REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

NAROK COUNTY BILLS, 2017

NAIROBI, 29th September, 2017

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THE NAROK COUNTY PERSONS LIVING WITH DISABILITIES BILL, 2017

A Bill for

AN ACT of Narok County Assembly to institutionalize delivery of services for persons with disabilities, to provide rights and rehabilitation of persons with disabilities, to achieve equalization of opportunities for persons with disabilities in the county, and for connected purposes

ENACTED by the Narok County Assembly, as follows—

PART I—PRELIMINARY

Short Title

1 This Act may be cited as the Narok County Persons with Disabilities Act, 2017 and shall come into effect upon publication in the Gazette.

Interpretation

2 In this Act, unless the context otherwise requires—

“management committee” means the Narok County Management Committee for Persons with Disabilities established under section 4 of this Act.

“disability” includes any physical, sensory, mental, psychological or other impairment, condition or illness that has, or is perceived by significant sectors of the community to have, a substantial or long-term effect on an individual's ability to carry out ordinary day to day activities,

“discriminate” means to accord different treatment to different persons solely or mainly as a result of their disabilities and includes using words, gestures or caricatures that demean, scandalize or embarrass a person with a disability.

Objects and Purposes of the Act

3 The Objects and Purposes of this Act are—

(a) To institutionalize and mainstream delivery of services for persons with disabilities in the county pursuant to the provisions of Chapter Eleven of the Constitution, and

(b) To make further provisions for ensuring the rights of persons with disabilities in the county pursuant to the provisions in the Constitution and any other law.
PART II—THE NAROK COUNTY DISABILITY MANAGEMENT COMMITTEE

Establishment of the Management Committee

There is established the Narok County Disability Management Committee

Membership of the Management Committee

The Management Committee shall consist of the following members who shall be appointed by the County Executive Committee Member—

(a) three persons nominated by an organization representing persons with various categories of disabilities within the county,

(b) one person seconded by an organization of parents for children with severe disabilities,

(c) Three members representing county departments responsible for—

(i) Education,

(ii) Labour,

(iii) disability affairs,

(d) such other members as may be co-opted by the Management Committee with the approval of the County Executive Committee Member

Provided that the membership of the Management Committee shall not exceed ten persons, out of whom at least half of the members shall be persons with disabilities

(2) The County Executive Committee Member shall appoint one of the members appointed under subsection 1 (a) as the Chairperson

(3) The members of the Management Committee shall appoint one of the members appointed under subsection 1 (a) or (b) as the Vice-Chairperson

(4) The Chairperson and Vice-Chairperson shall be from different gender

(5) In appointing the Chairperson and members of the Management Committee, the County Executive Committee Member shall ensure that—

(a) the Management Committee reflects the regional and ethnic diversity of the people within the county, and
(b) not more than two-thirds of the members are of the same gender,

(c) The membership of the Management Committee shall equitably represent the types of disabilities occurring in the county

**Tenure of Office**

6 The Chairperson, Vice-Chairperson and members shall hold office for a period not exceeding three years and may be eligible for re-appointment for a second and final term not exceeding three years

**Functions of the Management Committee**

7 (1) The functions of the Management Committee shall include liaising with and ensuring that the priority of persons with disabilities is mainstreamed in —

(a) County health services,

(b) Cultural activities, public entertainment and public amenities,

(c) County transport,

(d) Trade development and regulation,

(e) County planning and development,

(f) Pre-primary education, village polytechnics, homecraft centres and child-care facilities,

(g) County public works and services,

(h) Firefighting services and disaster management,

(i) Ensuring inclusion of disability issues in all other County policies and laws, and

(j) Ensuring and coordinating the participation of communities and locations in governance at the local level

(2) Other functions of the Management Committee shall be—

(a) To establish and maintain a register of —

(i) Institutions, associations and organizations, including those controlled and managed by the County Government, that provide service for the rehabilitation and welfare of persons living with disabilities,

