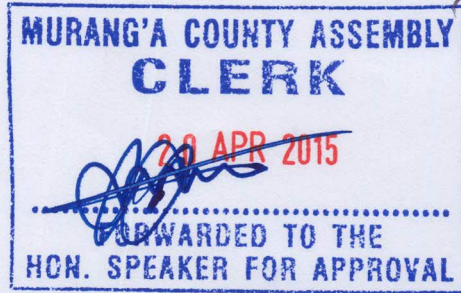




MURANG'A COUNTY ASSEMBLY  
THE FIRST ASSEMBLY  
(Third Session, 2015)

The Hon. Speaker  
Murang'a County Assembly

Thro'  
The Clerk  
Murang'a County Assembly  
P.O.Box 731  
Murang'a



April 20, 2015

*Paper laid by  
Hon. Anderson M. Chemuri  
on 2:35 P.M*

• **Paper Laid:**

*Hon. Speaker I beg to lay the following paper on the Table of the Assembly today Tuesday 21, April, 2015*

**THAT**, the report of the Governance, Labour and Social Welfare and Justice and Legal Affairs Committee, on the Murang'a County Symbols Bill, No 13 Of 2014 be laid on the table of the Assembly.

Signed: *Jesse Mburu Gitau* Date: *20/04/2015*

Hon. Jesse Mburu Gitau

(Chairperson Governance, Labour and Social Welfare and Justice and Legal Affairs Committee)



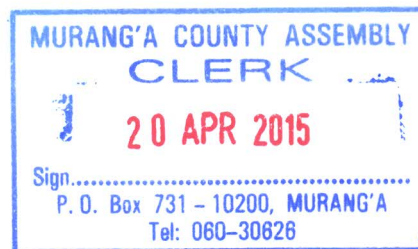
**MURANG'A COUNTY ASSEMBLY**  
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**BILLS – (Second Reading)**

**(Chairperson Governance, Labour and Social Welfare Justice and Legal Affairs Committee)**

**THAT**, the Murang'a County Symbols Bill No 13, 2014, be now read a Second time.

Signed:  Date: 

Hon. Anderson Muchemi Waweru.

**For, (Chairperson Governance, Labour and Social Welfare and Justice and Legal Affairs Committee)**

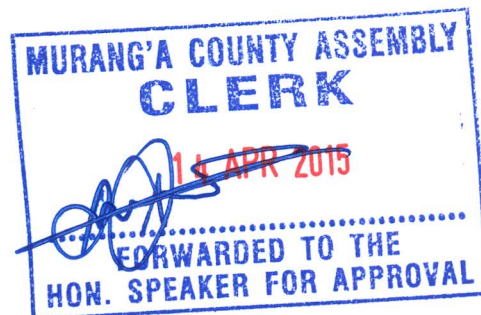


COUNTY ASSEMBLY OF MURANG'A

THE SECTORAL COMMITTEE ON GOVERNANCE, LABOUR AND  
SOCIAL WELFARE

AND JUSTICE AND LEGAL AFFAIRS

REPORT ON THE MURANG'A COUNTY SYMBOLS BILL NO.13 OF 2014



*Handwritten signature*

*Approved*

*Handwritten signature*

*Speaker*

*Handwritten mark*

## **PREFACE**

On behalf of the Sectoral Committee On Governance, Labour And Social Welfare and Justice and Legal Affairs pursuant to section 59(1) (d) County Government Act, it is my pleasure and duty to present to the County Assembly Report on Amendment of County Symbols Bill 2014,

## **COMMITTEE MEMBERSHIP**

This Committee comprises of the following members:-

- |                                 |               |
|---------------------------------|---------------|
| 1. Hon. Jesse Mburu Gitau       | - Chairperson |
| 2. Hon. Anderson Muchemi Waweru | - Vice Chair  |
| 3. Hon. Martin Mwangi Macharia  | - Member      |
| 4. Hon. Beth Wanjiku Ngugi      | -Member       |
| 5. Hon. Jane Wanjiku Ndegwa     | -Member       |
| 6. Hon. Isaac Mwangi Kamote     | -Member       |
| 7. Hon. Samuel Dishon Wandia    | -Member       |
| 8. Hon Peter Irungu Kihungi     | -Member       |
| 9. Hon.Cecilia Wanjiku Gitu     | -Member       |

## **COMMITTEE STAFF**

- |                     |                 |
|---------------------|-----------------|
| 1. Mr. Reuben Maina | Assistant Clerk |
| 2. Ms. Yvonne Njoki | Legal Officer   |

