



**COUNTY GOVERNMENT OF KITUI**  
**THE COUNTY ASSEMBLY**  
**THIRD ASSEMBLY – (THIRD SESSION)**  
**ORDERS OF THE DAY**

**WEDNESDAY 31<sup>ST</sup> JULY, 2024 AT 2.30 P.M.**

**PRAYERS**

1. Administration of Oath;
2. Communication from the Chair;
3. Messages;
4. Petitions;
5. Papers;

*Clerk*  
*Approval.*  
~~*[Signature]*~~  
 31/7/2024

*Hon. Speaker*  
*Forwarded for your*  
*approval.*  
~~*[Signature]*~~  
 31/7/2024

- i. Legal Notice No. 1 of 2024 relating to the Kitui County Public Forums (Implementation) (Amendment) guidelines, 2024. (*Designated Member, Kitui County Assembly Service Board*)
6. Notices of Motions;
7. Statements;
  - i. Schedule of Plenary Business for the week ending on 7<sup>th</sup> August, 2024. (*Designated Member, County Assembly Business Committee*).
  - ii. Statement request on Status update of grading works at Kavou – Ndumoni Road in Kyangwithya West Ward and inquiry into program feasibility. (*Hon. Christopher Nzilu Nzioka -MCA Kyangwithya West Ward*)

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- iii. Response to Statement request made by Hon. Hussein Mwandia on the concluded Youth International Day Held in Kauwi Ward, Kitui West Sub County on 11<sup>th</sup> August, 2023. *(Chairperson, Committee on Culture, Youth, Sports, Gender and Social Services)*

**COMMENCEMENT OF BUSINESS**

**8.\*. THE KITUI COUNTY ALCOHOLIC DRINKS CONTROL (AMENDMENT) BILL, 2024 (COUNTY ASSEMBLY BILL, NO. 3, 2024)- SECOND READING**

*(Chairperson, Committee on Administration and Coordination of County Affairs)*

**THAT**, pursuant to the provisions of Standing Order No. 121 (1), the Kitui County Alcoholic Drinks Control (Amendment) Bill, 2024 (C/Assembly Bill No. 3, 2024) be **now** read a **Second Time**.

*(Hon. Peter Kitonyo Mwanza – M.C.A)*

**9.\*. COMMITTEE OF THE WHOLE ASSEMBLY**

The Kitui County Alcoholic Drinks Control (Amendment) Bill, 2024 *(C/Assembly Bill No.3 of 2024)- (Chairperson, Committee on Administration and Coordination of County Affairs)*

***(To execute the business as contained in the NOTICE annexed)***

**Hon. Chairperson, I wish to move**

**THAT**, the Committee do report its Consideration of the Kitui County Alcoholic Drinks Control (Amendment) Bill, 2024 (C/Assembly Bill No. 3 of 2024) and its approval thereof **with/without** amendments

*(Hon. Peter Kitonyo Mwanza – M.C.A)*

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**ASSEMBLY RESUMES**

10.\*. REPORT OF THE COMMITTEE OF THE WHOLE COUNTY ASSEMBLY.

(Chairperson, the Committee of the whole County Assembly)

**Hon. Speaker Sir,**

I wish to report,

**THAT**, the committee of the whole County Assembly has considered The Kitui County Alcoholic Drinks Control (Amendment) Bill, 2024 (C/Assembly Bill No. 3 of 2024) and its approval thereof **with / without** amendments.

*(Hon. Christopher Nzilu Nzioka- **M.C.A**)*

11.\*. MOTION ON APPROVAL OF THE REPORT BY THE COMMITTEE OF THE WHOLE COUNTY ASSEMBLY.

*(Chairperson, Committee on Administration and Coordination of County Affairs)*

**Hon. speaker Sir, I wish to move,**

**THAT**, the House do agree with the Committee in the said report.

*(Hon. Peter Kitonyo Mwanza- **M.C.A**)*

12.\*. THE KITUI COUNTY ALCOHOLIC DRINKS CONTROL (AMENDMENT) BILL, 2024 (C/ASSEMBLY BILL, NO. 3 of 2024)- **THIRD READING**

*(Chairperson, Committee on Administration and Coordination of County Affairs)*

**Hon. Speaker sir, I beg to move,**

**THAT**, pursuant to the provisions of the Standing Order No. 131 (2), the Kitui County Alcoholic Drinks Control (Amendment) Bill, 2024 (C/Assembly Bill No. 3 of 2024) be **now** read a **Third Time**.