(ii) Places at which service for the rehabilitation of persons living with disabilities are provided, and
(iii) persons living with disabilities whose condition require constant medical attention for the purpose of availing subsidized medical services

(b) To provide, to the maximum extent possible —

(i) Assistive devices, appliances and other equipment to persons living with disabilities, and

(ii) Access to available information and technical assistance to all institutions, associations and organizations concerned with the welfare and rehabilitation of persons living with disabilities, including those controlled and managed by the County Government

(c) To make provision for assistance to students with disabilities in the form of scholarships, loan programmes, fee subsidies and other similar form of assistance in both public and private institutions,

(d) To assess and report to the county department responsible for disability affairs on the welfare and rehabilitation of persons living with disabilities and to advise on the relative priority to be given to the implementation of those measures,

(e) To advise the County Government in the provision of suitable and affordable housing for persons living with disabilities,

(f) Generally, to carry out measures for public information on the rights of persons with disabilities and the provisions of this Act,

(g) To perform such other functions in relation to the welfare and rehabilitation of persons living with disabilities as the Management Committee may deem necessary, and

(h) To perform such other functions as may be assigned to the Management Committee under this or any other Act

(3) The Management Committee shall have powers to do everything in connection with the performance of its functions and in particular—

(a) To conduct inquiries into any matter relating to the welfare and rehabilitation persons living with disabilities,

(b) To constitute committees consisting of its members, and where necessary to co-opt experts to serve on such committees with the approval of the County Executive Committee Member,

(c) To vest in or delegate to any committee constituted under paragraph (b) such of the functions of the Management
Committee as the Management Committee may with the approval of the Chairperson, and

(d) With the approval of the County Executive Committee Member to engage or make other arrangements with any other person to carry out research on, or supply information on, any matter relating to the welfare and rehabilitation of persons with disabilities

PART III—RIGHTS AND PRIVILEGES OF PERSONS WITH DISABILITIES

Realization of Rights of Persons with Disabilities

8 (1) The County Government shall take steps to achieve the full realization of the rights of persons with disabilities as provided for in this Act, the Constitution of Kenya, 2010 and any other law

(2) The Management Committee shall design and ensure implementation of disability mainstreaming measures across all county departments including—

(a) inclusive policies,

(b) representation of persons with disabilities in county administrative and management units

Right to Access Economic Opportunities

9 (1) No person shall deny a person with disabilities access to suitable procurement and any other business opportunities

(2) The Management Committee shall reserve for persons with disabilities at least two percent of the thirty per cent procurement opportunities allocated for women, youth and persons with disabilities in the County Government

(3) The Management Committee shall in consultation with the County Executive Committee Member responsible for trade ensure reservation of at least five per cent of any allocation of business stalls or related opportunities for persons with disabilities whenever there exist any such allocations by the County Government

(4) The County Executive Committee Member responsible for trade shall put in place affirmative measures aimed at empowering street vendors with disabilities which may include setting aside specific business spots for them

(5) Persons with disabilities who are in small business ventures may apply to the County Executive Committee Member responsible for finance for exemption of the single business permit
(6) The County Executive Committee Member responsible for finance shall, in consultation with the Management Committee, assess all applications received under subsection (5) and make such order thereon if any as he deems fit, waiving the application wholly or to the extent provided by a policy or any other relevant Act.

(7) The County Executive Committee Member responsible for disability affairs may liaise with the County Executive Committee Member responsible for finance to put in place measures that encourage the extension of credit services or revolving funds to persons with disabilities.

(8) County Government departments shall prepare and submit to the Management Committee annual progress reports on the status of access to employment, procurement and any other business opportunities to persons with disabilities.

(9) Any contract for employment or for provision of goods, facilities or services, or any other agreement, shall be void in so far as it purports to deny any person with disability any rights or privileges conferred under this Act or in any other way to limit the operation of this Act.

**Right not to be Discriminated in Employment**

10 (1) No person shall deny a person with a disability access to opportunities for suitable employment.

