



COUNTY GOVERNMENT OF BUNGOMA
THIRD COUNTY ASSEMBLY –SECOND SESSION
THE COUNTY ASSEMBLY OF BUNGOMA
ORDERS OF THE DAY
WEDNESDAY 4TH OCTOBER, 2023 AT 9:30 A.M
ORDER OF BUSINESS

PRAYERS

1. Administration of oath
2. Communication from the chair
3. Messages
4. Petitions
5. Papers (*As listed in the Appendix*)
6. Notices of Motion (*As listed in the Appendix*)
7. Questions and Statements
8. **MOTION – CONSIDERATION OF THE BUNGOMA COUNTY PUBLIC ENTERTAINMENT AND AMENITIES BILL, 2023.**

(Chairperson, Sectoral Committee on Gender, Culture and Social Welfare)

THAT, this House notes the report by the Sectoral on Gender, Culture and Social Welfare on the Bungoma County Public Entertainment and Amenities Bill, 2023, *laid on the Table of the House on 19th September, 2023.*

9. **MOTION - CONSIDERATION OF THE AUDITOR GENERAL'S REPORT ON PENDING BILLS OF THE (COUNTY GOVERNMENT) COUNTY ASSEMBLY OF BUNGOMA FOR THE FINANCIAL YEARS 2018/2019-2019/2020**

(Chairperson, Public Accounts and Investments Committee)

THAT, this House adopts the report by the Public Accounts and Investments Committee on the pending Bills of the (County Government), County Assembly of Bungoma for the financial years 2018/2019- 2019/2020, *laid on the table of the House on 13th September, 2023.*

10. **BILLS - THE BUNGOMA COUNTY PUBLIC ENTERTAINMENT AND AMENITIES BILL, 2023.**

A Bill for an Act of the County Assembly of Bungoma to regulate public entertainment and the use of public amenities and for connected purposes

(Chairperson, Sectoral Committee on Gender, Culture and Social Welfare)

(Second Reading)

11. **COMMITTEE OF THE WHOLE HOUSE ON THE BUNGOMA COUNTY PUBLIC ENTERTAINMENT AND AMENITIES BILL, 2023**

(The Chairperson, Committee of the Whole House)

APPENDIX

ORDER NO 5 – PAPERS

Report by the Sectoral Committee on Trade, Energy and Industrialization on the Bungoma County Weights and Measures Bill, 2023.

(Chairperson, Sectoral Committee on Trade, Energy and Industrialization)

ORDER NO 6- NOTICES OF MOTION

THAT, this House notes the report by the Sectoral Committee on Trade, Energy and Industrialization on the Bungoma County Weights and Measures Bill, 2023.

(Chairperson, Sectoral Committee on Trade, Energy and Industrialization)

NOTICES

THE BUNGOMA COUNTY PUBLIC ENTERTAINMENT AND AMENITIES BILL, 2023

Notice is given that the Chairperson of the Sectoral Committee on Gender, Culture and Social Welfare intends to move the following amendments to the Bungoma County Public Entertainment and Amenities Bill, 2023 at the Committee Stage –

CLAUSE 4

THAT, the Bill be amended by deleting Clause 4

CLAUSE 5

THAT, the Bill be amended by deleting Clause 5

CLAUSE 6

THAT, the Bill be amended by deleting Clause 6

CLAUSE 7

THAT, Clause 7 of the Bill be amended by;

- i. inserting the words “after consultation with the County Public Service Board” immediately after the word “shall”;
- ii. deleting the words “by notice in the *Gazette*” before the word “appoint”
- iii. inserting the word “or” immediately after the word “amenities” and by deleting the word “cultural sites” appearing immediately after the word “or”.

So as to read:

“7. The county executive committee member shall, after consultation with the County Public Service Board, appoint such number of officers to be authorized officers to oversee the activities taking place in places of public entertainment, public amenities or camping sites under this Act.”

CLAUSE 10

THAT, Clause 10 of the Bill be amended in sub clause 10 (d) by deleting the words “*the officer in charge of the nearest police station*” appearing immediately after the word

“allow” and substituting therefor the words “a police officer” and by deleting the words “appointed for the purpose by the Department” appearing immediately after the word “officer”, So as to read:

“10 (d) allow a police officer or authorized officer to inspect the public entertainment venue at a reasonable period.”

CLAUSE 11

THAT, the Bill be amended by deleting Clause 11

CLAUSE 12

THAT, the Bill be amended by deleting Clause 12

CLAUSE 14

THAT, the Bill be amended by deleting Clause 14

CLAUSE 15

THAT, Clause 15 of the Bill be amended by inserting the word “county” immediately after the words “approval of the”, so as to read:

“15. The county executive committee member may by notice in the Gazette and after approval of the County Assembly, declare any entertainment to which the public is admitted, whether admission is procured or not, to be a public entertainment venue for the purposes of this Act.”

CLAUSE 21

THAT, Clause 21 the Bill be amended in sub-clause 4;

- i. by inserting at the beginning of paragraph (b) the words “display”

So as to read:

21 (4) (b) display, distribute pamphlets, placards, paintings, books, handbills.

- ii. And by inserting at the beginning of paragraph (c) the words “display any”.

(NO. 097)

Morning Sitting (026)

So as to read:

21 (4) (c) display any other printed, written or painted work

CLAUSE 23

THAT, Clause 23 of the Bill be amended by deleting sub-clause (5) in its entirety.

CLAUSE 42

THAT, Clause 42 of the Bill be amended by deleting the words “cultural sites” appearing immediately after the word “amenity”

So as to read:

“42. The County Executive Committee Member may exempt a person holding an activity in a public entertainment venue, public amenity, camping site or other place owned or managed by the Department from obtaining a permit under this Act for the purpose.”

CLAUSE 43

THAT, Clause 43 of the Bill be amended in sub clause (1) by deleting the words “cultural sites” appearing immediately after the word “amenity”

So as to read:

“43 (1) The Department may, before issuing a permit in respect of a public entertainment venue, public amenity or camping site for purposes of public security and compliance to the conditions of the permit require-”

CLAUSE 47

THAT, Clause 47 be amended in sub clause (1) by deleting the words “or cultural site” appearing immediately after the words “camping site”

So as to read:

“47 (1) A police officer or authorized officer appointed for the purpose by the County Executive Committee Member may at all reasonable times, enter upon any public

entertainment venue, public amenity or camping site in which there is reason to believe that any activity or event is being or is about to take place with a view to ensuring that this Act is complied with.”

CLAUSE 49

THAT, Clause 49 of the Bill be amended by inserting a new paragraph

(aa). So as to read:

“49(aa) entrance fees to public amenities”

And in paragraph (d) by deleting the words “cultural sites” appearing immediately after the word “which” and substituting therefor the words “public amenities”.

So as to read:

“49(d) hours during which public amenities may be open to the public”

SCHEDULE

That the schedule of the Bill be amended-

- (i) by deleting the words “Education, Culture, Youth, and Social Services” appearing immediately after the word “amenities” on the title of the schedule

So as to read:

“County Public Entertainment and Amenities”

- (ii) by deleting column 4 on “approved charges 2021/2022” in its entirety
- (iii) by deleting the words “proposed charges 2022/23” appearing in column 5 and substituting therefor the word “charges”

So as to read: *“Charges”*