,
County Assembly of Nairobi,
City Hall,
Nairobi, Kenya

November, 2022

Objectives:

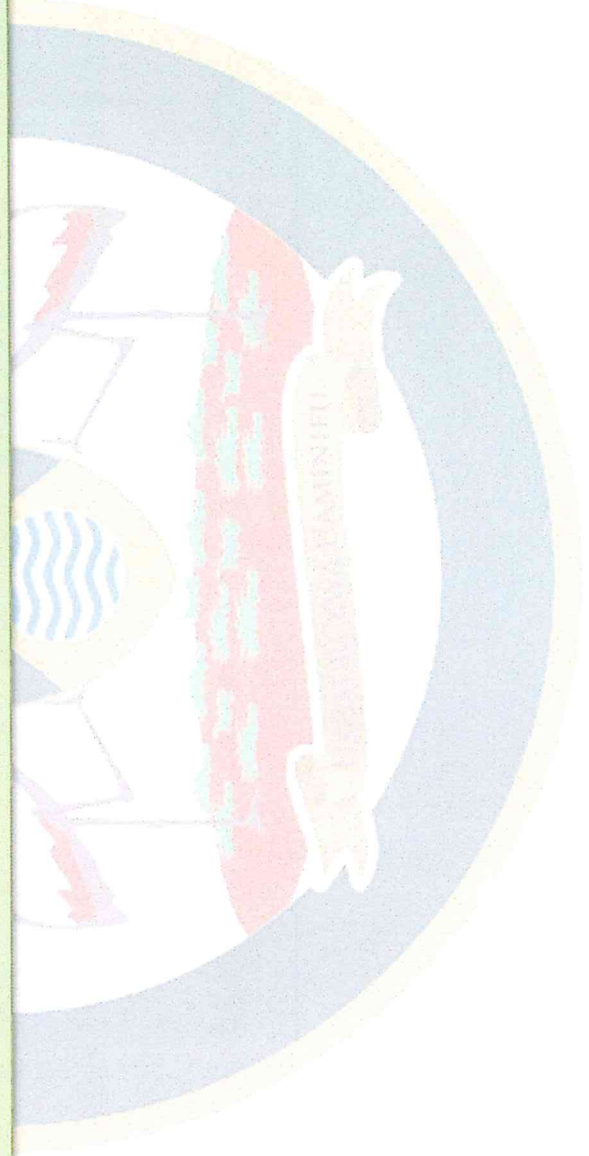
The main purpose for this training is to induct the Members of the Sectoral Committee on Children, Early Childhood Education & Vocational Training in understanding the establishment, mandate, powers, roles and procedures in the Committee in the exercise of its mandate.

Program Sessions will be delivered via a combination of the following methodology: -

- Slides
- Lectures
- Discussion
- Group Exercise
- Brainstorming
- Demonstration
- Q&A Sessions/Plenary

Participants;

The retreat will be presided over by the Chairperson of the Committee, Hon. Perpetua Mponjiwa, MCA and be attended by Members of the Committee and Secretariat of the Committee.



Day 1: Monday, 14th November, 2022

Arrival of participants at the Retreat Venue

Day 2: Tuesday, 15th November, 2022

Session	Time	Event Description	Facilitator/responsibility
PRELIMINARIES			
Session 1	8:00- 08:30am	Registration	Nairobi City County Assembly
		Remarks by the Clerk	
		Remarks by the Vice-Chairperson	The Hon. Kennedy Swaka, MCA
	9:00-10:00a.m.	Welcome remarks by the Chairperson and Official Opening of the Workshop	The Hon. Perpetua Mporiwa, MCA
		Round of introductions	
		<ul style="list-style-type: none">✓ Overview of the Workshop✓ Adoption of the programme✓ Setting of objectives✓ Expectations	
10:00am - 10:30am			
Health Break and Group Photograph			
AN OVERVIEW OF THE ROLE OF A LEGISLATURE AND COMMITTEES IN GOVERNANCE			
Session	Time	Topic	Facilitator/responsibility
Session 2	10.30 – 11.30am	Topic 1: Introduction <ul style="list-style-type: none">✓ Background of the workshop✓ The nexus between the two levels of government and legislatures✓ Legal underpinning and anchoring County governments, county Assemblies and Assembly Committees✓ Role of the County Executive vs the role of County Assemblies	Session Chair: Hon. Kennedy Swaka, MCA – Vice-Chair Facilitator