(2) A qualified employee with a disability shall be subject to the same terms and conditions of employment and the same compensation, privileges, benefits, fringe benefits, incentives or allowances as qualified able-bodied employees.

(3) An employee with a disability shall be entitled to exemption from tax on all income accruing from the employment.

(4) The Management Committee shall endeavour to secure the reservation of five percent of all casual, emergency and contractual positions in employment in the public and private sectors for persons with disabilities.

(5) Subject to the provisions of the Employment Act, persons with disabilities shall be eligible for engagement as apprentices or learners where their disability is not such as to impede their performance in particular occupations for periods for which they are hired.

**Discrimination by Employers Prohibited**

11 (1) Subject to subsection (2), no employer shall discriminate against a person with a disability in relation to—
(a) the advertisement of employment,
(b) the recruitment for employment,
(c) the creation, classification or abolition of posts,
(d) the determination or allocation of wages, salaries, pensions, accommodation, leave or other such benefits,
(e) the choice of persons for posts, training, advancement, apprenticeships, transfer, promotion or retrenchment,
(f) the provision of facilities related to or connected with employment, or
(g) any other matter related to employment

(2) Notwithstanding subsection (1), an employer shall be deemed not to have discriminated against a person with a disability if—

(a) the act or omission alleged to constitute the discrimination was not wholly or mainly attributable to the disability of the said person,
(b) the disability in question was a relevant consideration in relation to the particular requirements of the type of employment concerned, or
(c) special facilities or modifications, whether physical, administrative or otherwise, are required at the workplace to accommodate the person with a disability, which the employer cannot reasonably be expected to provide

(3) A complaint by a person with a disability that his employer has discriminated against him in a way which is contrary to this Act may be presented to the Industrial Court through the appropriate trade union

(4) Any contract for employment or for provision of goods, facilities or services, or any other agreement, shall be void insofar as it purports to deny any person any rights or privileges conferred under this Act or in any other way to limit the operation of this Act

(5) An employer shall provide such facilities and effect such modifications, whether physical, administrative or otherwise, in the workplace as may reasonably be required to accommodate persons with disabilities

(6) The minimum retirement age for persons with a disability shall be sixty years

**Incentives to Employers**
12 (1) A private employer who engages a person with a disability with the required skills or qualifications either as a regular employee, apprentice or learner shall be entitled to apply for a deduction from his taxable income equivalent to twenty five per cent of the total amount paid as salary and wages to such employee

Provided that—

(a) such an employer shall present proof certified by the Ministry responsible for labour in the county that the persons with disabilities in respect of whom he claims the deduction are under his employer, and

(b) the persons with disabilities so employed are accredited with the Management Committee as to their disabilities, skills and qualifications

(2) A private employer who improves or modifies his physical facilities or avails special services in order to provide reasonable accommodation for employees with disabilities shall be entitled to apply for additional deductions from his net taxable income equivalent to fifty per cent of the direct costs of the improvements, modifications or special services

Records for job Placement

13 The Management Committee shall establish and maintain a record of persons with disabilities who are in possession of various levels of skills and training and shall update such records regularly for the purposes of job placement

Access to Education by Persons With Disabilities

14 (1) The County Government shall promote special education for Pre-primary education, village polytechnics, home craft and rehabilitation centres alongside other training facilities for persons with disabilities through—

(a) Putting in place measures aimed at enhancing physical and social integration,

(b) Establishment of new special Early Childhood Development Education schools and vocational training institutions at sub-county level to cater for formal education, skills development and self-reliance for the various categories of disabilities including Persons with Hearing Impairment, Persons With Visual Impairment, persons with psychosocial disabilities, severe disabilities,
(c) Up-grading of the existing Early Childhood Development Education schools and vocational training institutions to be disability friendly, and

(d) Collaborate with the National Government to realize quality special education in the county

(2) The Management Committee shall work in consultation with the relevant agencies of County Government to make provisions in all sub-counties for an integrated system of special and non-formal education for persons with all categories of disabilities and the establishment where possible of Braille and recorded libraries for persons with visual impairment

