



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

SUPPLEMENTARY

WEDNESDAY, AUGUST 22, 2018 AT 2.30 P.M.

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statements

- 8*. MOTION- PROVISION OF FINANCIAL SUPPORT AS DISASTER RELIEF TO COCONUT FARMERS AFFECTED BY DROUGHT IN COUNTIES IN THE COAST REGION**
(The Hon. Owen Baya, M.P.)

THAT, aware that Agriculture is the mainstay of the Kenyan economy, contributing to food security and employment of rural households; further aware that the recurrent drought being experienced in many parts of the Country has adversely affected this sector leading to a worrying drop in production particularly among the coconut farmers in **the Coast region, particularly in Kilifi County**; noting that farmers in Kilifi have not only suffered losses of income for their livelihood due to drought but are also faced with huge debts resulting from high interest levied for default on loans advanced to them for coconut production; recognizing that the Government of Kenya in 2016 launched the Kenya National Agricultural Insurance Program, which is designed to among other things, address the challenges that agricultural producers face when there are large production shocks, such as droughts and floods with focus on livestock insurance, and maize and wheat insurance; this House urges the Government to provide financial support as disaster relief to the affected coconut farmers in **Counties in the Coast region** and put in place

sustainable measures to mitigate future drought related losses through inclusion of coconut insurance under the National Agricultural Insurance Program.

(Motion as amended)

(Question to be put)

9*. MOTION - PROVISION OF SPECIALIZED TRAINING AND
SUBSIDIZED COSTS RELATING TO FISTULA SURGERY

(The Hon. Janet Nangabo, M.P.)

THAT, aware that Article 43 of the Constitution provides that every person has the right to the highest attainable standard of health, which includes the right to health care services, including reproductive health care; further aware that Obstetric or Vesical Vaginal Fistula (VVF) is a devastating condition that affects women and girls across the country and which has seen many of the patients victimized, abandoned and ostracized by their communities; deeply concerned that it is estimated that more than two million women and girls live with Obstetric Fistula, and that four out of every 1,000 deliveries in Kenya result in fistula which results in between 50,000 to 100,000 new fistula cases every year; alarmed that according to available reports, though Obstetric Fistula is treatable with proper medical attention, only 7.5 per cent of patients with fistula are able to access medical care for the condition mainly due to the related costs and lack of suitably trained surgeons; this House urges the Government to provide specialized training for fistula surgeons and subsidizes costs for fistula surgery in all health facilities in order to make treatment accessible and affordable.

(Question to be put)

10*. MOTION - REPORT OF THE COMMITTEE OF THE WHOLE
HOUSE ON THE BUILDING SURVEYORS BILL
(NATIONAL ASSEMBLY BILL NO. 35 OF 2017)

(The Leader of the Majority Party)

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Building Surveyors Bill (National Assembly Bill No. 35 of 2017).

(Question to be put and Third Reading)

11*. MOTION- REPORT OF THE DELEGATION TO THE 62ND SESSION
OF THE COMMISSION ON STATUS OF WOMEN (CSW62)

(The Leader of Delegation to the CSW62)

THAT, this House **notes** the Report of the Delegation to the 62nd Session of the Commission on Status of Women (CSW62) held in New York, United States of America (USA) from 12th to 23rd March, 2018, laid on the Table of the House on Tuesday, June 19, 2018.

(Question to be put)

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(921)

12*. MOTION- REPORT ON FIVE EAST AFRICAN COMMUNITY BILLS AND RATIFICATION OF THE PROTOCOL ON COOPERATION OF METEOROLOGICAL SERVICES

(The Chairperson, Select Committee on Regional Integration)

THAT, this House adopts the Report of the Select Committee on Regional Integration on Consideration of the East African Community Counter-Trafficking in Persons Bill, 2016; the East African Community Cross Border Trade in Professional Services Bill, 2017; the East African Community Prohibition of Female Genital Mutilation Bill, 2016; the East African Community Retirement Benefits for Specified Heads of Organs Bill, 2015; and the East African Community Youth Council Bill, 2017, and the Protocol on Cooperation of Meteorological Services, laid on the Table of the House on Thursday, June 14, 2018 and pursuant to the provisions of section 8 of the Treaty Making and Ratification Act, 2012, **approves** the ratification of the East African Community Protocol on Cooperation of Meteorological Services.

(Question to be put)

13*. SPECIAL MOTION – APPROVAL OF NOMINEES FOR APPOINTMENT AS THE CHAIRPERSON AND MEMBERS OF THE INDEPENDENT POLICING OVERSIGHT AUTHORITY

(Chairperson, Departmental Committee on Administration & National Security)

THAT, taking into consideration the findings of the Departmental Committee on Administration & National Security in the Report on the *Vetting of the Nominees for appointment as Chairperson and Members of the Independent Policing Oversight Authority* laid on the Table of the House on Wednesday, August 22, 2018, and pursuant to the provisions of Article 250(2)(b) of the Constitution and Section 11(6) of the Independent Policing Oversight Authority Act, this House **approves** the appointment of the following persons to the Independent Policing Oversight Authority:

(i)	Ms. Anne Wacheke Makori	-	Chairperson
(ii)	Ms. Doreen Nkatha Muthaura	-	Member
(iii)	Ms. Fatuma Mohamud Mohamed	-	Member
(iv)	Dr. Walter Owen Owour Ogony	-	Member
(v)	Mr. Jonathan Ltipalei Lodompui	-	Member
(vi)	Hon. Waiganjo John Muriithi	-	Member
(vii)	Ms. Praxedes Chepkoech Tororey	-	Member
(viii)	Dr. Jimmy Mutuku Mwithi	-	Member

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(922)

14*. COMMITTEE OF THE WHOLE HOUSE

The Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018)

15*. THE WAREHOUSE RECEIPT SYSTEM BILL (SENATE BILL NO. 10 OF 2017)

(The Leader of the Majority Party)

Second Reading

16*. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2018)

(The Chairperson, Departmental Committee on Finance & National Planning)

Second Reading

17*. THE URBAN AREAS AND CITIES (AMENDMENT) BILL (SENATE BILL NO. 4 OF 2017)

(The Leader of the Majority Party)

Second Reading

18*. THE HEALTH LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2018)

(The Leader of the Majority Party)

Second Reading

*** Denotes Orders of the Day**

N O T I C E S

I. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL
(NATIONAL ASSEMBLY BILL NO. 12 OF 2018)
(Amendments appear in the order in which the Statutes appear in the Bill)

A. THE JUDICATURE ACT (Cap 8)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Judicature Act by -

- (a) deleting the words “and includes a judge serving in an acting capacity” appearing in the proposed new definition of the word “Judge” in the proposed amendments to section 2; and
- (b) deleting the proposed amendments to section 3 and substituting therefore the following—
 - s.3(1) Delete the words “the High Court, the Court of Appeal” and substitute therefore the words “the Supreme Court, the Court of Appeal, the High Court, the Environment and Land Court, the Employment and Labour Relations Court”
 - (2) Delete the words “the High Court, the Court of Appeal” and substitute therefore the words “the Supreme Court, the Court of Appeal, the High Court, the Environment and Land Court, the Employment and Labour Relations Court”

B. THE OATHS AND STATUTORY DECLARATIONS ACT (Cap 15)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Oaths and Statutory Declarations Act by deleting the words “and a Deputy Registrar” in the proposed amendment to section 12 and substituting therefor the words “a Deputy Registrar, a Deputy Registrar of the Environment and Land Court and a Deputy Registrar of the Employment and Labour Relations Court.”

