

REPUBLIC OF KENYA

NYANDARUA COUNTY ASSEMBLY

ORDERS OF THE DAY



FIRST ASSEMBLY
(No. 047)

FOURTH SESSION -SECOND PART

THURSDAY 23RD JUNE, 2016 AT 2.30 P.M.

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ORDER PAPER

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statements
8. Motions and Bills

Motions

- i. Hon. Sylvester Kagiri Mwangi (Chairperson, Public Investments and Accounts Committee) – resumption of business.

Mr. Speaker Sir, I beg to move the following motion:

THAT this House adopts the Report of the Committee on Public Investments and Accounts Committee on Audited Financial Operations on the Nyandarua County Executive in FY

2013/2014 as a report of this House and the recommendations therein as resolutions of this House.

Thank you Mr. Speaker Sir.

ii. **Hon. Peter Kairu, Chairperson Health Services Committee - resumption of interrupted business**

Mr. Speaker Sir, I beg to move the following motion:

THAT this House adopts the Report of the Committee on Health Services on Confirmation of Director and Deputy Director, Medical Services in the Health Services' Department in response to a statement sought by Hon. Peter Maina Mwangi as a report of this House and the recommendations therein as resolutions of this House.

iii. **Peter Maina Mwangi (Chairperson Committee on Justice, Legal and Public Service)**

Mr. Speaker Sir, I beg to move the following motion:

THAT this House adopts the Report of the Committee on Justice, Legal and Public Service on the Public Participation and Civic Education Bill, 2015 as a report of this House and the recommendations therein as resolutions of this House.

Thank you Mr. Speaker Sir.

Bills

i. **Peter Maina Mwangi (Chairperson Committee on Justice, Legal and Public Service)**

Mr. Speaker Sir, I beg to move that:

That Nyandarua County Public Participation and Civic Education Bill, 2015 be now read a Second time”

Thank you Mr. Speaker Sir.

THE NYANDARUA COUNTY PUBLIC PARTICIPATION AND CIVIC EDUCATION BILL, 2015
PROCEDURE FOR COMMITTEE OF THE WHOLE HOUSE, 23RD JUNE 2016, 2.30 PM

CLAUSES WITHOUT AMENDMENTS

1. Clause 4

Chairperson -I propose that the question that clause 4 stand part of the Bill.

- I put the question that clause 4 stand part of the Bill.

2. Clause 6

Chairperson -I propose that the question that clause 6 stand part of the Bill.

-I put the question that clause 6 stand as part of the Bill

3. Clause 7

Chairperson -I propose that the question that clause 7 stand part of the Bill.

-I put the question that clause 7 stand as part of the Bill

4. Clause 10.

Chairperson -I propose that the question that clause 10 stand part of the Bill.

-I put the question that clause 10 stand part of the Bill.

5. Clause 12

Chairperson -I propose that the question that clause 12 stand part of the Bill.

-I put the question that clause 12 stand part of the Bill.

6. Clause 13

Chairperson -I propose that the question that clause 13 stand part of the Bill.

-I put the question that clause 13 stand part of the Bill.

7. Clause 14

Chairperson -I propose that the question that clause 14 stand part of the Bill.

-I put the question that clause 14 stand part of the Bill.

8. Clause 16

Chairperson -I propose that the question that clause 16 stand part of the Bill.

-I put the question that clause 16 stand part of the Bill.

9. Clause 17

Chairperson -I propose that the question that clause 17 stand part of the Bill.

-I put the question that clause 17 stand part of the Bill.

10. Clause 18

Chairperson -I propose that the question that clause 18 stand part of the Bill.

-I put the question that clause 18 stand part of the Bill.

11. Clause 19

Chairperson -I propose that the question that clause 19 stand part of the Bill.

-I put the question that clause 19 stand as part of the Bill.

12. Clause 20.

Chairperson -I propose that the question that clause 20 stand part of the Bill.