**Right not to be Discriminated in an Educational Institution**

15 (1) No person or learning institution shall deny admission to a person with a disability to any course of study by reason only of such disability, if the person has the ability to acquire substantial learning in that course

(2) Learning institutions shall take into account the special needs of persons with disabilities with respect to the entry requirements, pass marks, curriculum, examinations, auxiliary services, use of school facilities, class schedules, physical education requirements and other similar considerations

(3) Special schools and institutions, especially for the deaf, the blind and the mentally retarded, shall be established to cater for formal education, skills development and self-reliance

**Access to Health**

16 (1) The Management Committee shall ensure that the relevant county health department puts in place disability friendly health policies providing for—

(a) prevention of disabilities,

(b) Early identification of disabilities,

(c) Early rehabilitation of persons with disabilities,

(d) Provision of affordable rehabilitation services and medical services in public health institutions to persons with disabilities,

(e) Putting in place appropriate measures aimed at availing essential health services to persons with disabilities at an affordable cost,

(f) Availing field medical personnel to local health institutions for the benefit of persons with disabilities,
(g) Prompt attendance by medical personnel to persons with disabilities,

(h) Enhancing physiotherapy and psychiatric services and facilities, and

(i) Representation of persons with disabilities in county health management structures

**Right to Accessibility and Mobility**

17 (1) The Management Committee in consultation with the CEC for Transport shall progressively put in place measures aimed at ensuring—

(a) Traffic lights, zebra crossings, footbridges or sidewalks or paved ways are accessible to pedestrians with disabilities,

(b) Parking is allocated and modified to suit mobility devices of persons with disabilities

(2) Persons with disabilities are entitled to a barrier-free and disability friendly environment to enable them to have access to buildings, roads and other social amenities, and assistive devices and other equipment to promote their mobility

(3) A proprietor of a public building or public service vehicle shall adapt it to suit persons with disabilities in such manner as may be specified by the Management Committee

(4) All proprietors of public buildings shall comply with subsection (2) within five years after this section comes into operation while operators of public service vehicles shall comply with subsection (2) within two years after this section comes into operation

**Adjustment Orders**

18 (1) This section shall apply to—

(a) any premises to which members of the public are ordinarily admitted whether on payment of a fee or otherwise, and

(b) any services or amenities ordinarily provided to members of the public

(2) Without prejudice to the provisions of section 19, if the Management Committee considers that any premises, services or amenities are inaccessible to persons with disabilities by reason of any structural, physical, administrative or other impediment to such access, the Management Committee may, subject to this section, serve upon the owner of the premises or the provider of the services or amenities concerned an adjustment order
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(a) setting out—

(i) a full description of the premises, services or amenities concerned, and

(ii) the grounds upon which the Management Committee considers that the premises, services or amenities are inaccessible to persons with disabilities,

(b) requiring the owner or provider concerned to undertake at his own expense such action as may be specified in order to secure reasonable access by persons with disabilities to the premises, services or amenities concerned, and

(c) stipulating the period within which the action referred to in Paragraph (b) shall be commenced and completed

(3) Before serving an order under subsection (2) the Management Committee shall serve notice upon the person concerned—

(a) specifying the ground upon which the adjustment order is to be issued and the nature of the action which the Management Committee considers necessary to rectify the situation which has given rise to the proposed order,

(b) stipulating the maximum period that the Management Committee considers reasonable for the implementation of the action it proposes to order, and (c) calling upon the person concerned, if he wishes to do so, to make representations to the Management Committee within thirty days from the date of the service of the notice

(4) After considering any representations described in subsection (3) (c) the Management Committee may issue, or refrain from or defer the issuing of, an adjustment order

(5) Within thirty days after an adjustment order is confirmed or issued under subsection (4), the person concerned may appeal against the confirmation or issue to the high court in the prescribed manner on any grounds including on the grounds that—

(a) he cannot reasonably be expected to bear the whole or any part of the expense required in implementing the adjustment order,

