

Statement Requested
on 3rd December 2025
Response due in 2 weeks
03/12/25



THE NAIROBI CITY COUNTY ASSEMBLY

THIRD ASSEMBLY

(FOURTH SESSION)

APPROVED
20 NOV 2025**REQUEST FOR STATEMENT**

Subject: Operations of the offices of the County Attorney and Chief Officer for Security and Compliance

Hon. Speaker,

Pursuant to Standing Order 47(2) (c), I wish to request for a Statement from the Chairperson of the Sectoral Committee on Justice and Legal Affairs regarding the operations of the offices of the County Attorney and Chief Officer for Compliance.

Hon. Speaker, Part II of the Nairobi City County Office of the County Attorney Act, 2017 establishes the office of the County Attorney which is mandated to perform various legal functions including publication of all legislation passed by the Nairobi City County Assembly.

Hon. Speaker, Section 28(3) of the Office of the County Attorney Act, 2020 as read together with Section 32(3) of the Nairobi City County Office of the County Attorney Act, 2017 provides that the County Attorney shall submit to the Clerk of the County Assembly a copy of the report on the operations of the Office of the County Attorney for tabling before the County Assembly within fifteen days after the day on which the Governor receives the report. In Addition, Section 32(4) of the Act provides for the County Attorney to submit quarterly reports on the operations of the Office of the County Attorney to the Clerk of the County Assembly for tabling before the County Assembly.

Hon. Speaker, since the commencement of the Third Assembly on 29th September, 2022, there has been no report tabled in this County Assembly on the operations of the office of the County Attorney which is contrary to the provisions of Section 32(3) and (4) of the Nairobi City County Office of the County Attorney Act, 2017 and Section 28(3) of the Office of the County Attorney Act, 2020.

Hon. Speaker, in the recent months we have witnessed increasing cases of insecurity in various parts in the County. During the First and Second Assembly, there were monthly reports submitted to the Assembly on the security incidences within the County and the actions being taken. However, since the commencement of the Third Assembly, such reports have never been submitted to the Assembly for information and consideration.

Hon. Speaker, concerned that the current office holders in both the offices of the County Attorney and Chief Officer for Security and Compliance are in acting capacity which may hinder full operations in these offices.

Hon. Speaker, in the Statement, the Chairperson should inquire into and report on: -

1. Reasons for failure to submit to the County Assembly the quarterly and annual reports on the operations of the Office of the County Attorney;
2. Reasons for failure to submit to the County Assembly monthly reports on the security incidences within the County;
3. Measures the County Executive is taking to ensure the quarterly and annual reports on the operations of the Office of the County Attorney and monthly security incidences reports are submitted to the County Assembly;
4. Reasons for delay in appointment of substantive County Attorney and Chief Officer for Security and Compliance;
5. Whether the County Executive can appoint an officer who was not approved by the County Assembly as a Chief Officer in acting capacity;
6. Whether the appointment of officers in acting capacity limits the operations of the office, taking into consideration that Section 34 of the Public Service Commission Act, 2017 envisages that the acting period shall not exceed six months and Section 45 of the County Governments Act, 2012 on the procedure to be a Chief Officer; and
7. Measures the County Executive is taking to ensure there are substantive office holders in the offices of the County Attorney and Chief Officer for Security and Compliance.



HON. WAITHERA CHEGE, MCA
MEMBER FOR NAIROBI SOUTH WARD &
DEPUTY MINORITY LEADER

20/11/2025