C. THE ADVOCATES ACT (Cap 16)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Advocates Act by -

(a) deleting the proposed amendment to section 23 and substituting therefor the following—

s.23(1) Delete subsection (2A) and substitute therefor the following new subsection 2A—

(2A) Every advocate who draws any legal document that includes pleadings, affidavits, depositions, deeds and other related instruments set out in section 34 and filed in any registry under any law requiring filing by an advocate shall in addition to setting out the firm's details include the name of the advocate drawing the document, the advocate's admission number and signature and the stamp of the respective law firm.

(b) deleting all the proposed amendments to section 57(1) and substituting therefor the following—

s.57(1) Insert the words “or his representative” immediately after the expression “Attorney-General” appearing in paragraph (a);

Delete the words “or a person deputed by the Attorney General” appearing in paragraph (b) and substitute therefore the words “or his representative”;

Delete the words “one of whom shall be an advocate who does not” appearing in paragraph (c) and substitute therefor the words “two who shall be advocates who do not”

(c) in the proposed amendments to section 58 by deleting the proposed new subsection 2A and substituting therefor the following—

“(2A) In the absence of both the Attorney-General and the Solicitor-General, the representative of the Attorney General deputed under section 57(1)(a) shall preside, and in the absence of the representative of the Attorney General, the members present shall elect one from among their number to preside.

D. THE PUBLIC ARCHIVES AND DOCUMENTATION SERVICE ACT
(Cap 19)

Notice is given that the Chairperson of the Departmental Committee on Sports, Tourism and Culture intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Public Archives and Documentation Service Act (Cap. 19) by deleting the proposed amendment and substituting therefor the following amendment—

s.2 Insert the following new definition in its proper alphabetical sequence—

“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to culture and national heritage”.

E. THE CIVIL PROCEDURE ACT (Cap 21)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Civil Procedure Act by deleting the proposed new paragraph (vi) and substituting therefor the following—

“(vi) eight advocates nominated by the Law Society of Kenya to represent each of the branches of the Society established under section 24 of the Law Society of Kenya Act, 2014.”

F. THE LAW OF CONTRACT ACT (Cap 23)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT the Schedule to the Bill be amended by deleting the proposed amendment to section 3 of the Law of Contract Act.

G. THE PROBATION OF OFFENDERS ACT (Cap 64)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Probation of Offenders Act by -

- (a) in the proposed amendment to section 2 by deleting the word “social” and substituting therefor the word “pre-sentence” in the proposed new definition of the term “social inquiry report”;
- (b) by inserting the following new amendments to section 4 —

s.4(1) Delete the word "youth" and substitute therefor the word "age"

s. 4(2) Delete the word "youth" and substitute therefor the word "age"

(c) by inserting the following new amendments to section 5 —

s.5(1) Delete the word "district" and substitute therefor the word "County"

(d) by inserting the following new amendments—

s.11(1) Delete the words "principal probation officer" and substitute therefor the word "Director"

(3) Delete—

(a) the word "district" wherever it appears and substitute therefor the word "County"; and

(b) the words "principal probation officer" and substitute therefor the word "Director".

(4) Delete the word "district" wherever it appears and substitute therefor the word "County".

s.12(1) Delete the words "principal probation officer" wherever they appear and substitute therefor the word "Director".

s. 13 Delete the words "principal probation officer" wherever they appear and substitute therefor the word "Director".

s. 14 Delete the words "principal probation officer" and substitute therefor the word "Director".

s.16(a) Delete the words "principal probation officer" and substitute therefor the word "Director".

s. 17 Delete the words "principal probation officer" and substitute therefor the word "Director".

(e) by deleting the proposed amendment to section 17(f); and

(f) by inserting the following new amendment immediately after the proposed amendment to section 17—

s.18 Delete the words "principal probation officer" and substitute therefor the word "Director"

H. THE CRIMINAL PROCEDURE CODE (Cap 75)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Criminal Procedure Code by inserting the following new amendments immediately after the proposed amendments to section 2—

- s.26(1) Delete the words "Commissioner of Police" and substitute therefor the word "Inspector-General of the National Police Service"
- s. 386(1) Delete the words "Commissioner of Police" and substitute therefor the word "Inspector-General of the National Police Service"

I. THE REGISTRATION OF PERSONS ACT (Cap 107)

Notice is given that the Chairperson of the Departmental Committee on Administration and National Security intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Community Service Orders Act (No. 10 of 1998) by inserting the following new amendment in its proper numerical sequence —

- s.3 Insert the following new subsection immediately after the proposed new subsection (9)—

"(10) Subsection (1) of this Act shall not apply to a person convicted under the following legislation—

- (a) the Anti-Corruption and Economic Crimes Act, No. 3 of 2003;
- (b) the Sexual Offences Act, No. 3 of 2006;
- (c) the Prohibition of Female Genital Mutilation, No. 32 of 2011;
- (d) the Prevention of Terrorism Act, No. 30 of 2012;
- (e) the Proceeds of Crime and Anti-Money Laundering Act, No. 9 of 2009; or
- (f) the Bribery Act, No. 47 of 2016."

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Registration of Persons Act (Cap. 107) by -

- (i) inserting the following new amendments in their proper numerical sequence

—

s.2 Insert the following new definition in its proper alphabetical sequence —

“**Principal Secretary**” means the Principal Secretary in the ministry responsible for matters relating to registration of persons”

- (ii) deleting the proposed amendment to section 5(1)(g) and substituting therefor the following new amendment—

s.5(1)(g) Delete paragraph (g) and substitute therefor the following new paragraph—

“(g) place of residence and postal address, Global Positioning System coordinates, Land Reference Number, Plot Number or House Number, if any;”

- (iii) deleting the proposed amendment to section 9(1);

- (iv) inserting the following new subsection immediately after subsection (2) in the proposed section 9A—

New
subsection.

“(3) The Principal Secretary shall be responsible for the administration, coordination and management of the system.”

J. THE HOUSING ACT (Cap 117)

Notice is given that the Chairperson of the Departmental Committee on Transport, Public Works and Housing intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the section 3 of the Housing Act, Cap 117 by -

- (a) by deleting the words “not less than five nor more than seven” appearing in paragraph (d) and substituting therefor the word “six”; and

(b) by inserting the following new item immediately after the proposed new subsection (2) —

Insert the following new subsection immediately after subsection (2) —
(2A) In appointing the persons under subsection 2(d), the Cabinet Secretary shall ensure that the marginalized groups are represented.

K. THE NATIONAL YOUTH SERVICE ACT (Cap.208)

Notice is given that the Chairperson of the Departmental Committee on Labour and Social Welfare intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the National Youth Service Act, (Cap 208) by deleting the proposed amendment to section 16.

L. THE TRAFFIC ACT (Cap 403)

Notice is given that the Chairperson of the Departmental Committee on Transport, Public Works and Housing intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Traffic Act, Cap 403 by -

(a) by inserting the following new item immediately after the proposed amendment to section 2—

Delete the definition of the term “driving test examiner”;

(b) in the proposed amendment to section 3 by deleting the word “offices’ appearing in the proposed new subsection (4) and substituting therefor the word “officer”;

(c) by deleting the proposed amendment to section 8;

(d) by deleting the proposed amendment to section 57;

(e) by inserting the words “wherever it appears” immediately after the expression “section 55 or section 56” in the proposed amendments to section 58.

