

GOVERNMENT OF NAIROBI CITY COUNTY



THE NAIROBI CITY COUNTY ASSEMBLY

OFFICE OF THE CLERK

THIRD ASSEMBLY  
(FIFTH SESSION)



NCCA/TJ/PL/2026(62)

8<sup>TH</sup> APRIL 2026

PAPER LAID

SUBJECT: REPORT OF COMMITTEE

Pursuant to the provisions of Standing Order 135 (4) and 196 (6), I beg to lay the following Paper on the Table of the Assembly, today Wednesday, 8<sup>th</sup> April, 2026

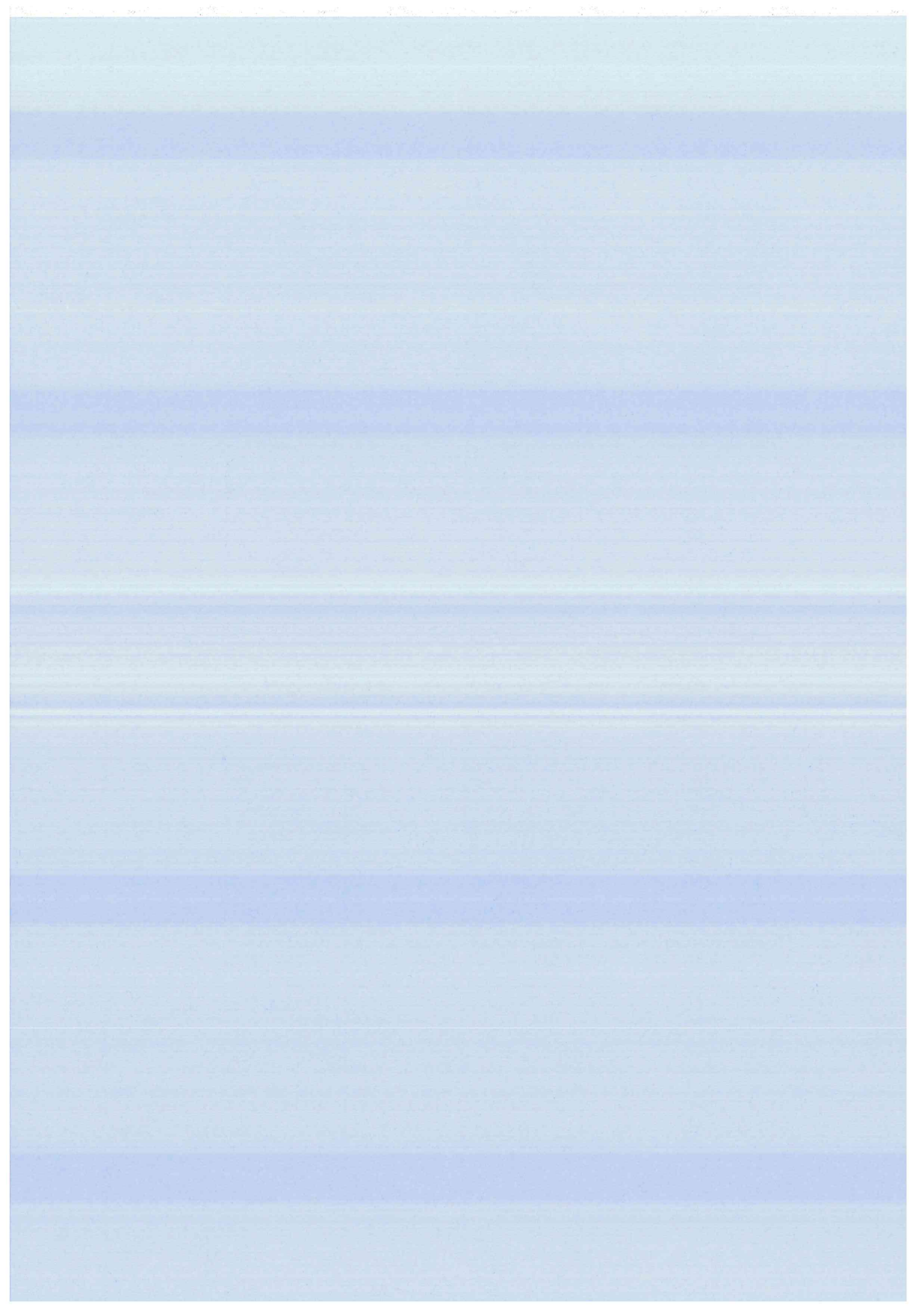
— THE REPORT OF THE SECTORAL COMMITTEE ON ENERGY AND INFORMATION, COMMUNICATIONS AND TECHNOLOGY ON THE CONSIDERATION OF THE NAIROBI CITY COUNTY CLEAN, RENEWABLE AND SUSTAINABLE ENERGY BILL, 2025 (ASSEMBLY BILL NO. 4 OF 2025)

(Chairperson, Sectoral Committee on Energy and Information, Communications and Technology)

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

*laid on  
\$/4/2026 by Hon. Fredrick  
Njogu*

*[Signature] \$/4/26*





NAIROBI CITY COUNTY ASSEMBLY  
THIRD ASSEMBLY – FIFTH SESSION

THE REPORT OF THE SECTORAL  
COMMITTEE ON ENERGY, INFORMATION, COMMUNICATION AND  
TECHNOLOGY ON THE CONSIDERATION THE NAIROBI CITY COUNTY CLEAN  
RENEWABLE AND SUSTAINABLE ENERGY BILL 2025

Clerks Chambers  
Nairobi City County Assembly  
City Hall Buildings  
Nairobi

APRIL, 2026

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## 1.0. PREFACE

### 1.1 Committee Mandates

Mr. Speaker Sir,

The Sectoral Committee on Energy, Information, Communication and Technology is established under Standing Order No. 209. Its mandate pursuant to Standing Order 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 analyse the relative success of the departments as measured by the results obtained as compared with its 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) *vet and report on all appointments where the Constitution or any law requires the County Assembly to approve, except those under Standing Order 185(Committee on Appointments); and*
- g) *make reports and recommendations to the County Assembly as often as possible, including recommendation of proposed legislation.*

Hon. Speaker Sir,

In accordance with the Third Schedule of the Standing Orders, the Sectoral Committee is mandated to consider all matters relating to: - *Sectoral Committee on Energy & ICT is mandated to consider all matters relating to: - "Electricity and gas reticulation and energy regulation, communication, information, broadcasting and information communication technology ICT management"*

## 1.2 Committee Members

The Committee comprises the following Members: -

1. The Hon. Fredrick Njogu, MCA                      Chairperson
2. The Hon. Robert Alai, MCA                      Vice Chairperson
3. The Hon. Abbas Khalif, MCA
4. The Hon. Malyun Abdi, MCA
5. The Hon. Anthony Kimemia, MCA
6. The Hon. Diana Katile, MCA
7. The Hon. Musango Maithya, MCA
8. The Hon. Rosemary Masitsa, MCA
9. The Hon. Dabar Ahmed Qadar, MCA
10. The Hon. Stephen Ndegwa, MCA
11. The Hon. Oscar Lore, MCA
12. The Hon. Ami Perez, MCA
13. The Hon. Shadrack Machanje, MCA
14. The Hon. Hamisi Maleya, MCA
15. The Hon. Jane Wanjiru, MCA
16. The Hon. Grace Muigai, MCA
17. The Hon. Brian Itenya, MCA
18. The Hon. Kame Adano, MCA
19. The Hon. Jeremiah Themendu, MCA
20. The Hon. Mark Thiga, MCA
21. The Hon. Simon Mugo, MCA
22. The Hon. Beatrice Wandai, MCA
23. The Hon. Rachel Maina, MCA

## 2.0 EXECUTIVE SUMMARY

### 2.1 Background

**Hon. Speaker Sir,**

Nairobi makes a large contribution to the national GDP generating over 60% of Kenya's GDP. This growth trend has resulted in deterioration of the city's air quality, posing a threat to the environment and the health and wellbeing of Nairobi City County residents, visitors and its neighbors.