## **COMMITTEE MANDATE**

The Sectoral Committee on Governance, Labour and Social Welfare and Justice and Legal Affairs derives its mandate from provisions of Standing Order 195 which outlines the functions of the Committee, to include, among others as;


- (a) Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned departments;
- (b) Study the programme and policy objectives of departments and the effectiveness of the implementation;
- (c) Study and review all county legislation referred to it;
- (d) Study, assess and analyze the relative success of the departments as measured by the results obtained as compared with their stated objectives;
- (e) Investigate and inquire into all matters relating to the assigned departments as they may deem necessary, and as may be referred to them by the Assembly;
- (f) To vet and report on all appointments where the Constitution or any law requires the Assembly to approve, except those under Standing Order 189 (*Committee on Appointments*); and
- (g) Make reports and recommendations to the Assembly as often as possible, including recommendation of proposed legislation.

Further ,Committee on Governance,Labour and Social Welfare and Justice and Legal Affairs is mandated to deal with all matters related to constitutional affairs, the administration of law and justice, including the elections, ethics, integrity and anti-corruption and human rights, and administrative justice, labour, trade union relations, manpower or human resource planning, gender, culture and social welfare, national heritage, betting, lotteries, sports and County public Service and ensuring and coordinating the participation of communities and locations in governance at the local level and assisting communities and locations to develop the administrative capacity for the effective exercise of the functions and powers and participation in governance at the local level.

**ACKNOWLEDGEMENT**

- a) The Committee wishes to sincerely thank the Offices of the Speaker and the Clerk of the Murang'a County Assembly for the necessary support extended to it in the execution of its mandate.
- b) The Chairperson of the Committee takes this opportunity to thank all Members of the committee for their diligence and commitment to making this exercise successful.
- c) The Committee wishes to record its appreciation for services rendered by the staff of the Murang'a County Assembly attached to the Committee. Their efforts and input made the work of the Committee and production of this Report possible.
- d) The committee also wishes to thank Executive Committee Member Education and ICT and the entire department for their commitment.
- e) It is now my pleasant duty on behalf of the Sectoral Committee to table this report for Adoption by this house.

Thank you

SIGN  DATE 21/04/2015  
HON. JESSE GITAU MBURU  
CHAIRPERSON GOVERNANCE, LABOUR AND SOCIAL WELFARE AND JUSTICE AND LEGAL

## INTRODUCTION AND BACKGROUND

Pursuant to County Government Act 4(1) (2) (3) and (4) every county shall enact legislation prescribing the following county symbols—

- (a) The county flag;
- (b) County coat of arms; and
- (c) The county public seal.

The County Executive shall develop the symbols of the county through consultative process for approval by the county assembly by legislation.

(3) The county legislation enacted under subsection (1) shall provide for the use of the county symbols in the same manner as provided for in the National Flag, Emblems and Names Act (Cap. 99).

(4) A county symbol shall not be the same as, or bear a likeness or similarity to a national symbol.

Having held public participation to seek public views of Murang'a County Citizens, the Education and ICT ministry with the approval of the County Cabinet submitted to the County Assembly designs County Flag, Coat of Arms and Public Seal for approval and subsequent legislation. Further, the **Trade, Industrialization, Tourism and Wildlife Committee** in **November 20, 2013** noted that the County Executive had already started using the proposed County Symbols without the approval of Assembly by legislation.

In relation, the Symbols were committed to the Committee on **Education and Child Welfare Research, Information Technology and E-Government** who went through symbols, held consultative meetings with the County Executive Member Incharge of Education and ICT.

The Committee drafted the legislative proposal that would be used to govern the use of the County Symbols; on November 4, 2014 the County Assembly committed the Bill to Committee on **Governance, Labour and Social Welfare and Justice and legal Affairs** for further scrutiny, assessment and recommendation, the Committee with aid of legal advisor held consultative meetings with County Executive Member In charge Education and ICT and Symbols Designer.

## PUBLIC PARTICIPATION

Pursuant to Article 10 and 118 (1) (b) Of the Constitution Committee and Section 37 of the County Government Act engaged the public to seek views on the bill, to satisfy this requirement, the Committee with the help of the Office of Clerk Murang'a County Assembly also sought the views through running of adverts in the local vernacular stations, Newspaper and Assembly's Social sites to solicit for their views.