- (f) by inserting the following new item immediately after the proposed amendment to section 58—
Insert the words “or in accordance with the East African Community Vehicle Load Control Act, 2013” before the words “shall be guilty” appearing in subsection (1);
- (g) by deleting the proposed amendment to section 70 (5B);
- (h) by deleting the proposed amendment to section 85; and
- (i) by deleting the words “under” appearing immediately before the word “there under” in the proposed amendment to Section 106 (8);

M. THE KENYA POST OFFICE SAVINGS BANK ACCOUNT ACT (CAP 493)

Notice is given that the Chairperson of the Departmental Committee on Finance and National Planning intends to move the following amendment to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to section 14 of the Kenya Post Office Savings Bank Act by inserting the words “in consultation with the Cabinet Secretary” immediately after the word “Registrar”.

N. THE EXPORT PROCESSING ZONES ACT, 1990 (Cap 517)

Notice is given that the Chairperson of the Departmental Committee on Trade, Industry and Cooperatives intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendment to section 2 of the Export Processing Zones Act (Cap. 517) by—

- (a) deleting the proposed definition of the term “eligible activities” and substituting therefor the following new definition—

Insert the following definition in proper alphabetical sequence—

- s. 2 “eligible activities” include activities to enable agricultural activities preceding processing and value addition directly related to value addition conducted in Kenya within a gazetted export processing zone in aquaculture, horticulture, tea, coffee, floriculture, dairy and ranching and silviculture.

(b) deleting the proposed amendment to section 21 of the Export Processing Zones Act (Cap. 517) and substituting therefor the following—

- s. 21 Delete the words “for a minimum period of thirty years within the export processing zone” and substitute therefor the words “or building or part thereof for a minimum period of ten years for land and buildings or part thereof”.

O. THE NATIONAL COUNCIL FOR LAW REPORTING ACT, NO. 11 OF 1994

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments be amended by deleting the proposed amendment to section 2 of the National Council for Law Reporting Act.

P. KENYA REVENUE AUTHORITY ACT NO. 2 OF 1995

Notice is given that the Chairperson of the Departmental Committee on Finance and National Planning intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Kenya Revenue authority Act by -

- (a) deleting the proposed new subsection (1A) and substituting therefor the following new subsection—

- (1A) The Commissioner-General shall be recruited through a competitive process by the Board and appointed by the President, with the approval of the National Assembly.

- (b) inserting the word “preferably” in paragraph (d) of the proposed subsection (1D) and by deleting the words “in relevant course as the Board may determine”;

- (c) deleting the proposed paragraph (f) of the proposed subsection (1D) and substituting therefor the following new paragraph-

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(933)

- (f) is not directly or indirectly or through representatives engaged as a director, employee, officer or shareholder of a clearing and forwarding company, insurance, brokerage or insurance agency or in any other sector of public revenue as relates to the Authority;

Q. THE HIGHER EDUCATION LOANS BOARD, 1995 (No.3 of 1995)

Notice is given that the Chairperson of the Departmental Committee on Education and Research intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Higher Education Loans Board Act, 1995 by -

- (a) deleting the proposed amendments to section 4(1);
- (b) deleting the proposed amendments to section 4(3);
- (c) deleting the proposed amendments to section 5; and
- (d) deleting the proposed amendments to section 22.

R. THE KENYA INFORMATION AND COMMUNICATIONS ACT, 1998 (No.2 of 1998)

Notice is given that the Chairperson of the Departmental Committee on Communication, Information and Innovation intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Kenya Information Communications Act, 1998 (No.2 of 1998) by -

- (i) inserting the following new amendments in their proper chronological sequence—
 - s. 6(1) (e) Delete the expression “in accordance with section 6B”.
 - s. 6 Insert the following new subsection immediately after subsection (1)—
 - “(2) In appointing the members of the Board under subsection (1) (e) the Cabinet Secretary shall ensure—
 - (a) that the appointees to the Board reflect the interests of all sections of society;

- (b) equal opportunities for persons with disabilities and other marginalized groups; and
- (c) that not more than two-thirds of the members are of the same gender.”

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(934)

- (ii) deleting the proposed amendments to section 6B and substituting therefor the following new amendment—

s. 6B Delete.

S. THE COMMUNITY SERVICE ORDER ACT 1998 (No.10 of 1998)

Notice is given that the Chairperson of the Departmental Committee on Administration and National Security intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to section 3 of the Community Service Orders Act (No. 10 of 1998) by inserting the following new subsection immediately after the new subsection (9)—

s.3

“(10) Subsection (1) of this Act shall not apply to a person convicted under the following legislation—

- (a) the Anti-Corruption and Economic Crimes Act, No. 3 of 2003;
- (b) the Sexual Offences Act, No. 3 of 2006;
- (c) the Prohibition of Female Genital Mutilation, No. 32 of 2011;
- (d) the Prevention of Terrorism Act, No. 30 of 2012;
- (e) the Proceeds of Crime and Anti-Money Laundering Act, No. 9 of 2009; or
- (f) the Bribery Act, No. 47 of 2016.”

T. THE KENYA ROADS BOARD ACT 1999 (No. 7 of 1999)

Notice is given that the Chairperson of the Departmental Committee on Transport, Public Works and Housing intends to move the following

amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendment to section 12 (2) of the Kenya Roads Board Act, No. 7 of 1999 by deleting the word “Master’s” appearing in paragraph (a).

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(935)

U. THE INDUSTRIAL PROPERTY ACT (No. 3 of 2001)

Notice is given that the Chairperson of the Departmental Committee on Trade, Industry and Cooperatives intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendment to the Industrial Property Act, No.3 of 2001 by—

- (a) deleting the proposed amendment to section 12 subsection (2);
- (b) deleting the proposed amendment to section 113 subsection (6) and substituting therefor the following—

Insert the following new subsection immediately after subsection (5)—

- s. 113(6) The Cabinet Secretary shall through a competitive process, appoint a person who has experience of not less than seven years in matters relating to industrial property being qualified and entitled to practice as an advocate in Kenya to be the Secretary to the Tribunal.

V. THE CHILDREN ACT, 2001 (No. 8 of 2001)

Notice is given that the Chairperson of the Departmental Committee on Labour & Social Welfare intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Children Act, No. 8 of 2001 by -

- (i) by inserting the following new amendments in their proper numerical sequence—

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(936)

Provision Amendment

s 2 Interpretation

Insert the following new definitions in their proper alphabetical sequence—

"duty bearer" means any person or institution, including the state that has the responsibility of promoting the welfare of the child;

"Endowment and Trust Fund" means the Fund established under the Trust Deed of the 12th June, 1970.

s.179(1)(ii)
(b)

Delete the "proviso" and substitute therefor the following new proviso—

"commits an offence and is liable on conviction to imprisonment for a term not exceeding twenty years, or to a fine not exceeding twenty million shillings, or to both."

- (ii) by inserting the following new part immediately after part XIII in their proper numerical sequence—

PART XIII A – ESTABLISHMENT OF THE CHILD WELFARE SOCIETY

s. 183A Establishment of the Society.

183A. (1) (1) There is established a National Adoption Society to be known as the child welfare society of Kenya.

L.N NO. 58.
Cap 446

(2) The Society shall be the successor of the Child Welfare Society of Kenya established under the State

Corporations Act.

(3) The Society shall be a body corporate with perpetual succession and a common seal, and which shall in its corporate name, be capable of-

(a) suing and being sued;

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(937)

(b) taking, purchasing or otherwise acquiring, holding, charging or disposing of movable and immovable property;

(c) borrowing or lending money;

(d) entering into contracts; and

(e) doing or performing such other things or acts necessary for the proper performance of the functions of the Society under this Act and which may lawfully be done or performed by a body corporate.

s.183B(1) Headquarters of the Society.