A transition to clean, renewable energy is crucial for mitigating climate change, improving public health, and fostering a sustainable future. Shifting away from fossil fuels, which are major contributors to greenhouse gas emissions, is essential to curb global warming and its associated impacts. Renewable energy sources like solar, wind, and hydropower offer a cleaner alternative, reducing air and water pollution and promoting a healthier environment.

A more detailed look at the importance of this transition shows that:

#### 1. Mitigating Climate Change:

- Reducing Greenhouse Gas Emissions:

Fossil fuels release significant amounts of carbon dioxide and other greenhouse gases when burned, contributing to the greenhouse effect and global warming. Renewable energy sources, like solar and wind, produce little to no greenhouse gas emissions, helping to slow down climate change.

- Stabilizing Global Temperatures:

By reducing greenhouse gas emissions, we can limit the increase in global temperatures, preventing extreme weather events, rising sea levels, and other harmful consequences of climate change.

#### 2. Improving Public Health:

- Reducing Air and Water Pollution:

Fossil fuel combustion is a major source of air and water pollution, leading to respiratory problems, cardiovascular diseases, and other health issues. Renewable energy sources,

particularly solar and wind, produce minimal pollution, improving air and water quality and promoting public health.

#### Avoiding Health Impacts of Fossil Fuel Extraction and Processing:

The extraction and processing of fossil fuels can also have negative health impacts, such as respiratory problems from coal mining or water contamination from oil spills. Switching to renewable energy avoids these risks.

### 3. Fostering Sustainability:

#### Conserving Natural Resources:

Fossil fuels are finite resources, and their extraction and use can lead to resource depletion and environmental degradation. Renewable energy sources, such as solar and wind, are virtually inexhaustible, ensuring a sustainable energy supply for the future.

#### Promoting Energy Independence:

Relying on renewable energy sources can reduce a country's dependence on imported fossil fuels, enhancing energy security and economic stability.

#### Creating Economic Opportunities:

The renewable energy sector can create new jobs in manufacturing, installation, and maintenance, driving economic growth and diversification.

### 4. Enhancing Energy Security:

#### Diversifying Energy Sources:

A transition to renewable energy diversifies the energy mix, reducing reliance on a single source (like fossil fuels) and making the energy system more resilient to disruptions.

#### Localizing Energy Production:

Renewable energy sources can be deployed locally, reducing reliance on centralized power plants and promoting energy independence at the community level.

In conclusion, the transition to clean renewable energy is not just an environmental imperative, but also a critical step towards a healthier, more sustainable, and economically stable future for all.

Hon. Speaker Sir,

The development of the Nairobi City County Clean Renewable and Sustainable Energy Bill, 2025 forms part of the strategy development to reduce the growing challenges of air and water pollution, Localizing Energy Production, Conserving Natural Resources, Avoiding Health Impacts of Fossil Fuel Extraction and Processing, Reducing Greenhouse Gas Emissions among other benefits.

**Hon. Speaker Sir,**

Thus, to counter these challenges, Hon. Jeremiah Themendu, MCA for Kayole Central came up with sound legal framework to address the problems in order to provide institutional and legal framework as well as cure the gaps experienced in similar pieces of legislations to provide panacea to the endemic problem caused by fossil fuels.

**Hon. Speaker Sir,**

The Nairobi City County Clean Renewable and Sustainable Energy Bill, 2025 was read a First Time on Tuesday 18<sup>th</sup> November, 2025 and thereafter committed to the Sectoral Committee on Environment and Natural Resources for consideration pursuant to Standing Order 135.

**Hon. Speaker Sir,**

Pursuant to Article 196(b) of the Constitution of Kenya and Standing Order 135(3) which require public participation in the legislative and other business of the Assembly and its Committees, the Committee placed a notice in the local dailies calling for any representations and amendments/ memoranda from the public on the Bill and a physical public participation at Charter Hall, City Hall Building on Wednesday 21<sup>st</sup> January 2026.

Further, the Committee also identified key stakeholders to the subject matter of the Bill and invited them to either submit their comments or attend public participation meeting at in Charter Hall, City Hall Buildings where they could give their views on the Bill.

Following the notice and the invitations, the Committee received written memoranda from the following stakeholders;

Nairobi City County Government;

Just Energy Transition Africa Initiative;

C40 Cities; and

Earth Justice.

The Committee held meetings and a retreat to consider the Bill and all representations received. The stakeholders who presented memoranda were agreeable in principle with the Bill although they proposed amendments to various clauses.

Hon. Speaker Sir,

The Committee proposed amendments to the Bill in Clauses 2, 3, 4, 5, 8, 9, 10, 11, 12, 14, 15 and 17. The amendments are aimed at ensuring that all aspects of clean renewable and sustainable energy management in the County are covered, execution of the Bill is easily attained and the concerns of the stakeholders are catered for.

#### 2.1.1 Legislative powers of the County Assembly

Hon. Speaker Sir,

Article 185 of the Kenya's Constitution state that:-

- 1) The legislative authority of a county is vested in, and exercised by, its county assembly.
- 2) A county assembly may make any laws that are necessary for or incidental to, the effective performance of the functions and exercise of the powers of the county government under the Fourth Schedule.
- 3) A county assembly, while respecting the principle of the separation of powers, may exercise oversight over the county executive committee and any other county executive organs.

Hon. Speaker Sir,

Further, the County Governments Act, 2012 provides that; -

(1) A county assembly shall exercise its legislative power through Bills passed by the county assembly and assented to by the governor.

(2) A Bill may be introduced by any member or committee of the county assembly, but a money Bill may be introduced only in accordance with subsection (4).

## 2.2 Acknowledgement

Hon. Speaker Sir,

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 in the consideration of this crucial Bill.

Hon. Speaker Sir,

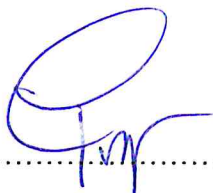
Finally, much thanks to the Members of the Committee, and the Secretariat particularly for their dedication, untiring commitment and valuable contributions during the consideration of this Bill.

Hon. Speaker Sir,

On behalf of the Committee, I now have the honor and pleasure to present the Report of the Committee on the Nairobi City County Clean Renewable and Sustainable Bill, 2025 report.

Thank You.

SIGNED .....



DATE 8/04/2026

HON. FREDRICK NJOGU, MCA (CHAIRPERSON)

### 3.0 COMMITTEE CONSIDERATION OF THE NAIROBI CITY COUNTY CLEAN RENEWABLE AND SUSTAINABLE BILL, 2025

While examining the Bill, the Committee noted the following:

i. The principle objectives of the bill seeks to;

Promote the production of energy through the use of renewable energy sources in accordance with climate, environment and macro-economic considerations in order to reduce dependence on fossil fuels, ensure security of supply and reduce pollutants and other greenhouse gases.

Ensure fulfilment of the county and national objectives on increasing the proportion of energy produced through the use of renewable energy sources;

Establish a board reasonable for spearheading the and champion for clean and sustainable energy;

Set up the necessary institutional structure for the implementation of the long-term energy strategy.

ii. PART I- PRELIMINARY

Clause 1 gives the short title of the Act.

Clause 2 Gives the interpretations of various words used in the Act. Like the definition of clean energy to mean that which comes from renewable zero emission sources that do not pollute the atmosphere when used, renewable energy to mean non fossil energy generated from natural non depleting resources including but not limited to solar, wind, biomass, hydro and geothermal energy. It also defines the word sustainable to mean that can maintain current operations without interfering with the energy needs or climate of future generation.

Clause 3 Deals with the purpose and object of the Act which includes:

Promote the production of energy through the use of renewable energy sources in accordance with climate, environment and macro-economic considerations in order to reduce dependence on fossil fuels, ensure security of supply and reduce pollutants and other greenhouse gases.

Ensure fulfilment of the county and national objectives on increasing the proportion of energy produced through the use of renewable energy sources;

Establish a board reasonable for spearheading the and champion for clean and sustainable energy;

Set up the necessary institutional structure for the implementation of the long-term energy strategy.

