



COUNTY GOVERNMENT OF NAIROBI CITY
SECOND ASSEMBLY – (FIFTH SESSION)
NAIROBI CITY COUNTY ASSEMBLY
VOTES AND PROCEEDINGS

TUESDAY, MARCH 2, 2021 AT 9.30A.M.

1. The Assembly assembled at Thirty minutes past Nine O'clock.
2. The Proceedings were opened with Prayer

QUORUM OF THE ASSEMBLY

The Hon. Speaker having confirmed that there was Quorum called the Assembly to order.

3. PAPERS LAID

The following papers were laid on the Table of the Assembly;

I. THE NAIROBI CITY COUNTY DEBT MANAGEMENT STRATEGY PAPER FY 2021/22.

(The Leader of Majority Party)

II. THE NAIROBI CITY COUNTY FISCAL STRATEGY PAPER FY 2021/2022.

(The Leader of Majority Party)

III. THE REPORT OF THE SELECT COMMITTEE FINANCE, BUDGET AND APPROPRIATIONS ON THE CONSIDERATION OF THE NAIROBI CITY COUNTY ANNUAL DEVELOPMENT PLAN FY 2021/22.

(Chairperson, Select Committee on Finance, Budget and Appropriation)

4. NOTICE OF MOTION – THE LEADER OF MAJORITY PARTY

THAT, aware that the recognition of outstanding citizens who have contributed immensely to the National good is provided for in law, by which the state confers Orders, decorations, and medals; **RECOGNIZING** that in furtherance of this recognition County Governments have equally named roads and other County owned

facilities after heroes and heroines, in recognition of their efforts and service to the Nation, which service has contributed to Kenya's prosperity; **OBSERVING** that the late Hon. Senator Mohamed Yusuf Haji has for fifty-five years served Kenya in various capacities, where he began his public service career as a District Officer in 1960, and rose through the ranks to the position of Provincial Commissioner for several years; **NOTING** that from his public Administration experience, Hon. Haji went on to Serve as Member of Parliament for Ijara Constituency, as Assistant Minister in the Office of the President, and later on Minister of State for Cabinet Affairs in 2002, as Minister of State for Defense, as acting Minister of Internal Security and Provincial Affairs, during which he was notable for his efforts to promote peace and stability in Somalia and beyond, amongst other achievements; **GRATEFUL** that before his demise, the country had further called upon Hon. Haji's exceptional negotiation and strategic mediation skills by entrusting on him the stewardship of the Building Bridges Initiative, which task he took with earnest zeal and delivered a noteworthy Constitutional Amendment Bill whose processing is currently underway; **NOW THEREFORE**, aware that the naming of roads and other public places after heroes and heroines bestows honor and shows our collective gratitude as a nation; this Assembly **RESOLVES** that the Nairobi City County Government in conjunction with the Nairobi Metropolitan Services name or rename a Road in the Central Business District to Senator Mohamed Yusuf Haji in recognition of the late Senator Mohamed Yusuf Haji's immeasurable contribution to the prosperity and well-being of Kenya in his fifty-five years record of public service.

5. NOTICE OF MOTION - CHAIRPERSON, SELECT COMMITTEE ON FINANCE, BUDGET & APPROPRIATIONS

THAT, this Assembly adopts **THE REPORT OF THE SELECT COMMITTEE FINANCE, BUDGET AND APPROPRIATIONS ON THE CONSIDERATION OF THE NAIROBI CCITY COUNTY ANNUAL DEVELOPMENT PLAN FY 2021-22** laid on the Table of the Assembly on Tuesday 2nd March, 2021.

6. COMMITTEE OF THE WHOLE ASSEMBLY

Order of Committee of the Whole Assembly read;

IN THE COMMITTEE

(Chairperson of Committees - in the chair)

The Nairobi City County Betting, Lotteries and Gaming Bill, 2020(Assembly Bill No. 3 of 2020)

Clauses 3 & 4

Question that Clauses 3 & 4 be part of the Bill proposed, put and agreed to;

Clause 5 amendments proposed –

THAT, Clause 5 (1) (e) of the Bill be amended as follows; -

- (i) By inserting the words ‘and with 5 years’ experience’ immediately after the word ‘conversant’

(Chairman, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 5 as amended be part of the Bill proposed, put and agreed to;

Clauses 6,7,8,9,10,11,12 & 13

Question that 6,7,8,9,10,11,12 & 13 be part of the Bill proposed, put and agreed to;

Clause 14 amendments proposed –

THAT, Clause 14(g) of the Bill be amended as follows; -

- (i) By deleting the word ‘repeated (b)’ and replacing it with the words ‘Enforce measures to ensure responsible gambling’

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 14 as amended be part of the Bill proposed, put and agreed to;

Clauses 15 & 16:

Question that 15 & 16: be part of the Bill proposed, put and agreed to;

Clause 17 amendments proposed –

THAT Clause 17 (2) of the Bill be amended as follows; -

- (i)By deleting the words ‘to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding six months, or both’ and substituting therefore with the words ‘as per Part X of this Act’

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 17 as amended be part of the Bill proposed, put and agreed to;

Clauses 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 & 31:

Question that 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30 & 31:be part of the Bill proposed, put and agreed to;