-I put the question that clause 20 stand part of the Bill.

13. Clause 21.

Chairperson -I propose that the question that clause 21 stand part of the Bill.

-I put the question that clause 21 stand as part of the Bill.

14. Clause 22

Chairperson -I propose that the question that clause 22 stand part of the Bill.

-I put the question that clause 22 stand part of the Bill.

15. Clause 23

Chairperson -I propose that the question that clause 23 stand part of the Bill.

-I put the question that clause 23 stand part of the Bill.

16. Clause 26

Chairperson -I propose that the question that clause 26 stand part of the Bill.

-I put the question that clause 26 stand part of the Bill.

17. Clause 27

Chairperson -I propose that the question that clause 27 stand part of the Bill.

-I put the question that clause 27 stand part of the Bill.

18. Clause 28

Chairperson -I propose that the question that clause 28 stand part of the Bill.

-I put the question that clause 28 stand part of the Bill.

CLAUSES WITH AMENDMENTS

1. Clause 3.

Chairperson -I propose that the question that clause 3 stand part of the Bill

Mover to move Amendment (Hon. Peter M Mwangi)

I propose that Clause 3(e) be amended by **deleting** the number “196” immediately after the number “69” and by inserting the number “196” immediately after the number “184”

Chairperson: -

- I propose that clause 3 as amended be part of the Bill
- I put the question that clause 3 as amended stand part of the Bill.

2. Clause 5

Chairperson -I propose that the question that clause 5 be part of the Bill

Mover to move Amendment (Hon. Peter M Mwangi)

I propose that clause 5(3) be amended by **deleting** the words “**County Secretary**” immediately after the word “the” and before the word “shall” and replacing them by inserting thereof the words “**County Public Service Board**” and further deleting the words “**County Public Service Board**” immediately before the word “establish” and inserting

thereof the words “**County Secretary**” and by **inserting** the words “**civic education**” immediately after the word “participation” and immediately after the word “programs.”

Chairperson: -I propose that clause 5 as amended be part of the Bill

- I put the question that clause 5 as amended stand part of the Bill.

3. Clause 8.

Chairperson -I propose that the question that clause 8 stand as part of the Bill

Mover to move Amendment (Hon. Peter M Mwangi)

I propose that clause 8 be amended by **inserting** the words “**civic education**” immediately after the word “participation” and immediately after the word “activities”

Chairperson: -I propose that clause 8 as amended be part of the Bill

I put the question that clause 8 as amended stand part of the Bill

4. Clause 9.

Chairperson -I propose that the question that clause 9 stand part of the Bill

Mover to move Amendment (Hon. Peter M Mwangi)

I propose that clause 9 be amended by **inserting** the words “**civic education**” immediately after the word “participation” and immediately after the word “activities.”

Chairperson: -I propose that clause 9 as amended be part of the Bill

I put the question that clause 9 as amended stand part of the Bill

5. Clause 11

-I propose that the question that clause 11 stand part of the Bill

Mover to move Amendments (Hon. Peter M Mwangi)

I propose that sub-clause **11) (1)** be amended by **deleting** the word “**fourteen**” and **inserting** the word “**seven**” immediately after the word “at least” and immediately before the word “days” and that clause **11** of the Bill be amended by **wholly deleting sub-clause 11(2)** and further that clause **11(3) (b)** be amended by **inserting** the words “and the prevalent **local language**” immediately after the word “Kiswahili” and immediately before the word “and”

Chairperson I propose that clause 11 as amended be part of the Bill

I put the question that clause 11 as amended stand part of the Bill

6. Clause 15.

Chairperson -I propose that the question that clause 15 stand part of the Bill

Mover to move Amendments (Hon. Peter M Mwangi)

I propose that clause 15 of the Bill be amended by **deleting** “giving instructions” and **inserting** thereof the words “**moderating the forum**” immediately after words “limited to”.