Clause 4 states that the Act shall be applied together with all other laws that deal with clean, renewable and sustainable energy.

### iii. PART II- GENERAL FUNCTIONS AND RESPONSIBILITIES OF THE COUNTY GOVERNMENT ON RENEWABLE ENERGY

Clause 5 Provides for the functions and role of the county government in respect of clean and renewable energy to include county energy planning, physical planning relating to resource areas such as dams, municipal waste dumpsite, provision of land and right of way for energy infrastructure, adoption of customized national codes, collection and maintenance of energy data, undertake feasibility studies, establishment of energy centres for promotion of renewable energy technologies, protection of energy infrastructure.

Clause 6 provides for the collaboration with the national renewable energy corporation for the development, promotion and management in collaboration with the agencies and the use of the renewable energy technologies.

Clause 7 provides for the development of the energy plans in line with section 5 of the energy act as provided in the national energy act.

Clause 8 the CECM shall develop and submit to the CS Energy the county energy plan.

Clause 9 provides the collaboration between CECM and CS developing a conducive environment for promotion of investment in energy infrastructure development to include formulation of guidelines for development of energy projects and dissemination of the guidelines among potential investors in accordance with the energy Act. The clause further provides that the county government shall collaborate with the national government in the facilitation of the acquisition of land and energy infrastructure development in accordance to the law.

Clause 10 this clause establishes the renewable energy maintenance unit for coordinating renewable energy activities within the county and maintenance and inspection of infrastructure. The clause further provides that the CECM shall make regulation for the

composition and operationalisation of the unit and expenses of the unit shall be met out funds voted for the purpose by county assembly.

Clause 11 provides the measures county government to promote investment and use of clean and renewable energy they include

Development of incentives to users and investors in renewable and sustainable energy sources.

Periodic detailed analysis to understand the existing local market for building scale renewable energy, market study and identifying gaps and obstacles preventing private investment and identifying policy areas to address the gaps.

Incentives to promote economic development in local industries to increase access to affordable energy and wealth creation in low income communities. Eg. (property tax assessment),

Incentives to private sectors to support programmes for the adoption and generation of clean renewable energy.

Streamline approval process for renewable installations below certain size to encourage building scale projects.

Establish clear permitting criteria for renewable energy projects to reduce risk for developers.

### PART III NAIROBI CITY COUNTY RENEWABLE ENERGY BOARD

Clause 12 provides for the establishment of the board comprising of the chair and 3 other persons (appointed by governor and approved by assembly) chief officer for matters relating to energy and director renewable energy maintenance unit. Members of the Board may be removed from office for violations of the constitution, gross misconduct, physical and mental incapacity, incompetence and bankruptcy. Members of the board shall serve for a term of 3 years' renewable once.

Clause 13 provides for the remuneration of the members of the board, the expenses of the board shall be met by the funds voted for the purpose by the county assembly. And the remuneration shall be determined through consultation with SRC and CECM finance.

Clause 14 provides for the functions of the board (maintenance unit will provide secretarial services to the board)

Advise the county government on the short- and long-term energy strategy of the county.

Source additional funds for renewable energy activities and investment within the county.

Develop master plans in consultation with the other relevant county government departments.

Advise the county government on the provision of incentives for low carbon technologies, private sector participation.

Advise the county government on the implementation of county climate change mitigation policies and strategy that aim to reduce greenhouse gas emission.

Advise the county government on tax incentives to consumers for conservation and installed energy efficiency and tax holidays for clean power producers

Set code references for energy conservation and energy audit procedures for all new non-residential buildings

Establish mechanisms for training and capacity building of clean renewable energy in collaboration with other institutions and higher learning.

Clause 15 provides for annual report to be submitted within three months after the end of each financial year.

#### PART IV OF THE BILL PROVIDES FOR THE NAIROBI CITY COUNTY CLEAN RENEWABLE AND SUSTAINABLE ENERGY FUND.

Clause 16 provides the establishment of the fund the clause further provides for the source of the fund to include

Monies appropriated by the county assembly

Donations

Accruals of the fund in the course of the performance of the functions of the board.

The clause further provides that the fund shall be managed in accordance to the PFM ACT and the CECM finance shall designate a person responsible for administering the fund in accordance to the provisions of the PFM Act.

Clause 17 provides for what the fund will be used for

Financing the construction expansion and modernisation of renewable energy projects including solar, wind and other facilities.

Supporting grid integration and development of sustainable energy storage solutions to improve reliability and efficiency.

Funding scientific research and innovations that enhance energy efficiency affordability and accessibility,

Supporting the development of clean energy technology.

Providing financial assistance and incentives for households and businesses to adopt sustainable energy efficient appliances.

Supporting education, training and workforce development programs in renewable energy sectors

Facilitating partnerships with academic institutions and industries to enhance knowledge transfers and expertise in sustainable energy fields.

#### PART V REGULATIONS

Clause 18 provides for the CECM to within 3 months of coming into operation of the act make regulations for the implementation of the Act on

Composition, functions and the manner of operation of the maintenance unit.

On criterion of granting incentives for the furtherance of the objectives of this act.

To provide for the timelines within which any action required shall be taken

On penalties for non-compliance.

On such other matter as may be necessary and expedient for the furtherance of the objectives of the Act.

The Committee proposed that the bill be amended as follows in the correct alphabetical order as proposed by Just Energy Transition African Initiative comprising of consultations from the C40 Cities and Earth Justice.

#### **4.0. SUMMARY OF THE CONSIDERATION OF THE NAIROBI CITY COUNTY CLIMATE CHANGE MANAGEMENT BILL, 2023**

The Committee deliberated on the Bill as follows;

Long Title	– proposed amendments
Short title	- Proposed amendments
Clause 2	- proposed amendments
Clause 3	- proposed amendments
Clause 4	- proposed amendments
Clause 5	- proposed amendments
Clauses 6 & 7	- Agreed to
Clause 8	- proposed amendments
Clause 9	- proposed amendments
Clauses 10	- proposed amendments
Clause 11	- proposed amendments
Clause 12	- proposed amendments
Clause 13	- agreed to
Clause 14	- proposed amendments
Clauses 15	- proposed amendments
Clause 16	-Agreed to
Clause 17	- proposed amendments
New Clause	

## 5.0 COMMITTEE STAGE AMENDMENTS

NOTICE is given that the Chairperson of the Sectoral Committee on Energy and Information, Communication and Technology, Hon. Fredrick Njogu, MCA intends to move the following amendments to the Nairobi City County Clean Renewable and Sustainable Bill, 2025 at the Committee Stage -

### LONG TITLE

THAT the Long Title of the Bill be amended as follows;

The Nairobi City County Clean Renewable and Sustainable Energy Bill, 2026

A BILL For

AN ACT of the County Assembly of Nairobi City to provide for the promotion and regulation of clean, renewable and sustainable energy within the Nairobi City County and for connected purposes.

SHORT TITLE

THAT the Short Title of the Bill be amended as follows;

The Nairobi City County Clean Renewable and Sustainable Energy Bill, 2026

CLAUSE 2

THAT the Clause 2 of the Bill be amended as follows in the correct alphabetical order;

By defining the word Renewable Energy to mean electricity, heat, non-fossil energy and all forms of energy generated from natural non depleting resources including but not limited to solar energy, wind energy, biomass energy, biological waste energy, hydro energy and geothermal energy;

By defining the word Sustainable to mean sustainable in reference to energy means derived from resources and technologies that can maintain current operations without jeopardizing the energy needs and climate of future generations.

CLAUSE 3

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

By inserting the words and distribution immediately after the word production.

By inserting the following sub-clauses immediately after sub-clause (d):

e) to ensure access to reliable, competitive, affordable electricity and clean cooking solutions for all residents of Nairobi City County;

f) to promote adoption for Productive use of Renewable Energy in Nairobi City County;

g) to promote energy efficiency and conservation in the County;

h) to create more enabling environment to enable sustainable energy investments and funds mobilization in the county;

i) Promote accessibility and availability of up to date and quality disaggregated energy data.