Clause 32 amendments proposed –

THAT, Clause 32 (1) of the Bill be amended as follows; -

(i)by deleting the word ‘proceeds’ and substituting therefore with the word ‘winnings’

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 32 as amended be part of the Bill proposed, put and agreed to;

Clauses 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 & 47:

Question that 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46 & 47:be part of the Bill proposed, put and agreed to;

Clause 48 amendments proposed –

THAT Clause 48 (1) (a) of the Bill be amended as follows; -

i. by deleting the word ‘minor’ and substituting therefore with the word ‘child’

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 48 as amended be part of the Bill proposed, put and agreed to;

Clauses 49, 50 & 51:

Question that 49, 50 & 51:be part of the Bill proposed, put and agreed to;

Clause 52 amendments proposed –

THAT, Clause 52 of the bill be amended as follows; -

- (i) by inserting the following new sub-clauses immediately after sub-clause 2 as follows; -

‘52 (3) The County Executive Committee Member for Finance shall appoint the administrator of the Fund’

‘52 (4) The administrator of the Fund shall allocate 1.5% of the fund for administrative expenses’

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 52 as amended be part of the Bill proposed, put and agreed to;

Clauses 53 & 54:

Question that 53 & 54:be part of the Bill proposed, put and agreed to;

Clause 55 amendments proposed -

THAT, Clause 55 of the Bill be amended as follows; -

- (i) by inserting the words ‘for Finance’ immediately after the word ‘member’

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 55 as amended be part of the Bill proposed, put and agreed to;

New Clause 52A

THAT Clause 52 of the bill be amended as follows; -

- (i) by inserting the following new Clause 52A immediately after Clause 52 as follows; -

Annual Budget and Estimates	“52 A (1) At least three months before the commencement of each financial year, the Board shall cause to be prepared budget estimates of the Fund for that year.
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(2) The Board shall approve the annual estimates at least ninety days before the commencement of the financial year to which they relate and, once approved, the sum provided in the estimates shall be

submitted to the County Executive Committee Member for final approval.

(3) No expenditure shall be incurred for the purposes of the Board except in accordance with the annual estimates approved under subsection (3), or in exceptional circumstances, in accordance with an authorization of the Board given with prior written approval of the county executive committee member.

Motion made and question proposed;

That New Clause 52A be read a Second Time

(Chairperson, Sectoral Committee on Culture & Community Services)

Question put and agreed to

Question that New Clause 52A be part of the Bill proposed, put and agreed;

New Clause 52B

THAT Clause 52 of the bill be amended as follows; -

- (i) by inserting the following new Clause 52B immediately after New-Clause 52A as follows; -

Books of
Accounts

52 B (1) The Board shall cause to be kept proper books of accounts and records of the Fund.

(2) The accounts and financial statements and records of the Board shall be audited and reported upon in accordance with provisions of the Public Audit Act

Motion made and question proposed;

That New Clause 52B be read a Second Time

(Chairperson, Sectoral Committee on Culture & Community Services)

Question put and agreed to

Question that New Clause 52B be part of the Bill proposed, put and agreed;

First Schedule

Question that First Schedule part of the Bill proposed, put and agreed to;

Second Schedule

Question that Second Schedule part of the Bill proposed, put and agreed to;

Clause 2 amendments proposed –

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

- (i) By deleting the word ‘minor’ and substituting it with the word ‘child’

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 2 as amended be part of the Bill proposed, put and agreed to;

Long Title amendments proposed –

THAT, the Long Title be amended by deleting the numeric “2020” and Substituting with the numeric “2021” therefore.

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed;

Question put and agreed to;

Question that Long Title as amended be part of the Bill proposed, put and agreed to;

Clause 1 amendments proposed –

THAT, Clause 1 be amended by deleting the numeric “2020” and Substituting with the numeric “2021” therefore.

(Chairperson, Sectoral Committee on Culture & Community Services)

Question of the amendment proposed;

Question put and agreed to;

Question that Clause 1 as amended be part of the Bill proposed, put and agreed to;

Motion Made and Question proposed: -

THAT, the Committee do Report to the Assembly its consideration of **The Nairobi City County Betting, Lotteries and**

Gaming Bill, 2020 (Assembly Bill No. 3 of 2020) and its approval thereof with amendments.

(Chairperson, Sectoral Committee on Culture & Community Services)

Question put and agreed to.

7. ASSEMBLY RESUMED

The Nairobi City County Betting, Lotteries and Gaming Bill, 2020 (Assembly Bill No. 3 of 2020)

Bill reported with amendments

Motion made and Question proposed: -

THAT, the Assembly do agree with the Committee of the Whole Assembly in the said report

(Chairperson, Sectoral Committee on Culture & Community Services)

Question put and agreed to.

Motion made and question proposed-

THAT, The Nairobi City County Betting, Lotteries and Gaming Bill, 2020 (Assembly Bill No. 3 of 2020) be now read **a Third Time.**

(Chairperson, Sectoral Committee on Culture & Community Services)

Question put and **agreed to.**

Bill read a Third Time and passed.

There being no other business and the time being thirty Minutes Past Ten O'clock the Speaker adjourned the Assembly without Question put pursuant to the Standing Orders.

8. ASSEMBLY ROSE - At Thirty Minutes past Ten O'clock.

M E M O R A N D U M

The Speaker will take the Chair on

Tuesday, March 2nd, 2021 at 2.30 p.m.