

# REPUBLIC OF KENYA



## ELEVENTH PARLIAMENT (THIRD SESSION)

### THE NATIONAL ASSEMBLY

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## MESSAGES

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### MESSAGE FROM THE SENATE (No. 039 of 2015)

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**Honourable Members,**

You may recall that on 18<sup>th</sup> and 23<sup>rd</sup> June, this year, following refusal to assent to the to the Public Audit Bill, 2014 (National Assembly Bill No. 38 of 2014), and the Public Procurement and Asset Disposal Bill, 2014 (National Assembly Bill No. 40 of 2014) by the President, this House did reconsider and pass, the two Bills again, fully accommodating the President's Reservations. This signified the passage of the two Bills a second time by the National Assembly. The Memoranda by H.E. the President together with the House Resolutions were thereafter forwarded to the Senate for consideration.

**Honourable Members,** Pursuant to the Provisions of Standing Order 41(4) relating to Messages from the Senate, I wish to report that I have received a Message from the Senate regarding the Approval of H.E. the President's Reservations to the Public Audit Bill, (National Assembly Bill No. 38 of 2014) and the Public Procurement and Asset Disposal Bill (National Assembly Bill No. 40 of 2014).

**Honourable Members,** The Message from the Senate states in part, and I quote, **"the Senate, on Wednesday, December 16, 2015 reconsidered and passed the Public Audit Bill, 2014 and the Public Procurement and Asset Disposal Bill 2014, fully accommodating the President's**

**Reservations and without proposing any amendments to the said reservations.”**

**Honourable Members,** This decision of the Senate signifies the passage of the two Bills by Parliament with amendments that fully accommodate the President’s Reservations in accordance with the provisions of Article 115(3) of the Constitution. As I have stated, the National Assembly had already passed the two Bills fully accommodating the President’s Reservations in June this year. Consequently, I will proceed to re-submit the two Bills to the President for assent in accordance to Article 115(3) of the Constitution.

**Honourable Members,** Even as I do so, I wish to remind the House that the two Bills ought to have been enacted by Parliament by May 27, 2015, the original deadline of August 27, 2014 having been extended by nine months. Part of the difficulties that the two Houses faced would be attributable to shortcomings in the Rules of Procedure of both Houses regarding the manner of considering Presidential Reservations on Bills concerning county governments. May I retaliate, Honourable Members, the guidance contained in my Communications to the House concerning this matter of June 16, 2015 and on July 28, 2015, and further request our Procedure and House Rules Committee to move with speed and seek concurrence with our counterparts in the Senate with a view to finding consensus on the matter in line with the Constitution.

I thank you!

**THE HON. JUSTIN B. N. MUTURI, E.G.H., M.P**  
**SPEAKER OF THE NATIONAL ASSEMBLY**  
**December 17, 2015**