## SUBCOUNTIES VISITED

Other than the media and social sites, the Committee engaged with the public in the following subcounties:

<u>SUBCOUNTY</u>	<u>DATE</u>	<u>VENUE</u>
1. Mathioya Sub County	14 <sup>TH</sup> November 2014	Kiria-ini Police Post
2. Gatanga Sub County	14 <sup>th</sup> November 2014	Mabanda CDF Hall
3. Maragua Sub County	17 <sup>th</sup> November 2014	Kariguini Ack Hall
4. Kigumo Sub County	17 <sup>th</sup> November 2014	Kigumo Social Hall
5. Kangema Sub county	17 <sup>th</sup> November 2014	Muguru Social Hall

## PUBLIC VIEWS

- 1) **Coffee berry to be made clearer**-A member of public informed the committee that the coffee symbol was not visible, considering importance of the coffee to the society, people of Murang'a requested for Coffee to be more prominent.
- 2) County Executive Members to use flags –The Public proposed to the Committee that County Executive Members be allowed to fly the County Flag in their motor vehicles.
- 3) **Change slogan** –a member requested the committee to consider the slogan "**KAMUINGI KOYAGA NDIRI**" instead of "**GROWING TOGETHER**".
- 4) **Education** –a member suggested that there should be something to capture education.
- 5) **Avocado farming** – More farmers nowadays grows avocados hence need for it to be captured in the flag.
- 6) A member suggested that the former Slogan of the defunct Murang'a Council "**Kamuingi koyaga Ndiri**" to remain, reason being that the slogan will inspire hardwork, and that it is the identity of Murang'a.
- 7) They also raised a concern that Pokot County had in their symbol a cow and therefore prudent to change it to avoid confusion and be specific and original as a County.
- 8) It was proposed that the colours of the Flag from top to bottom be reordered as follows White, Green and Black in that order.

## PROPOSED AMENDMENTS TO THE MURANG'A COUNTY SYMBOLS BILL

1. **Part 1** Clause (1) be amended to read as :  
**"This bill be cited as Murang'a County Symbol Bill, 2014 and shall come into operation fourteenth day after publication on the County Gazette and Kenya Gazette."**
2. Clause 2 to be deleted
3. Clause 3 Section 2 of the bill, 2015, added the definition of:  
**"CEC Member" means the County Executive member in charge of county symbols."**
4. Clause 4 to be deleted.
5. Clause 5 to be deleted.
6. Clause 6 to be deleted.
7. Clause 7 (1) be deleted.
8. Clause 7 (2) of the Bill to be amended by inserting the word "member" immediately after the word "Executive" to read;  
(2) County Symbols shall not be used except with the permission of the County Executive Member in a manner authorized by this Act or any other law.
9. Clause 7 (3) to be deleted and replaced by a paragraph reading as follows;  
**(3) Any person who shows disrespect in speech, manner or writing, to or with reference to any symbol of the county, specified likeness or specified name, or any representation thereof, shall be guilty of an offence and shall be liable to a fine not exceeding two hundred thousand shillings or to imprisonment for a term not exceeding six months or to both.**
10. Clause 7 (10) to be deleted.

11. Clause 9 be amended to read

**Any person who violates any provision of this Act shall be guilty of an offence and liable on conviction to a fine not exceeding fifty thousand shillings or to imprisonment for a term not exceeding twelve months or both.**

11. Clause 10 of the Bill to be amended to read

**The County Executive Member may by notice in the Gazette and with approval of the County Assembly, amend the Schedule to this Act.**

12. Inserting a new Clause to read as;

11. (1) The County Executive Member may make regulations with approval of County Assembly–