*(Hon. Peter Kitonyo Mwanza – **M.C.A**)*

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**Third reading**

**A Bill for**

**An Act of the County Assembly of Kitui to amend the Kitui County  
Alcoholic Drinks Control Act, 2014.**

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***\*Denotes order of the day\****

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**ANNEX**

**NOTICES**

**THE KITUI COUNTY ALCOHOLIC DRINKS CONTROL (AMENDMENT) BILL, 2024 (COUNTY ASSEMBLY BILL NO. 3 OF 2024)**

Notice is given that the Chairperson of the Committee on Administration and Coordination of County Affairs intends to move for approval by the House the following clauses to the Kitui County Alcoholic Drinks Control (Amendment) Bill, 2024 (County Assembly Bill No. 3 of 2024)

**CLAUSES WITHOUT AMENDMENTS**

Clauses 4,5,6,8,9,10,11,12,13,14,15,16,17,18,19,20,22 and 23

**THAT**, Clauses 4,5,6,8,9,10,11,12,13,14,15,16,17,18,19,20,22,23 as printed be part of the Bill.

**CLAUSES WITH AMENDMENTS**

**CLAUSE 2**

**THAT**, Clause 2 of the Bill be amended in paragraph 2(b) as follows;

- i. By deleting the word "pharse" and replacing with the word "phrase".
- ii. By deleting the word "enforcent" and replacing with the word "enforcement"

**CLAUSE 3**

**THAT**, Clause 3 of the Bill be amended as follows;

The new proposed Section 4A: -

**Subsection (1)(g)**

by inserting the word "by" between the word "appointed" and the words "the Executive Member" and further by inserting the words "for a term of three years and shall be eligible for reappointment for one further term" immediately after the word "Member" and before the semicolon.

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**Subsection (1)(h)**

by inserting the words "for a term of three years and shall be eligible for reappointment for one further term" immediately after the word "Member" and before the semicolon.

**Subsection 7**

By deleting in entirety all the words contained in Subsection 7 and replacing them thereof with the following;

(7) A vacancy in the positions under Subsection (1) (a) (g) and (h) may arise where a member;

- i. Is adjudged bankrupt;
- ii. Resigns in writing to the appointing authority;
- iii. Is convicted of a crime and sentenced to imprisonment;
- iv. Is unable to perform the functions of the office by reason of infirmity or prolonged illness;
- v. Is of unsound mind;
- vi. Dies; or
- vii. Is absent from at least 5 consecutive meetings without any justifiable reason or without prior permission from the appointing authority.

**New Sub Section 2**

By inserting a new Subsection 2 immediately after Sub-section 1 as follows;

New Sub Section 2

(2) A person shall be eligible for appointment as the Chairperson of the Committee if that person;

- i. Possesses a university degree in a relevant field from a university recognized in Kenya;
- ii. Has knowledge and experience of at least five (5) years in a relevant field;

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- iii. Meets the requirements of Chapter 6 of the Constitution.

**New Sub Section (11)**

By inserting a new Subsection 11 immediately after Subsection 10 as follows;

(11) The reports under Sub Section 10 shall be submitted to the County Assembly within twenty-eight (28) days upon submission to the Executive Member.

**Renumbering new Section 4A**

By renumbering new Section 4A to conform to the legislative drafting guidelines.

**CLAUSE 7**

**THAT**, Clause 7 of the Bill be amended as follows: -

**New Subclause 3**

By inserting a new Subclause 3

(3) A vacancy in the positions under Sub-Clause (2) (D) may arise where a member;

- i. Is adjudged bankrupt;
- ii. Resigns in writing to the appointing authority;
- iii. Is convicted of a crime and sentenced to imprisonment
- iv. Is unable to perform the functions of the office by reason of infirmity or prolonged illness;
- v. Is of unsound mind;
- vi. Dies; or
- vii. Is absent from at least four (4) consecutive meetings without any justifiable reason or without prior permission from the appointing authority.

**Renumbering new Section 4A**

By renumbering Section 7 to conform to the legislative drafting guidelines.

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CLAUSE 21

**THAT**, Clause 21 of the Bill be amended in Sub-Clause 1 by deleting the word "by" appearing between the word "deleting" and "paragraph"

LONG TITLE

**THAT**, the LONG TITLE as printed be the Title to the Bill.

CLAUSE I/CITATION CLAUSE

**THAT**, CLAUSE 1 as printed be part of the Bill.