#### CLAUSE 4

THAT Clause 4 of the Bill be amended as follows; -

By inserting the word all immediately after the word govern

#### CLAUSE 5

THAT Clause 5 of the Bill be amended as follows; -

By deleting the word 'customized' immediately after the words adapt the.

#### CLAUSE 8

THAT Clause 8 of the Bill be amended as follows; -

By inserting the words within 24 months of the entry into force of this Bill.” immediately after the word Act.

#### CLAUSE 9

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

By inserting the words renewable” and “sustainable immediately after the words investments in.

THAT Clause 9 (2) of the Bill be amended as follows

II) Clause 9(2) by inserting the word “renewable” immediately after the word promoting.

#### CLAUSE 10

THAT Clause 10 of the Bill be amended as follows;

THAT the heading of clause 10 of the Bill be amended as follows;-

I) By deleting the word 'Maintenance' immediately after the word Energy

THAT Clause 10(1) be amended by deleting the word 'Maintenance' immediately after the word Energy.

THAT Clause 10(1)(a) be amended by deleting the word 'and' and substituting it with the word 'of'.

THAT Clause 10(2) be amended by deleting the word 'Maintenance' immediately after the word Energy.

That the Bill be amended by inserting a new Part III immediately after Clause 10 as follows "Renewable Energy Generation and Use"

#### CLAUSE 11

THAT Clause 11 of the Bill be amended as follows;

i) THAT Clause 11 is amended by inserting the words" Adopt Regulations to" immediately after the words "government shall"

ii) That sub clause a is deleted in its entirety and replacing it with a new clause 11(a) to read

11(a) "develop and implement incentives including financial and non-financial measures to promote investment in and the adoption and use of clean renewable and sustainable energy."

iii) That subclause b is deleted in its entirety and replacing it with a new clause 11(b) to read

11(b) Advance local economic development, through local job creation and energy access in local industries and neighbourhoods."

iv) That subclause c is deleted in its entirety and replacing it with a new clause 11(c) to read

(c)"Undertake periodic and comprehensive market analysis and studies to assess the local market for building scale and distributed clean renewable and sustainable energy."

v) That subclause d is deleted in its entirety and replacing it with a new clause 11(d) to read.

d)" Identify investment gaps and barriers and determine appropriate policy responses and publish the findings."

vi) That subclause e is deleted in its entirety.

vii) That subclause e is deleted in its entirety.

viii) Subclause 11(g) is amended by inserting the words “interested stakeholders including civil society organisations, communities and” immediately after the words “work with”

ix) Subclause 11(h) is amended by deleting the word certain immediately after the words “below a certain size”.

x) Subclause 11(h) is amended inserting the words as will be prescribed in regulations immediately after the word “size”

xi) Subclause 11(j) is deleted in its entirety and replacing it with a new clause 11(j) to read.

11(j) “mandate the integration of building scale renewable energy systems through green building codes by requiring new developments, residential and commercial buildings and major roof replacements to install or be designed to accommodate building scale renewable energy technologies such as solar Photovoltaic (PV) systems and solar water heating systems to provide a sustainable roofing zone covering at least 50% of the roof area in accordance with the prescribed building standards as a condition for development approval or compliance with applicable building codes.”

xii) Subclause k is deleted in its entirety.

xiii) Subclause l is deleted in its entirety.

xiv) Subclause m is deleted in its entirety.

xv) Subclause 11(n) is amended by inserting the words “building” immediately after the words “that the”

xvi) Subclause p is deleted in its entirety.

xvii) Subclause r is deleted in its entirety.

xviii) Subclause 11(s) is deleted in its entirety and replacing it with a new clause 11(s) to read. 11(s) promote and facilitate community solar projects including but not limited to jointly owned installations by resident associations for buildings unsuitable for on site solar generation due to size, shading orientation or structural limitations whether roof or ground based including installations on community buildings such as churches or schools and publicise such projects to enhance participation and access to energy.

xix) Subclause t is deleted in its entirety.

xx) Subclause v is deleted in its entirety

xxi) Subclause w is deleted in its entirety

#### CLAUSE 12

THAT Clause 12 of the Bill be amended as follows;

i) Subclause 12(2)(c) is amended by inserting the word “renewable” immediately after the words “relating to”.

ii) Subclause 12(2)(d) is amended by deleting the word Maintenance immediately after the word “energy”.

iii) Subclause 12(4) is amended by inserting the words “Chief Officer Energy and Director Renewable Energy Unit who are the” immediately after the words “other than”

#### CLAUSE 14

THAT Clause 14 of the Bill be amended as follows;

i) Clause 14(1)(c) is amended by inserting the words “and in consultation with stakeholders.” Immediately after the word departments.

ii) Clause 14 is. Amended by inserting a new subclause 14(j) to read

“The Board shall work with the relevant county department to make the Annual Reports available to the public, including through the County’s website.”

#### CLAUSE 15

THAT Clause 15 of the Bill be amended as follows

i) Clause 15(1) is amended by deleting the words” ICT and” in its entirety.

#### CLAUSE 17

THAT Clause 17 of the Bill be amended as follows

i) Subclause 17(a) is deleted in its entirety and replacing it with a new clause 17(a) to read “Finance the construction, expansion and modernization of renewable energy projects, including solar wind and other related facilities, and support the development and deployment of clean energy technologies.”

ii) Subclause 17(d) is deleted in its entirety.

iii) Subclause 17(e) and replacing it with a new clause

17(e) “provide financial assistance and other incentives to households and business to adopt productive use of renewable energy and to implement sustainable energy solutions, including solar panels and energy efficient appliances.”

iv) Subclause 17 is amended by inserting a new sub clause immediately after subclause g to read.

17(h) Finance expansion of existing and establishment of Electric Vehicle (EV) charging station.

17(i) development and implementation of integrated County Energy Plan, Strategies and policies.

17(j) finance periodic energy data collection, maintenance and updating of energy data platform.

#### NEW CLAUSE

That the Bill be amended by inserting a new Part III immediately after Clause 10 as follows “Renewable Energy Generation and Use”

### 6.0 KEY COMMITTEE OBSERVATIONS

Hon. Speaker Sir,

while examining the said Draft Bill, the Committee observed the following amongst others that;-

- i) The Bill was developed to curb various persistent challenges facing the Members of the Public in particular that threaten the health, safety, comfort, convenience;
- ii) There is urgent need to put in place governance mechanisms and regulations to promote clean renewable and sustainable energy in Nairobi City and will do so in close collaboration with the National Government and counties within the Nairobi Metropolitan Region;
- iii) It is further observed that multi-sectoral approach is recommended in transitioning from fossil fuels use to clean renewable and sustainable energy promotes mitigation of air and water pollution within the County and beyond. For instance, the Committee observed that the risks posed by air pollution are systemic and

interlinked, with major effects on human health, education, finance, urban planning and the general environment; and

- iv) Use of fossil fuels such as coal, diesel and petrol to generate power is a source of air pollutants such as nitrogen oxides, sulphur oxides, particulate matter, carbon monoxide and heavy metals. Thus, Communication, awareness raising and advocacy on the benefits of using clean energy for cooking and lighting will help the population transition from using harmful biomass fuels and kerosene. The county government should collaborate with the private sector to come up with solutions that ensure affordability of clean energy.

## 7.0 KEY COMMITTEE RECOMMENDATION

Hon. Speaker sir, having considered the aforementioned Bill, the Committee recommends that the Nairobi City County Clean Renewable and Sustainable Energy Bill, 2025 be approved with amendments.



