

**REPUBLIC OF KENYA**  
**COUNTY ASSEMBLY OF KIAMBU**

**THE HANSARD**

**Thursday, 20<sup>th</sup> September, 2018**

The County Assembly met at the Assembly  
Chamber at 2.30 P.M

*(The County Assembly Deputy Speaker (Hon. Phillip Mubea) in the Chair)*

**PRAYER**

**Deputy Speaker, (Hon. Mubea):** Sergeant-at-Arms, ring the quorum bell for ten minutes!

*(Quorum Bell Rung for Ten Minutes)*

**SECOND READING**

**KIAMBU COUNTY ENFORCEMENT BILL, ASSEMBLY BILL NO. 10 OF  
2018**

**Leader of Majority, (Hon. Ikonya):** Thank you Mr. Speaker!

I beg to move the following Motion;

That the Kiambu County Enforcement Bill, Assembly Bill no. 10 of 2018 be now read a second time.

Mr. Speaker, I wish to give a brief highlight on the Enforcement Bill. One is to let this House know that this is a private Member's Bill. This is a Bill that I have put together with the help of most of us. We have come this far and I want to congratulate every person who has been part of this process including the Public Service Committee.

Mr. Speaker, I wish to highlight how I thought about this Bill. You realize that in the previous regime, we had a lot of issues that faced the County that needed enforcement. Anytime we would get ourselves on the wrong side of the law and we were taken to court over any issue, maybe over lack of paying business permit, there was no legal basis upon which one could be prosecuted.

So Mr. Speaker, it was prudent that this County gets itself an Enforcement Bill that would be able to take care of that problem.

Mr. Speaker Sir, the purpose of this Bill is to establish a framework for enforcement of the County legislation and other applicable written laws for effective performance and accesses of power conferred to the County Government under Part II and the Fourth Schedule of the Constitution.

Mr. Speaker, you realize that there are so many things, but this House has been pronouncing itself on one thing, issues to do with revenue collection. One of the Things that happens when we are collecting revenue; you realize there are so many people in Kiambu, though this is not a problem that is unique to Kiambu, who do not want to pay. We have to enforce the law; we have to make sure that every coin that is owed to the County Government is paid. There has to be a platform upon which that has to be done. We need a lot of enforcement, and more so when it comes to the planning department when we talk of structures that are coming up without the prerequisite documents and approvals. We need a unit that enforces that.

Mr. Speaker, it is important that we have a legal platform upon which we can do that. What this Bill seeks to do is to create a directorate that will be able to do that. It will also create ranks of the various enforcement officers that we have. It also defines who has the legal mandate or power to get into premises and confiscate anything for purposes of producing in court as an exhibit.

It also defines the rights of the various traders that we have within our County as far as enforcement is concerned. It highlights the rights that the enforcement officers have. It also talks about how they will be trained because we need enforcement officers who are properly trained for the job. We have set out the criteria of identifying those men and women, from age to educational background to training and to making sure that we have a real force that is able to do that.

Mr. Speaker, the other very important thing is training of our enforcement officers. You cannot enforce something that you do not know. We need to take them through a rigorous training of all the laws that exist within this great County of ours and all the laws that exist within the Country so that they can be able to know when to enforce and how to enforce. For example, they need to know if you are placed in the alcoholics department, you need to know what you should ask for when you get into a premises, when should you go there, what should you ask for, what is it that should make you certain that this business is not legally established and that kind of thing. When should you arrest, how do you go about arresting, where do you take that person after arresting them; all that is defined in this piece of legislation, and it also defines how we shall touch all our enforcement units to the various departments within our County. For instance the environment department will have a force that exists within that department that will be ensuring that for instance improper dumping is not done.

It is important that we define what their roles are, how they are supposed to work, how the directorate will work, who will work under the directorate and all those things.

Mr. Speaker, yesterday we asked the Member to pick a copy of the Bill from the Sergeant-at-Arms, and if you look at the memorandum and the objectives and reasons, you will realize that we are trying to create a legal platform upon which we can now be able to legally enforce and make sure that we collect as much revenue as possible.

Mr. Speaker, that was just a highlight, and I now wish to ask the Hon. Member for Kahawa Sukari to second this Motion.

*(Kahawa Sukari MCA, Hon. Waiganjo Bows)*

*(Question Proposed)*

**Deputy Speaker,** (Hon. Mubea): Hon. Members, at this time is when we have debate on the second reading of the Bill that is in front of us. It now calls for Members to debate on the Bill as it is.

Is there any Member who would like to contribute?

*(Silence)*

*(Question Put and  
Agreed to)*

## **SECOND READING**

### **THE KIAMBU COUNTY ENFORCEMENT BILL, 2018**

A Bill For

AN ACT of the County Assembly of Kiambu to establish the Kiambu County Directorate of Enforcement and provide for its organization, functions and powers and for connected purposes

**Deputy Speaker,** (Hon. Mubea): Hon. Members, the Bill having been passed, we shall have the Committee of the Whole on Tuesday. So, you can pick up a copy of the Report at the Sergeant-at-Arms' office.

I would also like to remind you that the Mt. Kenya University is still doing registration, and I appeal to the Members to collect and also submit your registration forms. It is important to note that it is very beneficial, so let us take advantage of what we have at this moment.

## **ADJOURNMENT**

Hon. Members, there being no other Business, this Assembly stands adjourned until Tuesday, 25<sup>th</sup> September, 2018 at 2.30 P.M.

Thank you!

The House rose at 2.46 P.M.