Chairperson I propose that clause 15 as amended be part of the Bill

I put the question that clause 15 as amended stand part of the Bill

7. Clause 24

Chairperson -I propose that the question that clause 24 stand part of the Bill

Mover to move Amendments (Hon. Peter M Mwangi)

i) I propose that clause **24(2)** be amended by **inserting** the following **sub-clauses** immediately after sub-clause **(2) (g)**” **All members of county Assembly**”

(h) one representative of National Council of Churches in Kenya(NCCK);

(i) one representative of the registered business community Organization;

(j) one representative of the civil society;

(k) one representative of the National Chamber of Commerce in the County;

(l) one representative of the Kenya National Union of Teachers;

(m) one representative of the parents association;

(n) one youth representative from a registered youth organization; and

(o) one person from registered organization; representing Persons living with disabilities

ii)I propose that clause **24(4)** be amended by **deleting (1) and (2)** and place thereof inserting **(a) and (b)** respectively.

iii) I Propose that sub-clause 24(6) be amended by **inserting** the words “**in the County website**” immediately after the word “publicized” and **inserting** the words “**within thirty days**” immediately after the word “public”.

Chairperson I propose that clause 24 as amended be part of the Bill

I put the question that clause 24 as amended stand part of the Bill

8. Clause 25

Chairperson -I propose that the question that clause 25 stand part of the Bill

Mover to move Amendments (Hon. Peter M Mwangi)

i)I propose that clause **25(5)** of the Bill be amended by **deleting** the word “**thirty**” and inserting the word” **fourteen**” immediately after the word “Within”

ii) I propose that sub- clause **25(6)** of the Bill be amended by **deleting** the word “**ninety**” and inserting thereof the word” **sixty**” immediately after the word “within”

iii) I propose that sub-clause **25(7)** of the bill be amended by **wholly deleting it.**

Chairperson I propose that clause 25 as amended be part of the Bill

I put the question that clause 25 as amended stand part of the Bill

9. Clause 29

Chairperson -I propose that the question that clause 29 stand part of the Bill

Mover to move Amendments (Hon. Peter M Mwangi)

I propose that clause 29 of the bill is amended by deleting the serialization of the clause “29” and in place thereof inserting serialization of the clause “**30**”

Chairperson I propose that clause 30 as amended be part of the Bill

I put the question that clause 30 as amended stand part of the Bill

10. Clause 30

Chairperson -I propose that the question that clause 30 stand part of the Bill

Mover to move Amendments (Hon. Peter M Mwangi)

I propose an amendment to clause 30 (as amended) by **deleting** the word “**regulations**” and **inserting** the words “**statutory instruments**” immediately after the word “make” and appearing before the words “**to operationalize this Act**”

Chairperson I propose that clause 30 as amended be part of the Bill

I put the question that clause 30 as amended stand part of the Bill

NEW CLAUSES

Chairperson –I propose that the question that a new clause 29 be added to the Bill

Mover to move the new clause (Hon Peter Mwangi)

I propose that a new clause on general penalty be included as follows;

“29. A person who contravenes any provisions of this Act that is not specifically provided for in the Act commits an offence and is liable upon conviction to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding one year or to both.”

Chairperson I now direct that the new 29 be read a second time

I propose that clause 30 be added to the Bill

I put the question that clause 30 be added to the Bill

SHORT TITLE & LONG TITLE

1. Short title

Chairperson I propose the question that the short title stand part of the Bill.

I put the question that short title stand part of the Bill

2. Long title

I propose the question that the long title stand part of the Bill

Mover to move Amendments (Hon. Peter M Mwangi)

I propose that the long title be amended by **inserting** the words “**civic education** “ immediately after the word “participation” and before the words “and for connected purposes

Chairperson I propose that the long title as amended be part of the Bill

I put the question that the long title as amended stand part of the Bill

CLAUSE 1 (CITATION)

Chairperson I propose that the question that clause 1, of the Bill stand part of the Bill

I put that the question that clause 1 of the Bill stand part of the Bill

CLAUSE 2

Chairperson –I propose that the question that clause 2, of the Bill stand part of the Bill.