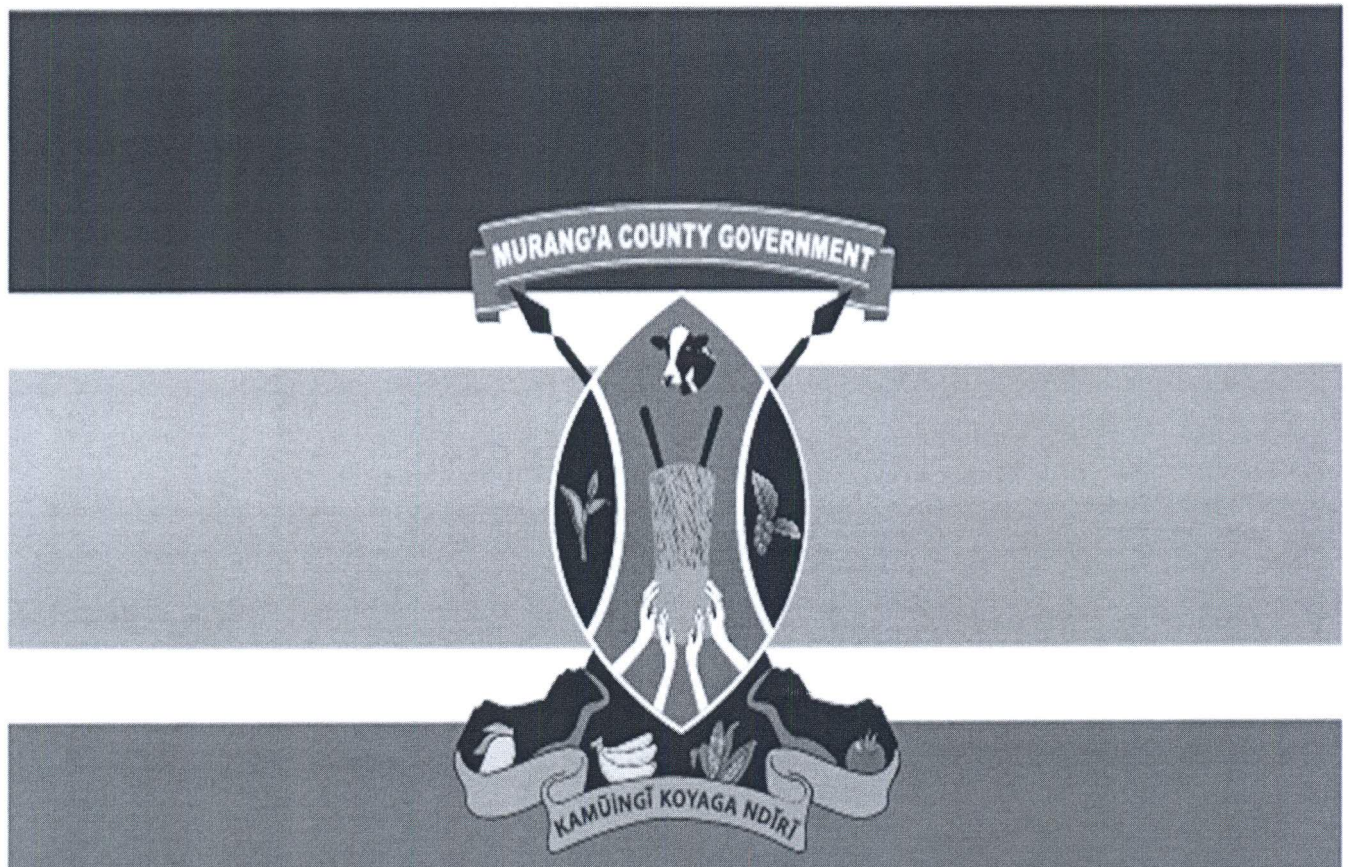
(2) Prescribing the occasions upon which, the persons by whom and the manner in which the County Flag may be flown and displayed, as the case may be;

(3) Prohibiting, controlling or restricting the use of any specified emblem, specified likeness or specified name;

(4) Regulating the manner in which the application may be made to him for his permission under Section..... of the Act, prescribing the form of any license by which such permission may be given and fixing any fee for such application and licence.

13. Deleting the Schedule and replacing it with the following new schedule.

#### SCHEDULE .1





**Flag ratio** – 2:3 (the width is one and half times the length of the height).

The Logo, in full colour is superimposed on the flag. The colour codes for the logo remain as detailed..

The flag has bands in the following colours:

1. Black
2. White
3. Gold (*Pantone DS 26-3C*)
4. Green (*Pantone DS 284 --1C*)

## SCHEDULE 2



County Seal



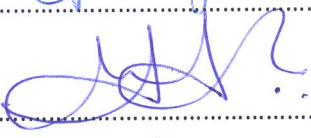
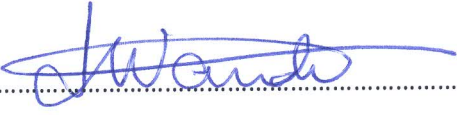
APPENDIX

NAME

SIGN

1. Hon. Jesse Mburu Gitau .....  
.....
2. Hon Anderson Muchemi Waweru .....  

3. Hon.Martin Mwangi Macharia .....  
.....
4. Hon. Beth Wanjiku Ngugi .....  
.....
5. Hon. Jane Wanjiku Ndegwa .....  

6. Hon. Isaac Mwangi Kamote .....  

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9. Hon.Cecilia Wanjiku Gitu .....  