(b) the period stipulated for implementing the adjustment order is unreasonable,

(c) the nature of the action required to be taken in terms of the adjustment order is, in the circumstances of the case, unreasonable, or
(d) adequate access to the premises, services or amenities concerned may be secured without recourse to the action required by the adjustment order

(6) Upon hearing an appeal under subsection (5) the court may—

(a) confirm, vary or set aside the adjustment order appealed against, and

(b) make such order as to the costs of the appeal as it thinks fit

**Denial of Admission into Premises, etc**

19 (1) No person shall, on the ground of disability alone, deny a person with a disability—

(a) admission into any premises to which members of the public are ordinarily admitted, or

(b) the provision of any services or amenities to which members of the public are entitled, unless such denial is motivated by a genuine concern for the safety of such person

(2) The proprietor of premises referred to in subsection (1) (a) shall not have the right, on the ground of a person's disability alone, to reserve the right of admission to his premises against such a person

(3) A person with a disability who is denied admission into any premises or the provision of any service or amenity contrary to subsection (1) shall be deemed to have suffered an injury and shall have the right to recover damages in any court of competent jurisdiction

(4) Without prejudice to subsection (3), damages awarded under that subsection shall be recoverable summarily as a civil debt

**Prohibition of Adjustment Orders Against Government Institutions**

20 (1) The Management Committee shall not serve an adjustment order upon—

(a) any hospital, nursing home or clinic controlled or managed by the County Government or registered under the Public Health Act except with the consent of the County Executive Committee Member responsible for health, or

(b) any school or educational or training institution controlled or managed by the County Government or registered under the Education Act except with the consent of the County Executive Committee Member responsible for the administration of the institution or Act concerned
(2) Within sixty days after being requested to consent under subsection (1) the County Executive Committee Member shall either give or refuse his consent and if he fails to do so within that period the Management Committee may proceed to serve the adjustment order as though the County Executive Committee Member had consented

Right to Sports

21 (1) The Management Committee in consultation County Executive Committee Member responsible for sports shall put in place measures aimed at improving sports for persons with disabilities and which shall include —

(a) Free registration of sports clubs of persons with disabilities,

(b) Ensuring meaningful representation of persons with disabilities in the management of sports at county level

(2) All persons with disabilities shall be entitled, free of charge, to the use of recreational or sports facilities owned or operated by the County Government during social, sporting or recreational activities

(3) Persons with disabilities shall be entitled to participate in all national and international sports events

(4) For the purpose of subsection (3) the Ministry responsible for sports shall, in consultation with the Management Committee, provide the necessary suitable environment including—

(a) architectural infrastructure,

(b) apparatus and equipment,

(c) training and medical personnel, and

(d) transportation facilities for the participants

(5) Section (2) shall not apply in cases where there is exclusive private hire of such facilities

Right to Vote

22 (1) All persons with disabilities shall be entitled at their request, to be assisted by persons of their choice in voting in presidential, parliamentary and county elections

(2) A person who undertakes to render assistance under subsection (1) shall do so strictly in accordance with the instructions of the voter

(3) A person described in subsection (2) shall bind himself, in the prescribed form, to comply with that subsection
(4) Polling stations shall be made accessible to persons with disabilities during elections, and such persons shall in addition be provided with the necessary devices and assistive devices and services to facilitate the exercise of this right under this section.

(5) A person who contravenes subsection (2) is guilty of an offence.

Records

23 (1) The Management Committee shall establish and maintain a record of—

(a) Persons with disabilities who are in possession of various levels of skills and training and shall update such records regularly for the purposes of job placement,

(b) All organizations for persons with disabilities conducting activities in the county,

(c) Institutions, associations and organizations, including those controlled and managed by the County Government, that provide services for the rehabilitation and welfare of persons living with disabilities,

(d) Places at which services for the rehabilitation of persons living with disabilities are provided, and

(e) Persons living with disabilities whose condition require constant medical attention for the purposes of availing subsidized medical services.