**MATRIX OF STAKEHOLDER COMMENTS AND COMMITTEE PROPOSED AMENDMENTS TO THE NAIROBI CITY COUNTY CLEAN RENEWABLE AND SUSTAINABLE ENERGY BILL 2026**

STAKEHOLDER	CLAUSE	PROPOSED AMENDMENT	RATIONALE	COMMITTEE CONCLUSION
1. JETA	Title/ Interpretation	The terms “clean,” “renewable,” and “sustainable” have different definitions in different Kenyan instruments and internationally. Suggest defining the terms in the bill to emphasize their synergy and overlap.	<p>The Kenyan National Energy Policy draft 1 (2025-2034) refers to RE as ‘renewable energy resources, including solar, wind, geothermal, and bioenergy’. The policy uses the term clean energy but does not define it and refers to it in the context of Sustainable Development Goal 7: Affordable and Clean Energy.</p> <p>The Energy Act (2019) defines RE as: “renewable energy” means non-fossil energy generated from natural non-depleting resources including but not limited to solar energy, wind energy, biomass energy, biological waste energy, hydro energy, geothermal energy and ocean and tidal energy;”</p>	<p>Agreeable to the proposed amendment given that the National Energy Policy Draft is a guiding document, the Energy Act is the national act also providing for County Government in the role in matters of energy, Kenya is an association country of the International Energy Agency, IRENA(International Renewable Energy Agency is an intergovernmental organization with an observer status of the UN Which Kenya is a member of.</p> <p>Consider the clause to read as</p> <p>“Renewable Energy means electricity, heat, non-fossil energy and all forms of energy generated from natural non depleting resources including but not limited to solar energy, wind energy, biomass energy, biological waste</p>

		<p>IEA definition of RE: “electricity and heat derived from solar, wind, ocean, hydropower, biomass, geothermal resources, and biofuels and hydrogen derived from renewable resources.” (IEA 2002). [IEA uses the term “clean” energy also includes nuclear and CCS, and broad infrastructure and related assets, that are not relevant for Nairobi County and City.</p> <p>IRENA defines RE as all forms of energy produced from renewable sources in a sustainable manner, including bioenergy, geothermal, hydropower, ocean, solar, and wind energy.</p>	<p>energy, hydro energy and geothermal energy;</p>
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	Interpretation	Amend “sustainable” definition to read in reference to energy means energy is derived from resources and technologies that can maintain current operations without jeopardizing the energy needs or climate of future generation.	Technologies also need to be sustainable	Agreeable the clause will now read as “sustainable in reference to energy means derived from resources and technologies that can maintain current operations without jeopardizing the energy needs and climate of future generations.”
		Replacing “or” with “and” in “the current energy needs or climate of future generations” in the definition of sustainable	The use of “or” suggests exclusivity, implying that fulfilling either energy needs or climate of future generation would amount to sustainability. In contrast, “and” is conjunctive, indicating that both conditions meeting energy needs and safeguarding the climate of future generation must be satisfied to achieve truly sustainable energy. In its current form, the definition suggests that energy capable of maintaining current energy needs would still be considered sustainable, even	Dealt with in the previous comment

			if it jeopardizes the climate of future generation.	
Clause 3	Add energy access as an objective under clause 3 of the act	Section 7 of the Energy Act establishes the government's obligation to provide affordable energy to all citizens, making energy access a core objective of national energy regulation. Renewable energy has been identified as a key enabler in expanding access, particularly limited connectivity to the national grid and in terms of energy affordability. Key policy frameworks, such as the Draft National Energy Policy, further emphasize the goal of achieving universal electricity access by 2030. This recommendation is therefore consistent with Kenya's broader legislative and policy objectives on renewable energy regulation, reinforcing the	Agreed	

			<p>country's commitment to sustainable and inclusive energy development.</p>	
	<p><b>Clause 3(a)</b></p>	<p>Amend 3(a) to read “To promote production, distribution and use of renewable energy sources in accordance with climate, environment and macro-economic considerations in order to reduce dependence on fossil fuels, ensure security of supply and reduce local and global pollutants and other greenhouse gases.”</p> <ol style="list-style-type: none"> <li>1. Add: To ensure access to reliable, competitive, affordable electricity and clean cooking solutions for all residents of Nairobi City County</li> <li>2. Add: To promote adoption for productive use of Renewable Energy</li> </ol>	<p>Energy access, distribution, and EE&amp;C are missing in the current objectives</p> <p>Distribution and EE&amp;C are also county functions. See Energy Act 2019</p> <p>PURE is important and covered in Draft National Policy and Energy Compact 2025. There is also Roadmap for it.</p>	<p>Agreeable as they all allude to the promotion and use of clean renewable energy. Consequently, the clause can have 9 subclauses as follows</p> <ol style="list-style-type: none"> <li>a) “promote the production, distribution, and access of energy through the use of renewable energy sources in accordance with climate, environment and macro-economic considerations in order to reduce dependence on fossil fuels, ensure security of supply and reduce local and global pollutants and other greenhouse gases;</li> <li>b) ensure the fulfilment of the county and national objectives on increasing the proportion of energy produced through the use of renewable energy sources;</li> <li>c) establish a board responsible for spearheading and champion for clean and sustainable energy;</li> </ol>

		<p>(PURE) in Nairobi City County</p> <p>3. Add: to promote energy efficiency and conservation (EE&amp;C) in the county</p> <p>4. Add: To create more enabling environment to enable sustainable energy investments and mobilization in the County</p> <p>Add: Promote accessibility and availability of up to date and quality disaggregated energy data</p>		<p>d) set up the necessary institutional structure for the implementation of the long-term energy strategy for the county.</p> <p>e) to ensure access to reliable, competitive, affordable electricity and clean cooking solutions for all residents of Nairobi City County;</p> <p>f) to promote adoption for Productive use of Renewable Energy in Nairobi City County;</p> <p>g) to promote energy efficiency and conservation in the County.</p> <p>h) to create more enabling environment to enable sustainable energy investments and funds mobilization in the county.</p> <p>i) Promote accessibility and availability of up to date and quality disaggregated energy data.</p>
<p>Clause 4</p>	<p>Add “all” before “other areas or incidental matters...</p>		<p>For clarity</p>	<p>Agreeable the same will now read “this Act shall apply to and govern all other areas or incidental matters of clean renewable and sustainable</p>



	Clause 8	Suggest adding that the county energy plan should be subjected to a fair and reasonable public consultation process before being finalized. The plan, along with supporting data, must be published and publicly accessible.	Article 10 of the Constitution of Kenya states that public participation is among the national values and principles of governance. Further, Article 196(b) requires County Assemblies to facilitate public participation in their legislative and other business.  The plans are usually uploaded in the website and the same is protected by the Access to Information Act and 35 of the Constitution that provides for state to publish and publicise any important information affecting the nation.	within 24 months of the entry into force of this Bill.”
				Not necessary as all plans have to be subjected to public participation. Further, the requirement for public participation is provided for in the Constitution of Kenya 2010 and the County Governments Act.

	<p>Clause 9</p>	<p>Add “renewable” and “sustainable” before “energy infrastructure development.”</p> <p>At Section 9(2) add “renewable” after “in promoting”</p>	<p>For clarity</p>	<p>Agreeable to read “The CECM members shall be responsible on behalf of the county government for coordination of collaboration with Cabinet Secretary in the development of a conducive environment for the promotion of investments in renewable and sustainable energy infrastructure development including.....”</p> <p>To read “in promoting renewable energy investments in the county, the county government shall collaborate with the National Government in the facilitation of the acquisition of land for energy infrastructure development in accordance with the law and section 8(2) of the National Energy and Petroleum Act.</p>
	<p>Clause 10</p>	<p>Rename the unit to “renewable energy unit” to better reflect the broader coordination responsibilities of the unit as laid out in (a). ((b) is the maintenance function.)</p>	<p>For clarity</p>	<p>Agreeable as the same caters for all the responsibilities they will undertake. It will read “The County Government shall establish a renewable energy unit for the purposes of –</p>

		<p>(a) Replace "and" with "of" to read "ensuring the coordination of the renewable energy activities within the county"</p> <p>(2) change name of unit to "renewable energy unit"</p>		<p>a) Ensuring the co-ordination of the renewable energy activities within the county.</p> <p>b) Maintenance and inspection of renewable energy infrastructure.</p> <p>2. The County Executive Committee Member shall make regulations for the composition and general operationalization of the Renewable Energy Unit.</p> <p>3. The expenses of the Renewable Energy Unit shall be met out of funds voted for the purpose by the County Assembly.</p> <p>The same will be affected throughout the Act and the same will need to be incorporated.</p>
	New Part	Introduce a new part between Clauses 10 and 11 titled "Renewable Energy Generation and Use"	This better reflects the content of the clauses which follow in this section.	Aggregable no prejudice to the incorporation of a new part.

