

BARINGO COUNTY ASSEMBLY

THE HANSARD

The House met on Wednesday 3rd March 2021 at 10:17AM

The Deputy Speaker (Hon. Cheboiwo) in Chair

PRAYERS

The Deputy Speaker (Hon. Cheboiwo): Clerk!

PAPERS

BARINGO COUNTY FISCAL STRATEGY PAPER (CFSP) FOR THE 2021/2022F/Y

The Deputy Speaker (Hon. Cheboiwo): Majority Whip.

Hon. Chepsongol: Mr. Speaker...

The Deputy Speaker (Hon. Cheboiwo): What is your point of order....majority whip look for a mask for security matters...proceed

(Loud Consultations)

Hon. Chepsongol: Mr. Speaker, I inform Hon. Members that the medicine for Covid-19 is in Kenya.

The Deputy Speaker (Hon. Cheboiwo): There is nothing to inform the House because you have done a wrong respect the member...continue.

Hon. Chepsongol: Mr. Speaker I hope this Corona will move out from Kenya soon for the members of point of orders will stop. I stand to lay the Baringo County Fiscal Strategy Paper (CFSP) for the 2021/2022 Financial Year. I beg to lay Mr. Speaker.

(Hon. Chepsongol laid the Paper on the Table)

The Deputy Speaker (Hon. Cheboiwo): The paper is committed to the Committee on Budget and Appropriation. Next order!

BILL

First Reading

THE BARINGO COUNTY PRE PRIMARY AND EARLY CHILDHOOD BILL 2020, (BARINGO COUNTY ASSEMBLY BILL NO. 05 OF 2020)

(Order for first reading read-Read the first time-Ordered to be read the Second Time today by leave of the House)

The Deputy Speaker (Hon. Cheboiwo): Next order!

BILL

Second Reading

THE BARINGO COUNTY PRE PRIMARY AND EARLY CHILDHOOD BILL 2020, (BARINGO COUNTY ASSEMBLY BILL NO. 05 OF 2020)

(By leave of the House)

The Deputy Speaker (Hon. Cheboiwo): Mover!

Hon. Elizabeth: Mr. Speaker I beg after the approval of the Education, Vocational Training and ICT on the Baringo County pre-school and early childhood Bill 2020 by the County Assembly, the committee is charged with the responsibility of introducing this Bill in this House. We found that this was a good Bill that will assist when certain group wants to establish an ECDE center in respective areas. We should pass this Bill to enable early childhood growth and enhance learning, thank you Mr. Speaker and request Hon. Cornelius to second.

Hon. Cornelius: Seconded

(Question proposed)

The Deputy Speaker (Hon. Cheboiwo): Debate is open.

(Long Silence)

Since there is no member who wants to contribute, I call the mover to reply

Hon. Elizabeth: Mr. Speaker, this Bill merely actualizes what the House passed in the report of education, vocational training and ICT committee. I intend to move some amendments contained in the recommendations of the report in the committee of the whole House.

The Deputy Speaker (Hon. Cheboiwo): Thank you.

(Question Put and agreed to)

(Applause)

(The Bill was read for a Second Time and committed to a Committee of the Whole House today by leave of the House)

COMMITTEE OF THE WHOLE HOUSE

(Order of the committee read)

[The Deputy Speaker (Hon. Cheboiwo) left the Chair]

IN THE COMMITTEE

[The Chairperson (Hon. Fransisca Cheburet) took the Chair]

THE BARINGO COUNTY PRE PRIMARY AND EARLY CHILDHOOD BILL 2020, (BARINGO COUNTY ASSEMBLY BILL NO. 05 OF 2020)

The Chairperson (Hon. Fransisca Cheburet): Hon. Member's debate is open for those who wish to contribute to amendments since the mover has moved and as per considerations made by the committee on education. Clerk,

Clause 2

(Question that clause 2 be part of the Bill proposed)

Debate is open

(Long Silence)

Mover,

Hon. Elizabeth: Madam Chairperson I wish to amend the preliminary clause 2 to have the following interpretation;

Child means an individual who has not attained the age of eighteen years;

Curriculum means all the approved subjects taught or programs offered and includes all the activities provided at any institution of basic education;

Parent/guardian means a mother, father or guardian of a child and includes any person who is responsible under the law to maintain a child or is entitled to a child's custody

Special needs education includes education for gifted or talented learners as well as learners with disabilities and includes education which provides appropriate curriculum differentiation in terms of content, pedagogy, instructional materials, alternative media of communication or duration to address the special needs of learners and to eliminate social, mental, intellectual, physical or environmental barriers to learners;

Sponsor a religious institution whose duty is to uphold the religious traditions of the school and always give spiritual guidance to the children and the teachers.

