

SPECIAL ISSUE

Nairobi City County Gazette Supplement No. 10 (Acts No. 4)



REPUBLIC OF KENYA

**NAIROBI CITY COUNTY GAZETTE
SUPPLEMENT**

ACTS, 2016

NAIROBI, 22nd August, 2016

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**CLERK
NAIROBI CITY
COUNTY ASSEMBLY
P. O. Box 45844-00100
NAIROBI**

**THE NAIROBI CITY COUNTY COMMUNITY AND
NEIGHBOURHOOD ASSOCIATIONS ENGAGEMENT ACT, 2016**

No. 4 of 2016

Date of Assent: 14th March, 2016

Date of Commencement: See Section 1

ARRANGEMENT OF CLAUSES

Clause

PART I—PRELIMINARY

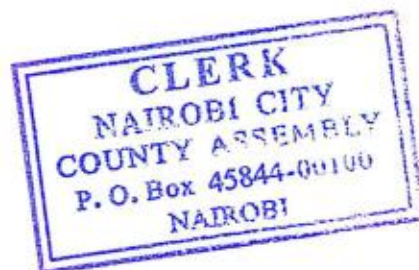
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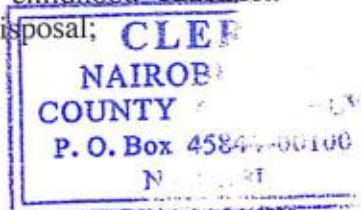
- (a) establish a legal framework for the engagement, promotion and facilitation of community and neighbourhood associations in their support and co-operation with the county government in the delivery of services;
- (b) enhance public participation in the decision making by the county government especially with regard to service delivery and thus give effect to Article 10 of the Constitution;
- (c) recognize and facilitate community and neighbourhood initiatives in complementing county government services including in security waste management, water, and sanitation;
- (d) establish a recognition framework for the community and neighbourhood associations;
- (e) provide for the competencies and responsibilities of the neighbourhood initiatives and associations;
- (f) strengthen capacities of associations to enforce regulations aimed at enhancing service provision.

PART II—RECOGNITION AND ENGAGEMENT WITH ASSOCIATIONS, ETC

Objectives of community, etc initiatives

4. The objectives for which a neighbourhood association may be established shall include the co-operation of the residents in the —

- (a) conservation, generally of their environment and investments and the promotion of the integrity of their environment and investments;
- (b) provision and maintenance of basic policing services and support to policing services in the maintenance of neighbourhood security;
- (c) maintenance of such common facilities in the neighbourhood as may be necessary for the furtherance of special services or recreational purposes;
- (d) sharing of information between the residents and the county government and its various institutions on matters affecting the residents and their environment and investment;
- (e) collaboration in the provision of services including establishment and maintenance of early childhood education centres, water, solid waste collection and disposal;



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zoning requirements in respect of the neighbourhood;

- (e) protection of public utility land and recreational facilities in the neighbourhood;
- (f) the management of garbage collection and payments through a neighbourhood association where necessary.

Delineation of zones

7. (1) The county government may in consultation with associations and residents delineate respective zones within the county which shall be recognized as areas of the respective neighbourhood associations.

(2) In delineating the zones under this section, the county executive committee member shall take into account—

- (a) the existing co-operation arrangements by the residents, if any;
- (b) the community of interest of the respective neighbourhood's residents;
- (c) geographical and built demarcations, if any;
- (d) any other relevant matter as the executive committee member may determine, in consultation with the residents.

Determination of community of interest

8. Notwithstanding section 7, the executive committee member in consultation with the associations shall by notice in the Gazette prescribe the criteria to be used to determine community of interest associations that may be eligible to enter into a recognition agreement with the county government despite the fact that the membership of such association may not comprise residents of a locality or neighbourhood.

Only one recognition agreement in respect of each zone

9. Where there is more than one association claiming to be operating in a particular zone, the county government shall, subject to the requirement of section 5(e), only enter into a recognition agreement with the association most representative of the residents.

Termination of recognition agreement

10. (1) A recognition agreement between an association and the county government may be terminated if—

- (a) the association in question ceases to exist or is otherwise unable to transact business as such by operation of the national Societies Act or any other written law;



Agency arrangements with associations

14. The county government may, subject to any relevant written law and to such conditions as it may determine, enter into agency arrangements with any association for the purpose of providing services.

Dispute resolution

15. Any dispute arising from the implementation of the provisions of this Act shall be referred to a mediation committee to be appointed by the governor in respect of that particular dispute and shall comprise—

- (a) a chairperson to be appointed by the governor who shall be a person knowledgeable in arbitration matters;
- (b) one person nominated by each association, or federation of associations, concerned in the matter; and
- (c) one person nominated by the professional association of a profession concerned with the issue in dispute.
- (d) not more than two-thirds of the members of the committee established under this section shall be of the same gender.

Regulations

16. The executive committee member, with the approval of the County Assembly, may make regulations for the better carrying out of the provisions of this Act.