183B. (1) The Headquarters of the Society shall be in Nairobi but the Society may establish offices and branches in other parts of the country in order to extend its services to all parts of the country.

s.183C Functions of the society.

183C. (1) The Society shall-

(a) be the national emergency response and rescue organization for children;

(b) ensure the welfare of children and vulnerable young persons;

(c) be the national adoption society;

(d) strengthen families and provide families for separated children, children at risk of separation and children without appropriate care by facilitating-

(i) family empowerment and rehabilitation;

(ii) local and international tracing and reunification;

(iii) guardianship;

(iv) foster care;

(v) custody, including providing professional social work assessment;

(vi) adoption; and

(vii) any other suitable means that the Society considers

necessary;

- (e) develop and review standards and guidelines on child welfare, care, protection and control to be applied by the Society;
- (f) establish such temporary places of safety including child care facilities, group homes, foster care homes,

(No. 77) WEDNESDAY, AUGUST 22, 2018 (938)

- (g) child rescue centres, child protection centres and child protection units as may be considered necessary and in the best interest of children;
- (h) receive separated children and children without appropriate care into temporary places of safety;
- (i) rescue, receive and provide care to lost or abandoned children, children given up by their parents or committed to the Society by courts, referred by duty bearers or other stakeholders in the temporary places of safety and undertake family tracing, mediation and reunification;
- (j) ensure rapid response by initiating urgent action in response to children in distress and rescue of children in distress including the provision of psychosocial support;
- (k) advise any party on the procedure to be followed to adopt, foster or be a guardian to a child;
- (l) develop and publish guidelines, training manuals or any other literature in relation to any of the matters dealt with by the Society;
- (m) educate, give vocational training and skills to children and vulnerable young persons;
- (n) conduct research into matters relevant to its functions and publish reports on such research;
- (o) maintain relevant records and documents relating to the Society and the activities of the Society;
- (p) establish and maintain appropriate information and communication systems and data base based on contemporary trends and practices for the purposes of linking knowledge and information with its stakeholders;
- (q) establish mechanism to combat sexual exploitation of children and other forms of child labour;
- (r) build capacity of children and promote their participation in national affairs;

- (s) build capacity of duty bearers and institutional strengthening;
- (t) establish programmes for orphans and other vulnerable children; and
- (u) perform any other functions as may be necessary to achieve the objectives of the Society under this Act.

WEDNESDAY, AUGUST 22, 2018

(939)

(No. 77)

The Board of the Society.

s.183D(1)

183D. (1) The management of the Society shall be vested on a non-executive Board which shall consist of -

- (a) a Chairperson, appointed by the President;
- (b) the Principal Secretary for the time being responsible for matters relating to children affairs or a representative;
- (c) the Principal Secretary for the time being responsible for matters relating to finance or a representative;
- (d) one member of the existing Board of Trustees or a representative of the Board of Trustees;
- (e) a person who has at least a bachelor's degree from a recognized institution and who has experience in social work;
- (f) a medical doctor duly registered under the Medical Practitioners and Dentist Act;
- (g) a trustee from the existing Endowment and Trust Fund; and
- (h) the Chief Executive Officer of the Society who shall be the Secretary to the Board, but not be entitled to vote.

Cap 265

(2) The members of the Board appointed under paragraph (d), (e), (f) and (g) shall be appointed by the Cabinet Secretary.

(3) In appointing the Members under section 183D (1) (a), (d), (e), (f) and (g), the President and the Cabinet Secretary shall ensure that the persons have knowledge, experience, and expertise in matters relating to child welfare

s.183E

Term of office of the Board.

183 E. (1) The Chairperson and Members of the Board appointed under section 183D (1) (a), (d), (e),

(f) and (g) shall serve for a term of three years and shall be eligible for appointment for one further term of three years.

(1) Notwithstanding subsection (1), the office of a member of the Board shall be vacant if the member-

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(940)

- (a) resigns from office, in writing, to the appointing authority;
 - (b) is absent without reasonable excuse from three consecutive meetings of the Board of which the member had notice;
 - (c) is adjudged bankrupt;
 - (d) is incapacitated by prolonged physical or other illness;
 - (e) is convicted of any offence in contravention of the requirements of Chapter Six of the Constitution; and
 - (f) is otherwise unable or unfit to discharge the functions of the Board.
- (2) Where the office of the Chairperson or a member of the Board becomes vacant under this paragraph, the President or the Cabinet Secretary, as the case may be, may appoint another person as a replacement of the person vacating office.

s. 183F

Functions of the Board.

183F. (1) The Board shall-

- (a) control, supervise and administer the assets of the Society in a manner that best promotes the purpose for which the Society is established;
- (b) determine the provisions to be made for capital and recurrent expenditure and for the reserves of the Society and the Trust Fund;
- (c) receive any grants, gifts, donations or endowments and make legitimate disbursements there from;
- (d) mobilize resources for the Society;
- (e) strengthen the Endowment and Trust Funds established under the irrevocable Trust Deed of the

- 12th June, 1970 and such other funds as may be necessary for achieving the objectives of the Society;
- (f) cause necessary programmes to be developed and regularly review programmes developed to effect the objectives of the Society;

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(941)

- (g) contribute towards the development and revision of the National Strategy for the promotion, securing and protection of children's rights;
- (h) prescribe fees payable for services rendered by the Society;
- (i) advise the Government on laws and policies relating to child welfare and their implementation;
- (j) promote public and private sector partnerships for sustainable child welfare programmes and activities;
- (k) perform such other functions as may be assigned to it by the President or the Cabinet Secretary.

s.183G

Powers of the Board.

183G. (1) The Board shall have all the powers necessary for the proper performance of its functions under this Act.

(2) Without prejudice to the generality of paragraph (1), the Board shall have the power to-

- (a) establish such committees as it may consider necessary for the discharge of the functions of the Board;
- (b) develop and review policies to be undertaken by the Society;
- (c) open such banking accounts for the funds of the Society as may be necessary;
- (d) invest any funds of the Society not immediately required for its purposes in the manner provided under this Act;
- (e) gather relevant information, including requisition of reports, records, documents or any information from any

source, including governmental authorities, and maintain a database on children affairs;

(f) develop, in consultation with the Cabinet secretary, and publish in the Gazette guidelines for the better carrying out of this Act;

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(942)

(g) prescribe the qualifications for the appointment and the procedure of appointing and gazetting of child welfare officers; and

(h) do any other thing which is necessary or incidental to the functions of the Society.

s.183H Meetings of the Board.

183H. (1) The Chairperson shall preside over all meetings in which the Chairperson is present and in the absence of the Chairperson, the members present at the meeting shall appoint one of the members to act as a Chairperson for the purpose of that meeting.

(2) The quorum for a Board meeting shall be two-thirds of all the members.

(3) The Board may co-opt not more than three persons whose assistance or advice it may require for such period as it may determine, but the persons so co-opted shall not be considered as members for the purpose of forming a quorum and shall not be entitled to vote at any meeting of the Board.

(4) Subject to the provisions of this Act, the Board may regulate its own proceedings.

s.183I Remuneration.

183I. The chairperson and members of the Board shall be paid such remuneration, fees, allowances and such other reimbursements as the Cabinet Secretary shall in consultation with the Salaries and Remuneration Commission determine.

s. 183 J Decisions of the Board.