	<p>Clause 11</p>	<p>The primary sentence uses “shall” (i.e., mandatory language) however it is unclear if this mandatory language is meant to apply to all the clauses or just some. One way to clarify would be to revise the sentence by adding “adopt regulations” and “including” to read: “The county government shall <u>adopt regulations to promote investment and use of clean and renewable energy including by –</u>”</p> <p>There should be a timeframe for the adoption of such regulations. either clause by clause below, or in an additional sentence or phrase here. We propose that it be “within 12 months of enactment of this Act.”</p> <p>Note also that there is a syntax issue with the clauses, where the active verb in some ends in “ing”</p>		<p>There is no need to include the timeframe with regard to regulations as the same have already been provided for in clause 18 of the Bill that provides for regulations which expressly provides that regulations shall be made within three months of coming into operation of the Act.</p>
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		and in others does not. The tense of the clauses should be standardized. Suggest adding “and county energy policy” after “county energy plan.		
	Clause 11	Insert an express provision for monitoring and public reporting by the county against these requirements - ideally every 12 months.		Already done by the implementation committee of the Assembly whose function includes monitoring against the requirements. This is in line with the provisions of Article 1(2) of the Constitution of Kenya 2010. “the people may exercise their sovereign power either directly or through their democratically elected representatives. Reports considered by the Assembly are usually uploaded in the Assembly’s website making them accessible to the members of the Public.
	Clause 11(c)	Replace “preventing” with “promoting”. Add “and publish the findings of the analysis” at the end of the clause.		Propose that it is collapsed into two instead of one to read b) “Undertake periodic and comprehensive market analysis and studies to assess the local market for



				adoption and generation of clean renewable and sustainable energy”
Clause 11(h)	Replace “below a certain size” with “below a size as will be prescribed in regulations to be enacted within 12 months of the enactment of the Act”.	Without specifying the size (i.e. capacity) the clause has no meaning.	To read streamline the approval process for renewable installations below a size as well be prescribed in regulations to encourage building scale projects.  No need to incorporate the timeframe as the same has already been provided for.	
Clause 11(j)	Specify the size of the buildings and new real estate developments that will be required to install building-scale renewables or include a clause stipulating that a regulation specifying the size and nature of new real estate developments be promulgated within 12 or 18 months of enactment of the Act.  Collapse (j), (k), (l) and (m) into one clause that reads in	Specificity informed by reference to applicable building codes will provide clarity and certainty.	Agreeable to read  “mandate the integration of building scale renewable energy systems through green building codes by requiring new developments, residential and commercial buildings and major roof replacements to install or be designed to accommodate building scale renewable energy technologies such as solar Photovoltaic (PV) systems and solar water heating systems to provide a sustainable roofing zone covering at least 50% of the roof area in accordance with	

		line with the national Building Code, any guidance issued by the National Construction Authority and in compliance with the Energy Act.		the prescribed building standards as a condition for development approval or compliance with applicable building codes.  “we stick to the new developments because the law should not be applied retrospectively.”
Clause 11(k)	Consider omitting the requirement for solar PV covering “100% of the roof” and replace this with “at least 50% of the roof.”  Replace “old” or “new” buildings with the term “developments” which will ensure the provision applies to other infrastructure, including streetlights, for example.	From a technical perspective the “100% of the roof” mandate is not feasible. In California for example, the percentage of the roof that can be covered with PV depends on the pitch, roof size, panel size, set back requirements etc.  Reference should be made to the applicable building codes and solar installation regulations.	Consolidated with j	
Clause 11(l)	maximum “dimensioning” of the rooftop solar installation.	Requiring solar water heaters on all new residential and commercial buildings makes sense (and may already be in the building code... will have to check). But as noted above in comments to clause (j) while it is reasonable to	Consolidated with j	

			require developers of low-income housing to install rooftop solar, it is not reasonable to mandate low-income individuals or families to do so unless the NCC is going to pay, or give them a subsidy, to cover the up-front capital costs	
Clause 11(m)	Consider deleting this.		It is duplicative of Section 11(l)	Consolidated with J
Clause 11(n)	Specify which "code" is being referred to.		This presumably refers to the county building code. As drafted, it is not clear and will create confusion.	Agreeable. The clause will read "Consult with developers and energy market experts to ensure that the building code accounts for local renewable energy technology and development costs."
Clause 11(p)	Consider rewording the clause to read: "reform the Nairobi City and County building code within 12 or 18 months of enactment of this Act to include incentives for developers to include building-scale			We can consider having this considered as incentives in clause 11(a)

		renewables into their projects.”		
Clause 11(q)	This makes little sense as written. Consider reframing to commit NCC to expand the successful electric motorbike recharging stations in the city, and/or to commit the city to conduct a feasibility study and facilitate the installation of electric vehicle charging points.	clarity	We can consider having this considered as incentives in clause 11(a)	
Clause 11(r)	Consider deleting this provision	The Energy (Net-Metering) Regulations, 2024 were promulgated in 2024. Pursuant to those regulations, the county would not have the mandate to set tariffs as proposed in this provision.	Agreeable the same was drafted before the coming into force of the Energy Net Metering Regulations. We should align the bill to the said national regulations.	

	Clause 11(s)	Consider adding “Adopt regulations within 12 months of the entry into force of this Act to” before “promote community solar in buildings that are not suitable...”		Not necessary the timeframe for regulations have already been provided for in clause 18 on regulations.
	Clause 11(t)	It appears that “jointly-owned” in this clause is meant to be the same as “community solar” in clause (s). Logically it is the same and sub clauses (s) and (t) should therefore be combined to reflect the intention of a reference to community solar.  Add the phrase “Adopt regulations within 12 months to” before “encourage and facilitate”.		Can be drafted to read “promote and facilitate community solar projects including but not limited to jointly owned installations by resident associations for buildings unsuitable for on site solar generation due to size, shading orientation or structural limitations whether roof or ground based including installations on community buildings such as churches or schools and publicise such projects to enhance participation and access to energy.
Clause 11(v) and (w)		Great ideas and closely related to (s) and (t) above. However, they are meaningless without more specifics. Suggest, combining into one clause (t bis) that reads:		Lets retain the clause as drafted in 11(s) above.

		<p>“NCC shall promote community solar and assist local groups to install jointly-owned community solar by directing the appropriate NCC departments, including the renewable energy <u>technology deployment</u> and maintenance unit established under this act, to work with third party developers to facilitate leasing of public land for community solar installations, providing technical, permitting and other support as relevant to local groups seeking to install jointly-owned community solar projects on community buildings such as schools, churches or clinics.”</p>		
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Clause 12(1)(d)	Consider revision from "renewable energy maintenance unit" to "renewable energy unit"	This better reflects the functions of the unit which extend beyond maintenance but will include technical input to facilitate deployment of renewable energy.	Agreeable. The clause will read "The Director Renewable Energy Unit who shall be the secretary to the Board.
Clause 12	Consider including an additional clause to stipulate who the ex-officio members of the Board are.	As it is, Clauses 12(4) and 12(5) make reference to ex-officio members who are not defined creating an ambiguity.	Agreeable the same will read "a member of the Board (other than Chief Officer Energy and Director Renewable Energy Unit who are the ex officio members may be removed from office only."
Clause 12(2)(c)	Amend to read "The chief officer responsible for matters relating to <u>renewable energy</u> ." personnel are available.	This better reflects the focus of the Bill and functions of the officer.	Agreeable the same will read "the Chief Officer responsible for matters relating to renewable energy."
Clause 14(1)(c)	Consider revising to read: "work with relevant county departments and in consultation with interested stakeholders including civil society organisations, communities and private sector actors to	As framed the clause does not include a provision for consultation and input from interested stakeholders in contravention of Article 10 of the Constitution and the County Public Participation Act, 2015.	Agreeable the same should read "develop master plans in consultation with the other relevant County Government's department and in consultation with stakeholders.