(2) All existing organizations for persons with disabilities shall within three months after this Act comes into operation forward their details to the Management Committee for acknowledgement.

Access to Information

24 (1) The County Government shall progressively recognize Kenya sign language, large print and Braille format, as the preferred modes of communication to persons with disabilities.

(2) The County Government shall progressively ensure during public and private forums—

(a) Kenya Sign Language Interpreters shall be engaged where applicable to ensure access to proceedings by persons with hearing impairment,

(b) Information, education and communication materials shall be in Braille and large print,
(c) There shall be meaningful representation of persons with disabilities, and

(d) The meetings shall be convened in disability friendly venues

(3) The County Government shall progressively ensure any existing county libraries and any others that shall be put in place in future, shall be disability friendly by being equipped with talking and Braille books, disability friendly technological equipment

(4) The County Government shall progressively establish sub-county resource centres for persons with disabilities

Non-derogation

25 The rights set out under this Part are in addition to, and do not derogate in any way with the rights set out under Article 54 of the Constitution

Income Tax Exemptions

26 (1) All persons with disabilities who are in receipt of an income may apply to the County Executive Committee Member responsible for finance for exemption from income tax and any other levies on such income

(2) The County Executive Committee Member responsible for finance shall, in consultation with the Management Committee, assess all applications received under subsection (1) and make such order thereon, if any, as he deems fit, exempting the applicant wholly, or to the extent provided by the order, from income tax or other levies specified therein, and any such order shall, notwithstanding the provisions of any other Act, have effect according to its terms

(3) Materials, articles and equipment, including motor vehicles, that are modified or designed for the use of persons with disabilities shall be exempt from import duty, value added tax, demurrage charges, port charges and any other County Government levy which would in any way increase their cost to the disadvantage of persons with disabilities

(4) All goods, items, implements or equipment donated to institutions and organizations of or for persons with disabilities shall be exempt from import duties, value added tax, demurrage charges, port charges and any other Government levy which would in any way defeat the purposes of or increase the cost of the said donations

Promotion of Access to Credit

27 The County Executive Committee Member may liaise with the department responsible for matters relating to credit unions, cooperatives
and other lending institutions to put in place measures to encourage the extension by such institutions of credit to persons with disabilities.

PART V – MISCELLANEOUS

Concealment of Persons With Disabilities

28 (1) No parent, guardian or next of kin shall conceal any person with disability in such a manner as to deny such a person the opportunities and services available under this Act.

(2) A person who contravenes subsection (1) is guilty of an offence and is liable on conviction to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

Failure to Obey an Adjustment Order and Discrimination

29 (1) A person is guilty of an offence if the person—

(a) fails to comply with an adjustment order issued under this Act,

(b) discriminates against a person with disability contrary to this Act,

or

(c) on the ground of any ethnic, communal, cultural or religious custom or practice, discriminates against a person with a disability.

(2) A person who is convicted of an offence under subsection (1) is liable to a fine not exceeding twenty thousand shillings or to imprisonment for a term not exceeding one year or to both such fine and imprisonment.

(3) A person found guilty of an offence under this section may in addition to the penalty imposed by the court be ordered to pay the person injured by the offence such sums of money in compensation as the court may deem appropriate.

Negligence by Doctor

30 (1) Any person who, being a doctor or other medical practitioner, negligently causes a disability to a patient is guilty of an offence and is liable on conviction to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding one year, or to both such fine and imprisonment.

(2) The court may order a doctor convicted under this section to pay to the patient such sums of money in compensation as it may deem appropriate.
Giving False Information to be Registered

31 A person with disability is guilty of an offence if he knowingly gives false information to the Management Committee for the purpose of accessing a right or privilege.

General Penalty

32 Any person found guilty of an offence under this Act for which no penalty is expressly provided shall be liable to a fine not exceeding ten thousand shillings or imprisonment for a term not exceeding one year, or to both fine and imprisonment.