183J. Unless a unanimous decision is reached, a decision on any matter before the Board shall be by a simple majority of the votes of the members present and voting, and in the case of an equality of votes, the Chairperson or the person appointed to be the Chairperson under this Act shall have a casting vote as well as a deliberative vote.

s.183 K Delegation of the Board.

183K. The Board may, by resolution either generally or in any particular case, delegate to a committee of the Board, or to any member, or the chief executive officer of the Society the exercise of any powers or the performance of any of the functions or duties of the Board.

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(943)

S183L Execution of documents.

183L. (1) The common seal of the Board shall be authenticated by the signature of the Chairperson and the chief executive officer, or by either the Chairperson or the chief executive officer, together with one member other than an ex-officio member of the Board authorized, in writing, by the Board in that behalf.

(2) Any document, other than a document which is required by any law to be made under seal, and any decision of the Board, may be signified under the hand of the Chairperson, or the chief executive officer or any other member of the Board or any other person authorized in writing by the Board in that behalf.

s.183M Chief Executive officer of the Board and the Secretariat.

183 M. (1) There shall be a chief executive officer to the Society who shall be appointed by the Cabinet Secretary on the recommendation of the Board following a competitive recruitment process.

(2) A person shall qualify for appointment as a chief executive officer if that person-

(a) holds at least a Bachelor's degree in social work and a relevant Masters degree from a recognized university;

(b) has at least ten years' post-qualification experience in the field of child welfare; and

(c) meets the requirements of Chapter Six of the Constitution.

(3) The chief executive officer shall be the secretary to the Board, and shall be responsible for the day-to-day operations and administration of the Society.

(3) The chief executive officer shall hold office for such period and on such terms and conditions of

employment as the Board shall, with the approval of the Cabinet Secretary, determine.

s. 183N Officers.

183N. (1) The Board shall employ and appoint such number of child welfare officers to undertake duties relating to the care, protection and control of children and other senior officers as may be necessary to assist the chief executive officer in carrying out the purposes of this Act.

(No. 77) **WEDNESDAY, AUGUST 22, 2018** **(944)**

(2) The Society shall upon the appointment of the child welfare officers publish the names of the officers in the Gazette.

(3) The child welfare officers appointed under this paragraph shall perform the functions conferred on them by this Act and such other duties as the chief executive officer may from time to time direct.

Financial provisions

s. 183 O Funds of the Society.

183O. (1) The funds of Society shall comprise of-
(a) such sums as may be provided by Parliament;
(b) monies held in the Endowment Fund;
(c) such monies as may accrue to or vest in the Board in the course of the exercise of its powers or the performance of its functions under this Act or under any other written law; and
(d) all monies from any other source provided or donated or lent to the Society.

s.183 P Financial year.

183P. The financial year of the Society shall be the period of twelve months ending on the thirtieth day of June in each year.

s. 183Q Annual estimates.

183Q. (1) At least three months before the commencement of each financial year, the Board shall cause to be prepared estimates of the revenue and expenditure for that year.

(2) The annual estimates shall make provision for all estimated expenditure of the Society for the financial year concerned, and in particular shall provide for-

(a) the undertaking of welfare, emergency, education,

skills development, local and international tracing and reunification, psychosocial support, maintenance of children, separated children, foster care, adoption, guardianship, custody, programmes for orphans and other vulnerable children and vulnerable young persons, capacity building, institutional strengthening and other programmes of the society;

(No. 77) WEDNESDAY, AUGUST 22, 2018 (945)

- (b) the maintenance of temporary places of safety;
 - (c) the payment of the salaries, allowances, consultancy fees and other charges;
 - (d) the payment of pensions, gratuities and other charges in respect of retirement benefits to staff of the Society;
 - (e) the proper maintenance of the buildings and grounds of the Society;
 - (f) the proper maintenance, repair and replacement of the equipment and other movable property of the Society;
 - (g) the development of temporary places of safety, schools, health facilities, housing and educational institutions;
 - (h) the development of children and vulnerable young persons;
 - (i) running and operating livelihood programmes for children and vulnerable young persons and families; and
 - (j) the creation of such reserve funds to meet future or contingent liabilities in respect of retirement benefits, insurance or replacement of buildings or equipment or in respect of such other matters as the Board may consider necessary.
- (3) The Board shall approve the annual estimates before the commencement of the financial year to which they relate and once approved the estimates shall be submitted to the Cabinet Secretary for approval.
- (4) Any balance of grant may be carried forward in the accounts of the Society from one year to the next and be expended as the Board may determine, or be put into a reserve account of the Society.

183R. The Board shall cause to be kept all proper books and records of accounts of the income, expenditure, assets and liabilities of the Society.

- s. 183 S Investment by the Board. **183S.** (1) The Board may invest any of the funds of the Society which are not immediately required for its purposes in such securities as the National Treasury may, from time to time, approve.
(2) The Board may place on deposit with such bank or banks as it may determine any moneys not immediately required for the purposes of the Society.

(No. 77) WEDNESDAY, AUGUST 22, 2018 (946)

- s.183 T Audit. **183T.** The accounts of the Society shall be audited in accordance with the Public Audit Act.
No. 12 of 2003.

- s.183 U Annual report. **183U.** (1) The Board shall, within three months after the end of each financial year, prepare and submit to the Cabinet Secretary a report of the operations of the Board for the immediately preceding year.

(2) The Cabinet Secretary shall submit the annual report to the National Assembly as soon as reasonably practicable after the report is submitted to him or her under this paragraph.

- s. 183V Protection from liability. **183V.** No matter or thing done by the chairperson or any other member of the Board or any officer, employee or agent of the Society shall, if the matter or thing is done in good faith for the purpose of executing any provisions of this Act, render the Chairperson, member, officer, employee or agent or any person acting under the directions of those persons, personally liable to any action, claim or demand.

- s. 183W Liability for damages. **183W.** The provisions of this Act shall not relieve the Society of the liability to pay compensation or damages to any person for any injury to him or his property or any of his interests caused by the exercise of any power conferred by these provisions or by the failure, whether wholly or partially, of any action.

(iii)by inserting the following new amendments in their proper numerical

sequence—

s. 200 (2)

Repeal
of L.N
58 of
2014.

Insert the following subsection immediately after subsection (2)-
“The Child Welfare Society of Kenya Order No 58 is repealed”

(No. 77

WEDNESDAY, AUGUST 22, 2018

(947)

SEVENTH
SCHEDULE

Insert the following paragraphs immediately after paragraph 9—

(10) The persons who were chairperson and members of the Board immediately before the commencement of this Act shall continue in office until new members of the society are appointed under this Act.

(11) Every person who at the commencement of this Act is an employee of the former Society shall, subject to this Act, be deemed to be an employee of the Child Welfare Society of Kenya established under section 183A.

(12) A person who at the commencement of this Act is the Chief Executive Officer of the former Society shall, on that day and subject to this Act, be deemed to have been appointed as Chief Executive Officer under this Act.

(13) Subject to this Act, all the rights, duties, obligations, functions of care, protection and control of children, exemptions, assets and liabilities of the Child Welfare Society of Kenya existing immediately before the commencement of this Act shall be automatically and fully transferred to the Society.

(14) All the land, the developments and fixtures therein held in the name of the former Society by the Trustees shall vest in the Child Welfare Society of Kenya established by this Act.

(15) All projects previously undertaken as income generating activities by the Trustees including any property held thereunder shall continue to be presided over by the Trustees under the Trust Deed of the 12th June, 1970.

(16) The Endowment and Trust Funds established under an irrevocable Trust Deed of the 12th June, 1970 of the former

Society and in existence immediately before commencement of this Act shall continue to be managed by the Board of Trustees and shall be used to supplement the operations of the Society to enable it meet its objectives.