(Question on amendment proposed)

(Question that clause 2 as amended be part of the Bill put and agreed to)

The Chairperson (Hon. Fransisca Cheburet): Clerk,

Clause 3

(Question that clause 3 be part of the Bill proposed)

Are there any amendments mover?

Hon. Elizabeth: there is an amendment in clause 3 (1) by deleting compulsory to read proceed to the basic primary education;

Amend 3 (2) to prescribe the roles of the following;

- a) ECDE teacher
- b) Parent/ guardian
- c) Sponsor/ donor

- d) Project manager
- e) Head teacher
- (c) Will come into effect when we have a policy at committee level.

(Question on amendment proposed)

(Question that clause 3 as amended be part of the Bill put and agreed to)

The Chairperson (Hon. Fransisca Cheburet): Clerk,

Clause 4

(Question that clause 4 be part of the Bill proposed)

Debate is open, mover is there amendments?

Hon. Elizabeth: Chairperson, there are amendments;

4 (a) by adding the following words immediately after childhood schools to read, considering children with special needs;

Amen clause 4 (b) to include the provision for teacher pupil ratio to be one teacher per twenty five pupils;

Amend clause 4 and include (d) establishment of school feeding program

Amend clause 4 and include (e) Establishment of ECDE Fund pursuant to clause 116 of PFM Act 2012

(Question on amendment proposed)

(Question that clause 4 as amended be part of the Bill put and agreed to)

The Chairperson (Hon. Fransisca Cheburet): Clerk,

Clause 5, 6

(Question that clause 5 and 6 be part of the Bill proposed)

Debate is open...mover

Hon. Elizabeth: there are no amendments

(Long Silence)

(Question on clause 5 and 6 put and agreed to)

The Chairperson (Hon. Fransisca Cheburet): Clerk,

Clause 7

(Question that clause 7 be part of the Bill proposed)

Debate is open...mover

Hon. Elizabeth: Amendments on clause 7 by adding ECDE teachers on the side notes to read, ECDE teachers, other officers and staff of the department; add in reference to the SRC and other relevant laws, on the last paragraph of clause 7 (1)

Amend clause 7(2) by adding the department may search for consultants or experts with qualifications in the following professions; psychology. Sociology, Social work, Early Childhood Education among other related disciplines from a recognized institution as may be necessary for the discharge of its functions.

(Question on amendment proposed)

(Question that clause 7 as amended be part of the Bill put and agreed to)

The Chairperson (Hon. Fransisca Cheburet): Clerk,

Clause 8

(Question that clause 8 be part of the Bill proposed)

Debate is open...I see there are no amendments

(Question on clause 8 put and agreed to)

The Chairperson (Hon. Fransisca Cheburet): Clerk,

Clause 9

(Question that clause 9 be part of the Bill proposed)

Debate is open...mover any amendments?

Hon. Elizabeth: Yes there is an amendment on clause 9(3) by adding to a fine not exceeding one hundred thousand shillings or jail term of two years or both.

(Question on amendment proposed)

(Question that clause 9 as amended be part of the Bill put and agreed to)

The Chairperson (Hon. Fransisca Cheburet): Clerk,

Clause 10,11,12

(Question that clause 10, 11, 12 be part of the Bill proposed)

Debate is open...any amendments mover?

Hon. Elizabeth: There is no amendments Madam Chairperson

(Question on clause 10, 11, 12 put and agreed to)

The Chairperson (Hon. Fransisca Cheburet): Clerk,

Clause 13

(Question that clause 13 be part of the Bill proposed)

Debate is open....mover

Hon. Elizabeth: Madam Chairperson there is an amendment on clause 13 (1) by introducing sub clause (f) to read where the applicant is a company at least one directors should be an educationist with Early Childhood Education background or experience.

(Question on amendment proposed)

(Question that clause 13 as amended be part of the Bill put and agreed to)

The Chairperson (Hon. Fransisca Cheburet): Clerk,

Clause 14, 15, 16, 17, 18

(Question that clause 14, 15, 16, 17 and 18 be part of the Bill proposed)

Debate is open....i se there are no amendments

(Question on clause 14, 15, 16, 17 and 18 put and agreed to)

The Chairperson (Hon. Fransisca Cheburet): Clerk,

Clause 19

(Question that clause 19 be part of the Bill proposed)

Debate is open...mover

Hon. Elizabeth: Madam Chairperson I wish to amend the second last paragraph of clause 19 (3) by adding any other relevant officers depending on the nature of the complaint.

Also amend clause 19 by introducing sub clause (c) any person who will be found with a child or school going age and has not been enrolled to any school is found to have contravened article 53 (1) (b), children Act of 2001, basic education Act 2013 and any other related laws is liable on conviction to fine not exceeding one hundred shillings or jail term of two years or both.