		develop county energy master plans”		
Clause 14(2)	Insert “Technology Deployment and” between the word “Energy” and “Maintenance Unit	Insert “Technology Deployment and” between the word “Energy” and “Maintenance Unit	This better reflects the functions of the unit which extend beyond maintenance and include technical input to facilitate deployment of renewable energy.	Insertion of technology development is misplaced as the previous amendment was to rename the unit to the Renewable Energy Unit. With regards to the functions of the unit the same is not applicable to this clause as the clause focuses on the functions of the board and not the unit.
Clause 14	Consider including an additional clause providing for the publication of the proposed Annual Report. “The Board shall work with the relevant county department to make the Annual Reports available to the public, including through the County’s website.”	Consider including an additional clause providing for the publication of the proposed Annual Report. “The Board shall work with the relevant county department to make the Annual Reports available to the public, including through the County’s website.”	Making the Annual Report publicly available enhances knowledge about the county’s plans and will provide a basis for building partnerships and inviting investment opportunities.	All annual reports submitted and discussed by the Assembly are usually uploaded in the Assembly’s website.

	Clause 15(1)	Amend to read as "County Executive Committee Member of Energy" and NOT "ICT"	This appears to be a typographical error in the current version of the Bill.	We can amend it to CECM Energy it will not have an effect on the structures of the Assembly.
	Clause 16(4)	Clause 16(4) is not properly numbered and should be renumbered as Clause 16(3)	There is no Clause 16(3) in the current Bill.	Agreeable the clause will have four sub clauses.
	Clause 17	<p>Add the following as aspects the fund could be used for:</p> <ul style="list-style-type: none"> <li>-Finance expansion of clean cooking access</li> <li>-Finance increase adoption of Productive Use of Renewable Energy (PURE)- allude to in (e)</li> <li>- Finance expansion of existing and establishment of EV charging stations</li> <li>-Development and implementation of</li> </ul>	<p>Clean cooking, PURE, and EVs charging stations are missing</p> <p>Energy plan and data is also missing from consideration in the current Bill yet are important aspects.</p>	<p>Agreeable to the consolidation of subclauses (a) and (d) to read</p> <p>Agreeable to the additional uses for the fund to include:</p> <ul style="list-style-type: none"> <li>g) finance expansion of clean cooking access.</li> <li>h) (Consolidate h and e to read "provide financial assistance and other incentives to households and business to adopt productive use of renewable energy and to implement sustainable energy solutions, including solar panels and energy efficient appliances."</li> </ul>

		<p>Integrated County Energy Plan, strategies and policies</p> <p>-Finance periodic energy data collection, maintenance and updating of energy data platform.</p> <p>17 (d) is more or less same as 17(a) can be deleted or 17(a) enhanced to include it.</p>		<p>i) Finance expansion of existing and establishment of Electric Vehicle (EV) charging station.</p> <p>j) development and implementation of integrated County Energy Plan, Strategies and policies.</p> <p>k) finance periodic energy data collection, maintenance and updating of energy data platform.</p>
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MINUTES OF THE 5<sup>TH</sup> SITTING OF THE NAIROBI CITY COUNTY ASSEMBLY SECTORAL COMMITTEE ON ENERGY AND ICT HELD ON WEDNESDAY 8<sup>TH</sup> APRIL 2026 AT 11.30AM IN COMMITTEE ROOM EIGHT (11), CITY HALL BUILDING.

PRESENT

1. Hon. Fredrick Njogu, MCA – Chairperson.
2. Hon. Rosemary Masitsa, MCA
3. Hon. Jeremiah Themendu, MCA
4. Hon. Shadrack Machanje, MCA
5. Hon. Stephen Ndegwa, MCA
6. Hon. Mark Thiga, MCA
7. Hon. Beatrice Wandai Khungwa, MCA
8. Hon. Diana Katile, MCA
9. Hon. Malyun Abdi, MCA
10. Hon. Rachael Wanjiru Maina, MCA
11. Hon. Grace Mungai, MCA
12. Hon. Brian Itenya, MCA
13. Hon. Hamisi Maleya, MCA.
14. Hon. Musango Maithya, MCA
15. Hon. Jane Wanjiru, MCA
16. Hon. Simon Mugo, MCA

ABSENT WITH APOLOGY

1. Hon. Robert Alai, MCA – Vice Chairperson.
2. Hon. Kame Adano Umuro, MCA
3. Hon. Oscar Lore, MC
4. Hon. Simon Mugo, MCA
5. Hon. Abass Ibrahim Khalif, MCA
6. Hon. Anthony Kimemia, MCA
7. Hon. Ami Perez, MCA

SECRETARIAT

1. Mr. Joseph Mutega – Snr.Clerk Assistant

2. Ms. Halima Abdi

– Clerk Assistant

MIN.20/SC-ICT&E /APRIL/2026 PRELIMINARY

The Chairperson called the meeting to order AT 11:45am and said the opening prayers. He then welcomed the Members present to the meeting and read the agenda which was adopted for discussion as proposed by The. Hon. Rosemary Masitsa, MCA and seconded by Hon. Shadrack Machanje, MCA as follows: -

- a) *Preliminaries (prayers & adoption of the agenda),*
- b) *Adoption of Committee Report on Consideration of the Nairobi Clean Renewable and Sustainable energy Bill 2025.*
- c) *Any Other Business*
- d) *Adjournment*

MIN.21/ SC-ICT&E /APRIL/2026 - ADOPTION OF THE COMMITTEE'S REPORT ON CONSIDARATION OF THE NAIROBI CITY COUNTY CLEAN RENEWABLE AND SUSTAINABLE ENERGY BILL, 2024

The Committee deliberated on the report of the Nairobi City County Clean Renewable and Sustainable Energy Bill, 2024. In the amendment Schedule, the Committee deliberated on proposed amendments on Long Title, Short title, Clause 2, 3, 4, 5, 8, 9, 10, 11, 12,14, 15 & 17 and New clause.

Following the deliberations, the report was unanimously adopted, having been proposed by Hon. Rachel Maina, MCA and seconded by Hon. Rosemary Masitsa, MCA.

MIN.22/ SC-ICT&E /APRIL/2026-A.O. B & ADJOURNMENT

There being no other business and the time being ten minutes past Twelve O'clock, Chairperson adjourned the meeting. The next meeting will be communicated by the committee Clerk.

CONFIRMED AS TRUE RECORD OF THE PROCEEDINGS

SIGNATURE .....  
(Chairperson)

DATE.....

8<sup>th</sup> April 2026

The Clerk  
Nairobi City County Assembly  
NAIROBI.

**RE: COMMITTEE STAGE AMENDMENTS TO THE NAIROBI CITY NAIROBI CITY  
COUNTY CLEAN RENEWABLE AND SUSTAINABLE ENERGY BILL 2026**

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NOTICE is given that the Chairperson of the Sectorial Committee on Energy and ICT intends to move the following amendments to the Nairobi City County Clean Renewable and Sustainable Bill 2026, at the Committee Stage.

**CLAUSE 2**

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

- i) By defining the word Renewable Energy to mean electricity, heat, non-fossil energy and all forms of energy generated from natural non depleting resources including but not limited to solar energy, wind energy, biomass energy, biological waste energy, hydro energy and geothermal energy;
- ii) By defining the word Sustainable to mean sustainable in reference to energy means derived from resources and technologies that can maintain current operations without jeopardizing the energy needs and climate of future generations.