		✓ Key Offices in the County Assembly i.e the service and the political establishment	
Session	Time	Event Description	Facilitator/responsibility
Session 3	11.30 - 12.30pm	Topic 2: Rationale, Value and Purpose Assembly Committees ✓ What are Committees ✓ Why Committees ✓ Establishment and Classification ✓ Role of Committees in oversight, legislation and representation ✓ Mandate of the Committees ✓ Powers and privileges of Assembly Committees and the underpinning ✓ Administrative support to Committees ✓ Membership of Committees and roles ✓ Committee leadership and their roles	Session Chair: The Hon. Diana Katile, MCA Facilitator:
	12.30– 1.00pm	Plenary Session	
	1.00 – 2.00 pm	Lunch Break	
Session	Time	Event Description	Facilitator/responsibility
MANAGEMENT AND ADMINISTRATION OF COMMITTEE			
Session 4	2.00-4.00pm	Topic 3 Management and Administration of Committee ✓ Nomination of Members to the Committee ✓ Constitution and composition of Committees ✓ Conduction of Election of the Chairperson ✓ Chairing of the Committee ✓ Notices for Sittings ✓ Sittings of the Committee ✓ Quorum ✓ Frequency of Sittings ✓ Failure to attend sittings ✓ Absence of Chairperson ✓ Sitting arrangement in meetings ✓ Order and procedure during meetings	Session Chair: Hon. Eutyachus Mukiri, MCA Facilitator:

	4.00 – 4.30pm	Plenary Session	
	4.300-5.00pm	Tea Break and end Day 2	

Day 3: Wednesday, 16th November, 2022

Session	Time	Event Description	Facilitator/responsibility
MANAGEMENT AND PROCEDURE IN COMMITTEE			
Session 5	9.00 – 10.30am	Topic 4: Management and Administration of Committees <ul style="list-style-type: none"> ✓ List of Attendance ✓ Attendance by Non-Members of the Committee ✓ Vote of No Confidence in the Chairperson ✓ Discharge of Members from the Committee ✓ Members adversely mentioned not to sit ✓ Disqualification from chairing Committees ✓ Voting ✓ Powers, immunities and Privileges of the Committee and their limitations ✓ Engagement of Experts ✓ The roles of Chairperson, the Members and the Secretariat in a Committee ✓ Other technical staff in Committees ✓ Procedure for invitation and Summoning of Witnesses to the Committee 	Session Chair: Hon. Jared Akama, MCA Facilitator:
	10.30-11.00am	Tea Break	
Session 6	11.00 –11.30	Topic 5: Effective Management of Committee <ul style="list-style-type: none"> ✓ Management of visiting delegations to Committee ✓ Organizing events; Workshops and Conferences for Committee ✓ Conducting Public Hearings ✓ Organization of foreign visits ✓ Organizing site visits ✓ Processing of statements by Committee 	Session Chair: Hon. Hellen Awuor, MCA Facilitator: Mr.

		<ul style="list-style-type: none"> ✓ Processing of petition by Committee ✓ Processing of Bills by Committee ✓ Processing Statutory Instruments ✓ Role of Committees in budget process ✓ Committee processing reports 		
Session 7	11:30-11:45	Topic 6: To focus on procedure on: <ul style="list-style-type: none"> ✓ Motions ✓ Statements ✓ Inquiries and site inspection visits ✓ Bills ✓ Petitions ✓ Sessional papers/policy ✓ Reports of Controller of budget and Auditor general ✓ Committee reports 		Session Chair: Hon. Abel Atito, MCA Facilitator:
Session 8	11:45-12:15pm	Topic 7: Communication, Drafting Reports and Minutes of Committees <ul style="list-style-type: none"> ✓ Elements of Effective Communication ✓ Keys Parts of a Committee Report 		Session Chair: Hon. Tricer Jeptoo Ayabei, MCA Facilitator:
Session 9	12:15- 1:00pm	Topic 8: To focus on: <ul style="list-style-type: none"> ✓ The mandate of Sectoral Committee on Children, Early Childhood Education and Vocational Training ✓ Relationship with key stakeholders ✓ Engagement with the County Executive and other stakeholders ✓ Presentation of highlights of legacy report 		Session Chair: Hon. Carrington Heho, MCA Facilitator:
	1:00 –2.00pm	LUNCH BREAK		
Session	Time	Event Description	Facilitator/responsibility	
Session 10	2.00-2.30pm	Topic 9: To focus on budget process: <ul style="list-style-type: none"> ✓ Highlights on key budget documents ✓ Key timelines regarding the documents ✓ Procedure in the Assembly and Committees ✓ Role of Committees in oversight 	Session Chair: Hon. Agnes Wambui, MCA Facilitator:	
	2:30-2:40pm	Plenary session		

Session 11	2.40 – 4.00 pm	RECAP AND WAY FORWARD OFFICIAL CLOSURE AND END OF WORKSHOP	Session Chair : The Chairperson
	4.00-5.00pm	Tea Break and end Day 3	
Day 4: Thursday, 14 th November, 2022			
DEPARTURES			
END OF THE PROGRAM			

Programme Co-coordinator: Mr. Kevin Wasike – Senior Clerk Assistant - 0724877971

MINUTES OF THE 9TH SITTING OF THE NAIROBI CITY COUNTY ASSEMBLY SECTORAL COMMITTEE ON CHILDREN, EARLY CHILDHOOD EDUCATION AND VOCATIONAL TRAINING HELD ON TUESDAY, 6TH DECEMBER, 2022 AT 12.00 NOON IN COMMITTEE ROOM TWELVE (12), CITY HALL BUILDING.