Enforcement

33 (1) The Management Committee may cause to be taken appropriate legal action if the Management Committee believes that—

(a) a person or group of persons is engaged in a practice which is discriminatory under this Act, and

(b) the discrimination is a significant and substantial infringement of the rights of persons with disabilities and raises issues of public interest.

Regulations

34 The Committee Executive Member responsible for disability affairs may make Regulations generally for the better carrying out of the provisions of this Act and, without limiting the generality of the foregoing, may make Regulations—

(a) Prescribing the procedures, forms and fees applicable under this Act,

(b) Specifying and describing the nature of acts of discrimination against persons with disabilities,

(c) Prescribing the procedure and forms for persons entitled to subsidized medical care under this Act, and
SCHEDULE

FIRST SCHEDULE

PROVISION AS TO THE CONDUCT OF BUSINESS AND AFFAIRS OF THE COUNTY DISABILITY MANAGEMENT COMMITTEE

1 A Member of the Management Committee may—
   (a) resign from office by notice in writing to the County Executive Committee, or
   (b) be removed by the County Executive Committee Members by notice in writing if he,
       (i) has been absent from three consecutive meeting of the Management Committee without permission of the Chairperson,
       (ii) is so incapacitated by prolonged physical or mental illness as to be unable to attend to and perform his duties,
       (iii) is declared bankrupt
       (iv) is convicted by court for an offence punishable by a term of imprisonment, or
       (v) is otherwise unable or unfit to discharge his functions

2 Where the office of a member becomes vacant, the vacancy may with the approval of the County Executive Committee Member be filled through the majority vote of the members for the remainder of the term

3 The Management Committee Members shall be paid such remuneration as set out by the Salaries and Remuneration Commission

4 The Management Committee shall meet not less than four times in every year and not more than four months shall elapse between the date of one meeting and date of the next meeting

5 A meeting of the Management Committee shall be held on such date and at such time as the Management Committee shall decides, or in the absence of such a decision if the Chairperson decides that a meeting is necessary, on a date and at a time determined by the Chairperson

6 Unless otherwise decided by a two-third majority of the members of the Management Committee, at least fourteen days’ written notice of every meeting of the Management Committee shall be given to every member of the Management Committee
7 The quorum of a meeting of the Management Committee shall be four Members

8 (1) The Chairperson, or in his absence, the Vice-Chairperson, shall preside at every meeting of the Management Committee

(2) In the absence of both the Chairperson and Vice-Chairperson, the Members present may choose one of their Member to preside at the meeting

9 A decision of majority of Members of the Management Committee present at any meeting of the Management Committee and if upon any question the voting shall be equal, the Chairperson, Vice-Chairperson or other presiding shall have a second and casting vote

10 No act, decision or proceedings of the Management Committee shall be invalid on account of a vacancy in the membership thereof or on account of the appointment of a Member of the Management Committee being defective
MEMORANDUM OF REASONS AND OBJECTS

The principal object of this Bill is to provide for the social and economic development as well as provision of proximate, easily accessible services to persons with disabilities in Narok County, to co-ordinate service delivery to persons with disabilities between the National and Narok County governments, prohibit discrimination against persons with disabilities, to enhance the rights and rehabilitation of persons with disabilities, to achieve equalization of opportunities for persons with disabilities and to establish the Narok County Disability Management Committee.

The structure of the Bill is as follows

**Part I** provides for preliminary matters. It includes the Short Title and commencement date, interpretation and objects of the Act.

**Part II** of the Bill establishes the Narok County Disability Management Committee. It provides for its administrative framework and prescribes its functions and the powers.

**Part III** provides for the rights of persons with disabilities and requires the County Government to take progressive measures to avail resources for the full realization of the rights.

**Part IV** provides for the offences and penalties stipulated in the Bill, as well as enforcement measures and the power by the County Executive Committee Member to make Regulations.

The enactment of this Bill shall not occasion additional expenditure of public funds.

Dated the 31st May, 2017

VIOLET SIKAWA SOILA,

*Member of County Assembly representing Persons Living with Disabilities*