d) Any other national law;

c) The Constitution;

a) The Statutory Instruments Act, 2013;

are the principles found in:

The principles and standards applicable to delegated power

Principles and Standards of Delegated Power

Disaster Management Act.

The County Executive Committee member in charge of public

emergency as per the Constitution is not affected by the Act.

The power of the President of Kenya to declare a state of

This declaration activates the county disaster response

The Council may make a declaration of disaster in the county.

Emergency Declaration

The Council may make a declaration of disaster in the county.

The following shall be all vested in the Council from the County

Public Service Disaster Department upon commencement of the Act:

- All funds, assets and other movable and immovable
  property
- All rights, powers and liabilities
- All members of staff
- Annual estimates
- Any reference to the County Public Service
- Administrative directions in force

SCHEDULE (S. 4(5))

CONDUCT OF AFFAIRS AND BUSINESS OF THE COUNCIL

Tenure of Office

Members of the Council will be eligible to hold office for two

terms, each term a period of five years and in accordance with

the terms and conditions of the appointment.

Vacation of Office

A member can be removed from office by the Governor on

recommendation of the Council on grounds of:-

- Absenteeism from three consecutive Council meetings
  without the Council’s permission;
- Violating Chapter Six or Thirteen of the Constitution
- Conviction of a criminal offence
- Absenteeism from three consecutive Council meetings
  for reasons of vacancy of members. The Council shall determine its
  own procedure for meetings.

The decision on any matter before the Council will be by

majority votes of the members present. In the event there is an

equality of votes, the chairperson or the person presiding shall

cast his vote. Council proceedings shall not be invalid for the

reason of vacancy of members. The Council shall determine its

own procedure for meetings.

Committees of the Council

The Council may establish committees to perform certain
duties. The council will appoint the chairperson of the committee

from among the members of that committee.

The Council can choose any person to sit in meetings of any

committee. The decisions of the committees will be approved

by the Council. The Council will establish separate committees

responsible for:

- Management issues
- Practice issues
- Raising and assessment issues.

Disclosure of Interest

Any member present at a meeting who has any interest

whatsoever in a matter including contracts will reveal or disclose this interest. The member will not take part in the

continuing discussion in any way including voting on the matter or be counted in quorum of the meeting. The disclosure will be

recorded in the minutes of that meeting. Any member who fails to
disclose their interest in any matter at a meeting commits an

offence and is liable to a fine not exceeding two hundred thousand shillings.

Contracts and Instruments

The Council will generally or specially authorize a person to

enter into or execute a contract on behalf of the Council.

Common Seal

The affixing of the common seal of the Council will be

authenticated by the signatures of the Chairperson and the

Secretary. Where a document, including the decisions of the

Council, does not require the common seal, the signatures of the

Chairperson and the Secretary shall be sufficient.

PARTNERS
Introduction
The Nairobi City County Disaster and Emergency Management Bill (NCCDM) provides for the management of disasters and emergencies in Nairobi County.

A disaster is defined within the Act as any situation in the County:
- that arises from any natural or unnatural happening such as fires, outbreak or spread of a disease that affects humans, plants or animals, any event that threatens the supply of water or the quality of water resources and any emergency event resulting from systems failure, infrastructure failure or human error
- that involves threat or danger to human life or the environment.

The objects and purpose of the Act are:
a) To establish an effective structure for the management of disasters.
b) To provide mechanisms for coordination and collaboration between the County, agencies and the community.
c) To establish an institutional framework for disaster management within the County.
d) Mainstream Disaster Risk Reduction within the County’s development plans.
e) Incorporate the whole cycle of disaster including preparedness, response and recovery

PART II: THE COUNTY DISASTER MANAGEMENT STRUCTURE

The disaster and emergency management council
A Disaster and Emergency Management Council is established which will be led by The Deputy Governor. The Secretary of the Council is the County Director for Disaster Preparedness and Response.

The Council consists of:
a) Specific County Executive Members in charge of public safety, treasury, health, environment, public works, agriculture and planning.
b) The County Commissioner,
c) The County Commandant of Police,
d) The County Liaison Officer of the Kenya Red Cross Society, and

e) One male and one female representative of the public.

Roles of the Council
The Council’s various roles include:
a) Setting policies on disaster and emergency management.
b) Approving the Plan

c) Reviewing and, approving and authorizing the recommendations of the Director.
d) Overseas the application and implementation of the County Disaster Management Plan during any period of a disaster or emergency. The Council will be in-charge of the implementation of risk reduction, preparedness, response and recovery activities of all County Agencies performing roles related to disaster management.
e) Oversees the implementation of risk reduction, preparedness, response and recovery activities by all County Government Agencies and other agencies performing roles related to disaster management.
f) Implementing the National Government’s policy on disaster and emergency response.
g) Discharging any other responsibility or exercising any other power as provided by this Act or the County Disaster Management Plan.

The Council will report annually to the County Assembly on the status of disaster and emergency response preparedness of the County.

Functions of the Directorate
The Directorate’s functions include:
a) Assessing and reviewing all disasters and emergencies and make the appropriate recommendations to the Council;
b) Preparing and subject to the Council’s approval implementing the Plan;
c) Co-ordinating and monitoring the implementation of the National and County disaster management policy;
d) Ensuring that areas in the county vulnerable to disasters are identified and measures for disaster management are undertaken;
e) Undertaking activities relating to raising capacity for effective response to disasters;
f) Ensuring that the guidelines for disaster management—prevention, mitigation, preparedness, response and recovery activities are implemented by all county departments;
g) Ensuring that the Plan is publicized and community awareness is done concerning disasters;
h) Coordinating an inter-agency approach to disaster and emergency planning, risk reduction and preparedness, and response and recovery activities;
i) Implementing the decisions of the Council;
j) Ensuring that preparedness activities are undertaken such as public awareness raising, training, simulation exercises, planning and establishing facilities and communications;
k) Organizing and coordinating specialized training for the Directorates officers and county volunteer rescue workers;

PART III: COUNTY DISASTER MANAGEMENT PLAN

The Plan
The Nairobi City County Disaster Management Plan will be prepared by the Directorate and be approved by the Council. This Plan will be reviewed and updated yearly.

The contents of the Plan shall be:-
- Measures taken for the prevention of disasters
- Measures taken for the mitigation of the effects of disasters
- Measures taken for the integrated mitigation measures in the county development plans
- Minimum standards of relief be provided in disasters/emergencies
- Preparedness and capacity-building measures for response to disasters/emergencies

Role of the County Government
The county government will do the following:-
- Train officers and employees in disaster management
- Maintain the resources set for disaster management to ensure availability when disaster strikes
- Ensure that all construction projects within the county adhere to standards set for prevention of disasters
- Conduct relief, rehabilitation and reconstruction activities in areas affected by disasters

PART IV: FINANCIAL PROVISIONS

The County Disaster Management Fund
The County Disaster Management Fund will be administered by the Director. The Fund will be used for meeting expenses associated with preparedness, response, mitigation, relief and county reconstruction.

Sources of finance for the fund will include:-
- County Revenue
- The Directorate
- The National Government or other county Government grants
- National or International agencies loans or aid or donations

Financial Estimates
The Directorate will prepare annual financial estimates to be approved by the County Assembly. These annual estimates will provide for all estimated expenditure of the Directorate for the financial year. The estimated expenditure of the Directorate shall include expenses in:-
- Training, research and development activities of the Directorate
- Education, training and capacity building on disaster management
- Other approved expenses that the directorates deems fit