**CLAUSE 3**

THAT Clause 3 (a) of the Bill be amended as follows; -

- i) By inserting the words and distribution immediately after the word production.
- ii) By inserting the following sub-clauses immediately after sub-clause (d):
  - e) to ensure access to reliable, competitive, affordable electricity and clean cooking solutions for all residents of Nairobi City County;

f) to promote adoption for Productive use of Renewable Energy in Nairobi City County;

g) to promote energy efficiency and conservation in the County;

h) to create more enabling environment to enable sustainable energy investments and funds mobilization in the county;

i) Promote accessibility and availability of up to date and quality disaggregated energy data.

#### CLAUSE 4

THAT Clause 4 of the Bill be amended as follows; -

i) By inserting the word all immediately after the word govern.

#### CLAUSE 5

THAT Clause 5(g) of the Bill be amended as follows; -

(i) By deleting the word 'customized' immediately after the words adapt the.

#### CLAUSE 8

THAT Clause 8 of the Bill be amended as follows; -

i) By inserting the words **within 24 months of the entry into force of this Bill.** immediately after the word Act.

#### CLAUSE 9

THAT Clause 9 of the Bill be amended as follows;

I) By inserting the words renewable” and “sustainable immediately after the words investments in.

THAT Clause 9 (2) of the Bill be amended as follows

II) Clause 9(2) by inserting the word “renewable” immediately after the word promoting.

#### CLAUSE 10

THAT Clause 10 of the Bill be amended as follows;

THAT the heading of clause 10 of the Bill be amended as follows:-

- 1) By deleting the word 'Maintenance' immediately after the word Energy

THAT Clause 10(1) be amended by deleting the word 'Maintenance' immediately after the word Energy.

THAT Clause 10(1)(a) be amended by deleting the word 'and' and substituting it with the word 'of'.

THAT Clause 10(2) be amended by deleting the word 'Maintenance' immediately after the word Energy.

That the Bill be amended by inserting a new Part III immediately after Clause 10 as follows "Renewable Energy Generation and Use"

#### CLAUSE 11

THAT Clause 11 of the Bill be amended as follows;

- i) THAT Clause 11 is amended by inserting the words "Adopt Regulations to" immediately after the words "government shall"
- ii) That subclause a is deleted in its entirety and replacing it with a new clause 11(a) to read  
11(a) "develop and implement incentives including financial and non-financial measures to promote investment in and the adoption and use of clean renewable and sustainable energy."
- iii) That subclause b is deleted in its entirety and replacing it with a new clause 11(b) to read  
11(b) Advance local economic development, through local job creation and energy access in local industries and neighbourhoods."
- iv) That subclause c is deleted in its entirety and replacing it with a new clause 11(c) to read

(c)“Undertake periodic and comprehensive market analysis and studies to assess the local market for building scale and distributed clean renewable and sustainable energy.”

v) That subclause d is deleted in its entirety and replacing it with a new clause 11(d) to read.

d)” Identify investment gaps and barriers and determine appropriate policy responses and publish the findings.”

vi) That subclause e is deleted in its entirety.

vii) That subclause e is deleted in its entirety.

viii) Subclause 11(g) is amended by inserting the words “interested stakeholders including civil society organisations, communities and” immediately after the words “work with”

ix) Subclause 11(h) is amended by deleting the word certain immediately after the words “below a certain size”.

x) Subclause 11(h) is amended inserting the words as will be prescribed in regulations immediately after the word “size”

xi) Subclause 11(j) is deleted in its entirety and replacing it with a new clause 11(j) to read.

11(j) “mandate the integration of building scale renewable energy systems through green building codes by requiring new developments, residential and commercial buildings and major roof replacements to install or be designed to accommodate building scale renewable energy technologies such as solar Photovoltaic (PV) systems and solar water heating systems to provide a sustainable roofing zone covering at least 50% of the roof area in accordance with the prescribed building standards as a condition for development approval or compliance with applicable building codes.”

xii) Subclause k is deleted in its entirety.

xiii) Subclause l is deleted in its entirety.

xiv) Subclause m is deleted in its entirety.

xv) Subclause 11(n) is amended by inserting the words “building” immediately after the words “that the”

xvi) Subclause p is deleted in its entirety.

- xvii) Subclause r is deleted in its entirety.
- xviii) Subclause 11(s) is deleted in its entirety and replacing it with a new clause 11(s) to read. 11(s) promote and facilitate community solar projects including but not limited to jointly owned installations by resident associations for buildings unsuitable for on site solar generation due to size, shading orientation or structural limitations whether roof or ground based including installations on community buildings such as churches or schools and publicise such projects to enhance participation and access to energy.
- xix) Subclause t is deleted in its entirety.
- xx) Subclause v is deleted in its entirety
- xxi) Subclause w is deleted in its entirety

## CLAUSE 12

THAT Clause 12 of the Bill be amended as follows:

- i) Subclause 12(2)(c) is amended by inserting the word “renewable” immediately after the words “relating to”.
- ii) Subclause 12(2)(d) is amended by deleting the word Maintenance immediately after the word “energy”.
- iii) Subclause 12(4) is amended by inserting the words “Chief Officer Energy and Director Renewable Energy Unit who are the” immediately after the words “other than”

## CLAUSE 14

THAT Clause 14 of the Bill be amended as follows:

- i) Clause 14(1)(c) is amended by inserting the words “and in consultation with stakeholders.” Immediately after the word departments.
- ii) Clause 14 is. Amended by inserting a new subclause 14(j) to read “The Board shall work with the relevant county department to make the Annual Reports available to the public, including through the County’s website.”

## CLAUSE 15

THAT Clause 15 of the Bill be amended as follows

- i) Clause 15(1) is amended by deleting the words " ICT and" in its entirety.

## CLAUSE 17

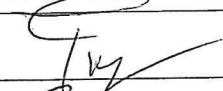

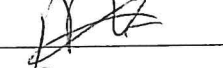

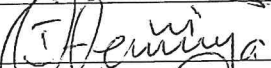
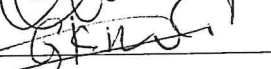
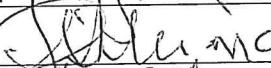

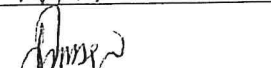
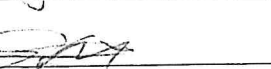
THAT Clause 17 of the Bill be amended as follows

- i) Subclause 17(a) is deleted in its entirety and replacing it with a new clause 17(a) to read "Finance the construction, expansion and modernization of renewable energy projects, including solar wind and other related facilities, and support the development and deployment of clean energy technologies."
- ii) Subclause 17(d) is deleted in its entirety.
- iii) Subclause 17(e) and replacing it with a new clause 17(e) "provide financial assistance and other incentives to households and business to adopt productive use of renewable energy and to implement sustainable energy solutions, including solar panels and energy efficient appliances."
- iv) Subclause 17 is amended by inserting a new sub clause immediately after subclause g to read.
  - 17(h) Finance expansion of existing and establishment of Electric Vehicle (EV) charging station.
  - 17(i) development and implementation of integrated County Energy Plan, Strategies and polices.
  - 17(j) finance periodic energy data collection, maintenance and updating of energy data platform.

# NAIROBI CITY COUNTY ASSEMBLY

## ENERGY AND ICT COMMITTEE

DATE: 8/14/2026 TIME: 11:30am VENUE: Room 11

	NAME	SIGNATURE
1.	FREDRICK OJOY	
2.	JEREMIAH K. THEMENBU	
3.	NALL THIGI	
4.	ROSEMARY M'SISIA SHUTOTE	R.M.S
5.	DORCHEL MAINA	DORCHEL
6.	SHADRACK MACHANJE	
7.	BRIAN ITENYA	
8.	GRACE KARETI MINGAI	
9.	BEATRICE WANJAU	B.W
10.	STEPH A. MDOGUA	Mdogua
11.	HANISI MALEYA SULEIMAN	
12.	DIANA KAHLE	
13.	MALYON ALI	M.A.A
14.	MUSANGO MATHUYA	
15.	JANE WANJIRU	JW
16.	SIMON MAINA	
17.		
18.		
19.		
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23.		