(17) Any reference to the Child Welfare Society of Kenya in any contract or document shall, for all purposes, be deemed to be a reference to the Child Welfare Society of Kenya established under this Act.

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(948)

W. THE COPYRIGHT ACT, 2001 (No. 12 of 2001)

Notice is given that the Chairperson of the Departmental Committee on Communication, Information and Innovation intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Copyright Act, 2001 (No. 12 of 2001) by -

- (i) inserting the following new paragraph immediately after the proposed new paragraph 6(1)(c)—
 - “(ca) the principal Secretary in the Ministry responsible for matters relating to information and communications technology or a designated representative”;
- (ii) deleting the proposed new paragraph (6)(1)(f);
- (iii) deleting the expression “paragraphs (1)(e) and (f)” appearing in the proposed new section 6(2) and substituting therefor the expression “paragraph (1)(e)”.

X. THE PRIVATIZATION ACT, 2005 (No.2 of 2005)

Notice is given that the Chairperson of the Departmental Committee on Finance and National Planning intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Privatization Act, 2005 by -

- (a) deleting the proposed amendment to section 23 (3);
- (b) deleting the proposed amendment to subsection (4) and substituting therefor the following new subsection-

- (5) The Cabinet Secretary shall compile and submit to the National Assembly, not later than four months after the end of each financial year, a consolidated report summarizing the status of implementation of each proposal approved under subsection (2) in that year.
- (6) Upon laying before the National Assembly, the report under subsection (5) shall be referred to the relevant committee.

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(949)

Y. THE WITNESS PROTECTION, 2006 (No. 16 of 2006)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Witness Protection Act by –

- (a) in the proposed amendment to section 3F(6) by deleting the words “responsible for finance”; and
- (b) by deleting the proposed amendment to section 3F(7).

Z. THE EMPLOYMENT ACT, 2007 (No.11of 2007)

Notice is given that the Chairperson of the Departmental Committee on Labour and Social Welfare intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Employment Act, 2007 (No. 11 of 2007) by deleting the proposed amendment to section 10(3).

AA. THE LABOUR RELATIONS ACT, 2007 (No.14 of 2007)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Labour and Social Welfare intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the

Labour Relations Act, 2007 (No. 14 of 2007) by -

- (i) by deleting the proposed amendment to section 2;
- (ii) by deleting the proposed amendment to section 48;
- (iii) by deleting the proposed amendment to section 49;
- (iv) by deleting the proposed amendment to section 50(2);
- (v) by deleting the proposed amendment to section 50 2(b);

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(950)

- (vi) by deleting the proposed amendment to section 50(5);
- (vii) by deleting the proposed amendment to section 50(9);
- (viii) by deleting the proposed amendment to section 76;
- (ix) by deleting the proposed amendment to section 78(1)(f);
- (x) by deleting the proposed amendment to section 81;
- (xi) by deleting the proposed new section 81A;
- (xii) by deleting the proposed new section 81B;
- (xiii) by deleting the proposed new section 81C;
- (xiv) by deleting the proposed new section 81D;
- (xv) by deleting the proposed new section 81E;
- (xvi) by deleting the proposed amendment to the Fourth Schedule.

2) Notice is given that the Member for Bomet Central (Hon. Ronald Tonui) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Labour Relations Act, 2007 (No. 14 of 2007) by -

- (i) deleting the proposed amendment to section 48(2);
- (ii) deleting the proposed amendment to section 49;
- (iii) deleting the proposed proviso in section 76;
- (iv) deleting the proposed amendment to section 81A(2);
- (v) deleting the proposed amendment to section 81B;
- (vi) deleting the proposed amendment to section 81E.

BB. THE ANTI-COUNTERFEIT AGENCY ACT, 2008 (No. 13 of 2008)

Notice is given that the Chairperson of the Departmental Committee on Trade, Industry and Cooperatives intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended by inserting the following new proposed amendment to section 2 of the Anti-Counterfeit Agency Act, No. 13 of 2008 —

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(951)

- s. 2 Insert the words “or outside Kenya” immediately after the words “subsisting in Kenya” appearing in the definition of the word “counterfeiting”.

CC. THE BIOSAFETY ACT, 2009 (No.2 of 2009)

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendment to the Biosafety Act, (*No 2 of 2009*) by inserting the following new paragraph immediately after the proposed new paragraph 6(1)(d) —

“(da) the Principal Secretary in the ministry for the time being responsible for matters relating to health”

DD. THE PROCEEDS OF CRIME AND ANTI-MONEY LAUNDERING ACT, 2009 (No.9 of 2009)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Proceeds of Crime and Anti-Money Laundering Act by -

- (a) in the proposed amendment to section 2 by deleting the proposed new paragraph (fa); and
- (b) in the proposed amendment to section 48 by deleting the words “advocates, notaries, other independent legal professionals and” appearing in the proposed new subsection 8 (a).

EE. THE NATIONAL YOUTH COUNCIL ACT, 2009 (No.10 of 2009)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the National Youth Council Act, 2009 (No. 10 of 2009) by -

(No. 77) WEDNESDAY, AUGUST 22, 2018 (952)

- (i) deleting the proposed amendment to section 2;
- (ii) deleting the proposed amendment to section 4;
- (iii) deleting the proposed amendment to section 5(1);
- (iv) deleting the proposed amendment to section 5 (3);
- (v) deleting the proposed amendment to section 9;
- (vi) deleting the proposed amendment 10(2);
- (vii) deleting the proposed amendment to section 23;
- (viii) deleting the proposed amendment to the First Schedule.

FF. THE JUDICIAL SERVICE ACT, 2011 (No.1 of 2011)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Judicial Service Act by inserting the following new amendment to section 15 -

- s. 15(1)(a) Delete the words “until after the first elections under the Constitution, the President shall, subject to the National Accord and Reconciliation Act, and after consultation with the Prime Minister, within seven days after the commencement of this Act” and substitute therefor the words “the President shall”

GG. THE TOURISM ACT, 2011 (No.28 of 2011)

Notice is given that the Chairperson of the Departmental Committee on Sports, Tourism and Culture intends to move the following amendments to the

Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Tourism Act, (No. 28 of 2011) by -

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(953)

(a) deleting the proposed amendment to section 7(1)(a) and substituting therefor the following new amendment —

s.7(1)(a) Delete paragraph (a) and substitute therefor the following new paragraph—

“formulate guidelines and prescribe measures for sustainable establishments and operations to realize sustainable tourism development throughout the country”

(b) deleting the proposed amendments to section 7(1)(b).

HH. THE LAND ACT, 2012 (No.6 of 2012)

Notice is given that the Chairperson of the Departmental Committee on Lands intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Lands Act, 2012 by -

(a) by deleting the proposed amendment to section 2;

(b) by deleting the proposed amendment to section 23 and substituting therefor the following new amendment —

s. 23 Delete sub-section (2) and substitute therefor the following new sub-section—

(2) A lease or licence for private land within the meaning of Article 64(b) of the Constitution shall be issued by the Cabinet Secretary and registered by the Chief Land Registrar.

(c) by inserting the following new proposed amendments immediately after the proposed amendment to section 30 of the Land Act—

- s.31 Delete the word "Commission" wherever it appears and substitute therefor the word "Chief Land Registrar".
- s.32
(1) Delete the word "Commission" and substitute therefor the word "Chief Land Registrar".
- s. 33 Delete the word "Commission" and substitute therefor the word "Chief Land Registrar".