PRESENT

1. Hon. Perpetua Mponjiwa, MCA – Chairperson
2. Hon. Kennedy Swaka, MCA – Vice-Chairperson
3. Hon. Naomi Kerubo Bosire, MCA
4. Hon. Absalom Odhiambo Onyango, MCA
5. Hon. Eric Kiogora Murigu, MCA
6. Hon. Rachel Wanjiru Maina, MCA
7. Hon. Hellen Awuor Okello, MCA
8. Hon. Jared Akama Ondieki, MCA
9. Hon. Diana Katile Mwangangi, MCA
10. Hon. Lily Akoth Kidenda, MCA
11. Hon. Robert Mbatia, MCA
12. Hon. Maurice Ochieng Onyango, MCA
13. Hon. Hannah Wanjiku Muriuki, MCA
14. Hon. James Karanja Karis Kariuki, MCA
15. Hon. Tricer Jeptoo Ayabei, MCA
16. Hon. Peter Oweru Oluoch, MCA

ABSENT WITH APOLOGY

1. Hon. Abel Osumba Atito, MCA
2. Hon. Carrington Gichunji Heho, MCA
3. Hon. Gerald Mukuru Irungu, MCA
4. Hon. Agnes Wambui Njeri, MCA
5. Hon. Waithera Chege, MCA
6. Hon. Fredrick Njoroge Njogu, MCA
7. Hon. Eutychus Mukiri Muriuki, MCA

SECRETARIAT

1. Mr. Kevin Wasike – Snr. Clerk Assistant

MIN.01/SC-CEV/DEC/2022 – PRELIMINARY

The Chairperson called the meeting to order at fifteen minutes past Twelve O'clock and the opening prayers were said by Hon. Naomi Kerubo, MCA. The Chair then welcomed the Members present to the meeting and read the agenda which was adopted for discussion as proposed by Hon. Hannah Wanjiru, MCA and seconded by Hon. Peter Oweru, MCA as follows: -

- a) Preliminaries (prayers & adoption of the Agenda);
- b) Confirmation of Minutes – 8th Sitting;
- c) Matters Arising;

d) Consideration of the Draft Report on the induction workshop of the Committee held from 14th to 17th November, 2022 at Ciala Resort, Kisumu County;

a) A.o.B; and

b) Adjournment

MIN.02/SC-CEV/DEC/2022

– CONFIRMATION OF MINUTES

The Secretariat took the Committee through the Minutes of the 8th Sitting held on 30th November, 2022. The Minutes were confirmed to be true record of the proceedings as proposed by Hon. Diana Katile, MCA and seconded by Hon. Hannah Wanjiru, MCA.

MIN.03/SC-CEV/DEC/2022

– MATTERS ARISING

Reference was made to MIN.25/SC-CEV/NOV/2022 on the resolution to undertake an inquiry on the increased presence of street children in various parts of the County where the Committee was to develop the terms of reference for the inquiry. A Member was concerned with the age bracket of the children to be considered. It was noted that it was under the Committee's mandate to consider all matters of children welfare. Therefore, children's age bracket was 0 to 17 years. The Committee resolved to commence the inquiry immediately when Committees resume sittings after the Christmas Holiday.

Further reference was made to MIN.25/SC-CEV/NOV/2022 on the Committee's resolutions to suspend establishment of Ward Bursary Committees and the Executive to commence issuance of Bursary Forms to the elected Members of the County Assembly. The Chair informed the Committee the matter was being handled by the County Assembly Leadership headed by the Majority Leader and that Members were to receive the forms in due time. The Chair further briefed the Committee on the conflicting provisions of Section 13 of the Bursary Regulations, 2021 and Section 24 of the Bursary guidelines, 2021.

MIN.04/SC-CEV/DEC/2022

– CONSIDERATION OF THE DRAFT REPORT ON THE INDUCTION WORKSHOP OF THE COMMITTEE HELD FROM 14TH TO 17TH NOVEMBER, 2022 AT CIALA RESORT, KISUMU COUNTY

The Secretariat tabled the Draft Report on the induction workshop of the Committee held from 14th to 17th November, 2022 at Ciala Resort, Kisumu County. the Chairperson took the Committee through the report for deliberation. The Committee deliberated on the report and adopted it for tabling in the Assembly as proposed by Hon. Peter Owera Oluoch, MCA and seconded by Hon. Lily Akoth Kidenda, MCA.

MIN.05/SC-CEV/DEC/2022

– A.o.B

Organizations to partner with the Committee – a Member informed the Committee she had a preliminary engagement with some stakeholders such as Teach for All, Save the Children, Plan International to partner with the Committee for the betterment of the County in terms of Education and Children Welfare. The engagement with such interested partners was to be made officially.

There being no other business and the time being One O'clock, the Chairperson adjourned the meeting. The next meeting was to be held on Wednesday, 7th December, 2022 at 12.00 noon.

CONFIRMED AS TRUE RECORD OF THE PROCEEDINGS

SIGNATURE 

(Chairperson)

DATE..... 7/12/2022