Mover to move Amendment (Hon. Peter M Mwangi)...

I propose that clause 2 on interpretation be amended as follows:

- i) The meaning of County Executive Committee be amended by **inserting** the word “**Nyandarua**” immediately after the word “means” and immediately before the words “County Executive”, and further by **deleting** the articles “**176**” and replacing them with “**179**” immediately after the word “article”
- ii) The interpretation of the meaning of the word “**department**” be amended by **wholly deleting it**.
- iii) Inserting the words “County Public Service Board means the Nyandarua County Public Service Board established under section 57 of the County Government Act.” Immediately after the interpretation of “county Government”
- iv) Inserting the words “County Secretary means a person appointed as a County Secretary of Nyandarua County according the section 44 of County Government Act” after the words “County Public Service Board means the Nyandarua County Public Service Board established under section 57 of the County Government Act.”

Chairperson: -

- I propose that clause 3 as amended be part of the Bill
- I put the question that clause 3 as amended stand part of the Bill.

ANNEX AND SCHEDULES

ANNEX AND SCHEDULES WITHOUT AMENDMENTS

NIL

SCHEDULES WITH AMENDMENTS

SCHEDULE –MEMORANDUM OF OBJECTS AND REASONS

- A. **Chairperson** – I propose the question that **Memorandum of Objects and Reasons** be part of the Bill

(Amendment – (Hon. Peter M Mwangi).

I propose an **Amendment** that the memorandum of objects and reasons be amended by deleting the words “**NDERI NDIANI**” and inserting thereof the words “**Hon. Peter Maina Mwangi**”

Chairperson I propose the Question that memorandum of objects and reasons as amended be part of the bill

I now put the Question that memorandum of objects and reasons as amended be part of bill.

REPORT OF THE COMMITTEE OF THE WHOLE HOUSE

THE NYANDARUA COUNTY PUBLIC PARTICIPATION AND CIVIC EDUCATION BILL, 2015

<u>MOVER</u>	To move	Hon. Chairperson, I beg to move that the Committee do report to the house its consideration of the Nyandarua County Public Participation And Civic Education Bill, 2015.
<u>CHAIRPERSON</u>	To put the Question	I will put the Question, which is that the Committee do report to the House its consideration of the Nyandarua County Public Participation And Civic Education Bill, 2015.

HOUSE TO RESUME

(Chairperson immediately leaves the Chair and the Speaker resumes the Chair)

<u>CHAIRPERSON</u>	To report to the House	Hon. Speaker, I beg to <u>report</u> that the Committee of the Whole House has considered Nyandarua County Public Participation And Civic Education Bill, 2015 and approved the same without amendments;
<u>MOVER</u>	To move agreement to Report	Hon. Speaker, I beg to <u>move</u> that the House do agree with the Committee in the said Report;
<u>SPEAKER</u>	Proposes the Question for adoption of the Report	I will <u>propose</u> the Question, which is that the House do agree with the Committee in the said Report;
<u>SPEAKER</u>	Puts the Question for adoption of the Report	I will <u>put</u> the Question, which is that the House do now agree with the Committee in the said Report;
		AS MANY AS.....
<u>MOVER</u>	To move the Third Reading	Hon. Speaker, I beg to <u>move</u> that Nyandarua County Public Participation And Civic Education Bill, 2015 be now read a Third time;
<u>SPEAKER</u>	Proposes the Question for the Third reading	I will <u>propose</u> the Question, which is that the Nyandarua County Public Participation And Civic Education Bill, 2015. be now read a Third time;
<u>SPEAKER</u>	Puts the Question for the Third reading	I will <u>put</u> the Question, which is that the Nyandarua County Public Participation And Civic Education Bill, 2015. be now read a Third time;
		AS MANY AS.....