(No. 77) WEDNESDAY, AUGUST 22, 2018 (954)

- s.34 Delete the word "Commission" wherever it appears and substitute therefor the word "Chief Land Registrar".
- Delete the word "public" wherever it appears.
- s. 35 Delete the word "Commission" wherever it appears and substitute therefor the word "Chief Land Registrar".
Delete the word "public" wherever it appears.
- s.36 Delete the word "public" wherever it appears.

II. THE LAND REGISTRATION ACT, 2012 (No. 3 of 2012)

Notice is given that the Chairperson of the Departmental Committee on Lands intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Lands Registration Act, 2012 by deleting the proposed amendment to section 2.

JJ. THE KENYA DEFENCE FORCES ACT, 2012 (No.25 of 2012)

Notice is given that the Chairperson of the Departmental Committee on Defence and Foreign Relations intends to move the following amendment to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Kenya Defence Forces Act (No. 25 of 2012) by -

- (a) deleting the word "on" and substituting therefor the word "or" in the

- proposed amendment to Section 133 (1); and
(b) deleting the word “board” wherever it appears and substituting therefor the word “committee” in the proposed amendment to Section 304 (1).

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(955)

KK. THE KENYA SCHOOL OF LAW ACT, 2012 (No.26 of 2012)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law(Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Kenya School of Law Act by –

- (a) deleting all the proposed amendments to section 4(2);
- (b) deleting the proposed amendments to section 16; and
- (c) deleting the proposed amendments to the Second Schedule.

LL. THE LEGAL EDUCATION ACT, 2012 (No.27 of 2012)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Legal Education Act, by –

- (a) deleting the proposed amendments to section 8(1);
- (b) deleting the proposed amendments to section 8(2); and
- (c) deleting the proposed amendments to section 8(3).

MM. THE NATIONAL TRANSPORT AND SAFETY AUTHORITY ACT, 2012 (No.33 of 2012)

Notice is given that the Chairperson of the Departmental Committee on Transport, Public Works and Housing intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the National Transport and Safety Authority Act, (No. 33 of 2012) by -

- (a) deleting the proposed amendment to section 2;
- (b) deleting the proposed amendment to section 3(2);
- (c) deleting the proposed amendment to section 5;

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(956)

- (d) deleting the proposed amendment to section 15(1); and
- (e) deleting the proposed amendment to section 15(3).

NN. THE UNIVERSITIES ACT, 2012(No.42 of 2012)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Education and Research intends to move the following amendment to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Universities Act, 2012 by -

- (a) deleting the words “in consultation with the Cabinet Secretary, after a competitive process conducted by the Public Service Commission” appearing immediately after the word “Colleges” in the proposed amendments to section 35 (1) (a)(v) and substituting therefor the words “in the manner provided in the Fourth Schedule”;
- (b) deleting the proposed amendment to section 39 (3) and substituting therefor the following proposed new subsections –

“(3) The Vice-Chancellor of a public university shall hold office for a term of three years and shall be eligible for reappointment for one more term, upon satisfactory performance, as evaluated by the Council.

(3A) A person who immediately before the commencement of this Act, is a Vice-Chancellor of a public university, shall remain in office for the remaining period of his or her five year term, in accordance with the terms and conditions of their appointment”.

- (c) in the proposed amendments to the Second Schedule-
 - (i) by deleting the words “key stake holders” appearing immediately after the words “consultation with” in paragraph (1) and substituting therefor the words “the following organisations”;
 - (ii) by inserting the following new sub-paragraphs immediately after the word “appointment” in paragraph (1) –

- (a) the alumni association;
- (b) the staff union;
- (c) the students' association; and
- (d) the industry represented by the Kenya Private Sector Alliance, National Chamber of Commerce and the Association of Professional Societies of East Africa.

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(957)

- (iii) by deleting the words "Five names shall be proposed to the Senate and submitted to the Public Service Commission" appearing immediately before the words "for short listing" in paragraph (2) and substituting therefor the words "The Senate shall submit five names to the Council";
- (iv) by deleting the words "The Public Service Commission" appearing at the beginning of paragraph (3) and substituting therefor the words "The Council".
- (d) by inserting the following new paragraph immediately after the proposed amendments to the Second Schedule –
 - "by inserting the following new Schedule immediately after the Third Schedule"

Fourth Schedule.

FOURTH SCHEDULE

(Section 35 (a) (v))

1. (a) Where a vacancy occurs in the office of the Vice Chancellor or Deputy Vice Chancellor of a public university or Principal or Deputy Principal of a constituent college, the Council of that university shall constitute a selection panel consisting of –
 - (a) a representative of the Council;
 - (b) a representative of the Public Service Commission;
 - (c) the Principal Secretary, Ministry of Education;
 - (d) the Principal Secretary in the Ministry for the time being responsible for finance;
 - (e) two representatives, being one man and one woman, nominated by the Senate;
 - (f) a representative of the Universities Academic Staff Union;
 - (g) a representative of the alumni association; and
 - (h) a representative of the Students' Association.
- (b) The Vice Chancellor or a person acting as the Vice-Chancellor shall not be a member of the selection panel.

2. The Council shall—
 - (a) convene the first meeting of the selection panel, at which the members of the selection panel shall elect a chairperson from among themselves; and
 - (b) provide the selection panel with such facilities and other support as it may require for the discharge of its functions.
3. Subject to this Act, the selection panel shall, within seven days of convening, by advertisement in the media, invite applications from persons who qualify for nomination and appointment for the position of Vice Chancellor, Deputy Vice Chancellor, Principal or Deputy Principal.

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(958)

4. The selection panel shall—
 - (a) consider the applications received under paragraph (3) to determine their compliance with the provisions of the Constitution and this Act;
 - (b) short list the applicants;
 - (c) publish the names of the qualified applicants and short-listed applicants in the media;
 - (d) conduct interviews of the short-listed persons;
 - (e) shortlist three qualified applicants for each vacant position; and
 - (g) forward the names of the qualified persons to the Council.
- (5) The Council shall, within fourteen days of receipt of the names forwarded under paragraph (4)(e), in consultation with the Cabinet Secretary appoint the Vice Chancellor, Deputy Vice Chancellor, Principal or Deputy Principal from among the three qualified applicants.
- (6) The selection panel may, subject to this section, determine its own procedure for the conduct of business and affairs.
- (7) The selection panel shall stand dissolved upon the appointment of the Vice Chancellor, Deputy Vice Chancellor, Principal or Deputy Principal under paragraph (5).
- (8) Despite the foregoing provisions, the Cabinet Secretary may, by notice in the Gazette, extend the period specified in respect of any matter under this schedule by a period not exceeding twenty-one days.

2) **N**
o
t
i
c
e

i
s

g
i

ven that the Member for Kikuyu Constituency (Hon. Kimani Ichung'wah) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

THAT, the Bill be amended in the Schedule by inserting the following new item in its proper alphabetical sequence-

The Universities Act, 2012.

s.2

Delete the words "to which a Charter has been grant under this Act" appearing in the definition of "University" and substitute therefor the words "establish in accordance with section 13 of this Act";

Delete the words "established" appearing in the definition "foreign university" and substitute therefor the words "legally established in a country";

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(959)

s.6 (1)

Insert a new paragraph (i) as follows-

(i) the Attorney-General or his representative who shall an ex-officio member.

s.6 (2)

Delete

s.6 (3)

Delete

s.6 (4)

Delete

s.6 (5)

Delete

s.6 (6)

Delete

s.6 (7)

Delete

s.6 (8)

Delete

s.6 (9)

Delete

s.6(10)

Delete

s.15(2)

Insert a new paragraph immediately after paragraph (e) follows-

(ee) exercise any of the functions specified in section 20(1)(e).