(Question on amendment proposed)

(Question that clause 19 as amended be part of the Bill put and agreed to)

The Chairperson (Hon. Fransisca Cheburet): Clerk,

Clause 20 and 21

(Question that clause 20 and 21 be part of the Bill proposed)

Debate is open...mover is there amendments?

Hon. Elizabeth: No amendments

(Question on clause 20 and 21 put and agreed to)

The Chairperson (Hon. Fransisca Cheburet): Clerk

Memorandum and objects of objects and reasons

(Question that memorandum of objects be part of the Bill proposed)

(Question put and agreed to)

The Chairperson (Hon. Fransisca Cheburet): Clerk

Long title

(Question that long title be part of the Bill proposed)

Any amendments...

Hon. Elizabeth: We have an amendment in the long title by inserting the word development to read an act of the County Assembly of Baringo to give effect to paragraph 9 of part 2 of the fourth schedule of the constitution of Kenya and to provide for ECDE and early childhood development education and for other connected purposes.

(Question as amended put and agreed to)

The Chairperson (Hon. Fransisca Cheburet): Clerk

Clause 1 or short title

(Question that clause 1 or short title be part of the Bill proposed)

Any amendments mover...

Hon. Elizabeth: Madam Chairperson there is amendment that the short title be amended by introducing the word development.

(Question on amendment proposed)

(Question on Short Title as amended put and agreed to)

The Chairperson (Hon. Fransisca Cheburet): That is the end of the amendments I congratulate members on education. What is it Hon. Lourien

Hon. Limo: Madam Chair I congratulate the committee especially the member for Sacho ward for such brilliant Bill. The only worry is the implementation of the Bill because we have been passing a lot of Bills but they are not implemented.

Secondly, has the committee consulted with the ministry on the new curriculum CBC to the current ECDE? We might pass such Bill but it gets obstacles in its implementation stage. I challenge the owner on this. I will be the first member to champion this Bill when it is implemented in our locality, thank you.

The Chairperson (Hon. Fransisca Cheburet): Thank you members for contributing to the Baringo County Pre-Primary and Early Childhood Bill 2020, Baringo County Assembly Bill No. 05 of 2020; I call the mover to do reporting.

Hon. Elizabeth: Thank you Madam Chair, Hon. Lokales has raised pertinent issues and I refer members on memorandum of objects and reasons; let me read for all members to acquaint themselves with the Bill seeks to give effect of paragraph 9 of part 2 of the Fourth Schedule of

the constitution of Kenya 2010 and to provide for pre-primary and early childhood education and for other connected purposes.

Part II of the Bill provides for responsibilities relating to pre-primary and early childhood education

Part III of the Bill provides for registration of schools, centers and other institutions within the County

Part IV of the Bill provides for miscellaneous provisions to include; administrative and technical costs, how the public may institute complaints, publications of matters of concern to the community and other subsidiary regulations that is what the Bill entails, thank you.

I beg to move that the committee do report to the House its considerations of the Baringo County Pre-Primary and Early Childhood Bill 2020, Baringo County Assembly Bill No. 05 of 2020 and its approval thereof with amendments.

(Question Proposed)

(Question Put and agreed to)

Order Members!

(The House Resumes)

[The Deputy Speaker (Hon. Cheboiwo) took the Chair]

CONSIDERATION OF THE REPORT AND THIRD READING

The Deputy Speaker (Hon. Cheboiwo): Chair of the Committee Whole House to report on the progress of the committee of the whole House.

Hon. Fransisca Cheburet: Mr. Speaker the Committee of the Whole House has considered the Baringo County Pre-Primary and Early Childhood Bill 2020, Baringo County Assembly Bill No. 05 of 2020 and approved the same with amendments.

The Deputy Speaker (Hon. Cheboiwo): Mover!

Hon. Elizabeth: Mr. Speaker I beg to move that the House do agree with the committee in the said report and call Hon. Cornelius Cheruiyot to second.

Hon. Cornelius Cheruiyot: Seconded

(Question Proposed)

The Deputy Speaker (Hon. Cheboiwo): Debate is open

(Question put and agreed to)

(Applause)

Next order!

Hon. Elizabeth: Mr. Speaker I beg to move that the Bill be read for the third time and call upon Hon. Cornelius Cheruiyot to second.

Hon. Cornelius Cheruiyot: Seconded

(Question proposed)

(Question put and agreed to)

(The Bill was accordingly read the third time and passed)

The Deputy Speaker (Hon. Cheboiwo): Congratulation Members for passing the Bill and it's the mandate of His Excellency the Governor to assent it to a law pursuant to section 24 of the County Governments Act and Standing Order No. 138.

(Applause)

Order Members!

ADJOURNMENT

Having no other business, this House is adjourned until today at 2:30p.m.

The House rose at 11:01AM