OO. THE TREATY MAKING AND RATIFICATION ACT, 2012
(No. 45 of 2012)

Notice is given that the Chairperson of the Departmental Committee on Defence and Foreign Relations intends to move the following amendment to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Treaty Making and Ratification Act, (No. 45 of 2012) by deleting the proposed new Section 8A.

PP. THE OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS ACT, 2013 (No.2 of 2013)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12

of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Office of the Director of Public Prosecutions Act by-

deleting the proposed amendment to section 2(1) of the Office of the Director of Public Prosecutions Act.

[Provisions withdrawn from the Bill by the Mover]

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(960)

QQ. THE KENYA INSTITUTE OF CURRICULUM DEVELOPMENT ACT, 2013 (No.4 of 2013)

Notice is given that the Chairperson of the Departmental Committee on Education and Research intends to move the following amendment to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to section 5(2) of the Kenya Institute of Curriculum Development Act, 2013 by deleting the proposed amendments to paragraph (f)(ii) and substituting the following new paragraph –

“(f)(ii) one person to represent the Kenya Private Schools Association;”

RR. THE NAIROBI CENTRE FOR INTERNATIONAL ARBITRATION ACT, 2013 (No.26 of 2013)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Nairobi Centre for International Arbitration Act by -

(a) deleting the proposed amendments to section 6(1) and substituting therefor the following—

S.6(1) Delete the word “justice” appearing in paragraph (c) and substitute therefor the word “finance”.
Insert the words “Kenya Branch” immediately after the word

“Arbitrators” appearing in subparagraph (iv) of paragraph (f).

(b) in the proposed amendments to section 21—

(i) by deleting the proposed amendments to sub-section (4) and substituting therefor the following—

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(961)

(4) Delete subsection (4) and substitute therefor the following—

(4) The President and his deputy shall be appointed by the Board and shall —

(a) hold office for a term of five years;

(b) be eligible for re-appointment for one further term of five years;

(c) serve on a part-time basis.

(ii) Deleting the proposed amendment to sub-section (5).

SS. THE SCIENCE, TECHNOLOGY AND INNOVATIONS ACT, 2013
(No. 28 of 2013)

Notice is given that the Chairperson of the Departmental Committee on Education and Research intends to move the following amendment to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Science, Technology and Innovation Act, 2013 by -

(a) deleting the proposed amendments to section 5(1);

(b) deleting the proposed amendments to section 8(1);

(c) deleting the proposed amendments to section 8(4); and

(d) deleting the proposed amendments to section 8(5).

TT. THE NATIONAL SOCIAL SECURITY FUND ACT, 2013 (No.45 of 2013)

1) **Notice is given that the Chairperson of the Departmental Committee on Labour and Social Welfare intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the National Social Security Fund Act, 2013 (No. 45 of 2013) by -

- (a) deleting the proposed amendment to section 6(a);
- (b) deleting the proposed amendment to section 6(d);
- (c) deleting the proposed amendment to section 9;
- (d) deleting the proposed amendment to section 11(2).

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(962)

2) Notice is given that the Member for Bomet Central (Hon. Ronald Tonui) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the National Social Security Fund Act, 2013 (No. 45 of 2013) by deleting the proposed amendment to section 6(d).

UU. THE WILDLIFE CONSERVATION AND MANAGEMENT ACT (No.47 of 2013)

Notice is given that the Chairperson of the Departmental Committee of Environment and Natural Resources intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Wildlife Conservation and Management Act by -

- (a) in the proposed amendments to section 3 in the definition of the term “subsistence hunting” by deleting the words “and/or his” appearing immediately after the words “consumption by individual” and substituting therefor the words “or their”;
- (b) in the proposed amendments to section 3 by inserting the following new definition in proper alphabetical sequence—
“Community Wildlife Compensation Committee” means the committee established under section 18;”
- (c) in the proposed amendment to section 8(2) (f) by—
 - (i) deleting the word “four” and substituting therefor the word “five”;
 - (ii) inserting the words “one of whom shall be from local community wildlife areas” at the end of the paragraph;
- (d) in the proposed amendment to section 18 by deleting the proposed new

section 18 and substituting therefor the following new section—

Community
Wildlife
Conservation
Committees.

18. (1) Each county shall have a Community Wildlife Conservation Committee, consisting of—

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(963)

- (a) a Chairperson appointed by the Cabinet Secretary being the Court Commissioner;
- (b) an officer of the Service for the county who shall be the Secretary;
- (c) an agricultural officer based in the respective administrative Conservation Area established by the Service;
- (d) a medical officer based in the respective administrative Conservation Area established by the Service;
- (e) a livestock officer based in the respective administrative Conservation Area established by the Service and nominated by the Director;
- (f) four persons not being public officers knowledgeable in wildlife matters nominated by the community wildlife associations within the administrative Conservation Area established by the Service and appointed by the Cabinet Secretary.

(2) The Community Wildlife Conservation Committees may hold a maximum of four meetings every financial year.

(3) Despite subsection (2), additional meetings may be held with the prior consent of the Cabinet Secretary.

(e) in the proposed amendment to section 19 by deleting the proposed new section 19 and substituting therefor the following new section—

Functions
of
Community
Wildlife
Conservation
Committees

19. (1) The functions of the Community Wildlife Conservation Committees shall be to—

- (a) review and recommend payment of compensation on claims resulting from loss or damage caused by wildlife;
- (b) develop and implement, in collaboration with the Service and Community Wildlife Associations, mechanisms for mitigation of human wildlife conflict;
- (c) bring together relevant stakeholders to harness participation in conservation and management programmes of wildlife; and
- (d) perform such other functions as the Service may require or delegate

it.

- (f) in the proposed amendments to section 92—
 - (i) in subsection (1), by deleting the word “three” appearing immediately after the words “not less than” and substituting therefor the word “five”;
 - (ii) in subsection (2), by deleting the word “five” appearing immediately after the words “not less than” and substituting therefor word “seven”;
 - (iii) in subsection (3) by—

No. 77)

WEDNESDAY, AUGUST 22, 2018

(964)

- (a) deleting the word “sin” appearing immediately after the words “endangered species as specified” and substituting therefor the word “in”;
- (b) deleting the word “three” appearing immediately after the words “not less than” and substituting therefor the words “five”;
- (iv) in subsection (4) by deleting the word “three” appearing immediately after the words “a term of imprisonment of not less than” and substituting therefor the words “five”.
- (g) in the proposed amendments to section 98 in subsection (3) by deleting the words “subsection (1)” appearing immediately after the words “contravenes the” and substituting therefor the words “subsection (2)”.
- (h) in the proposed amendments to section 102(1) (a) by inserting the following new item immediately after the proposed new paragraph (a)—
 - s. 102(1) (d) Insert the following new paragraph immediate paragraph (d)—
“(da) burns charcoal in any protected area;”
- (i) in the proposed amendments to section 102(1) (g) by deleting the proposed amendments appearing after the proposed new paragraph (g) and substituting therefor the following—
 - s. 102(2) Delete subsection (2) and substitute with the following—
“(2A) A person shall not enter any protected area with livestock without a permit or written permission from the authority responsible as the case may be.”
- (j) by deleting the proposed new section 116A; and
- (k) by deleting the proposed amendment to the heading of Part B of the Third Schedule.

VV. THE COMPANIES ACT, 2015 (No.17 of 2015)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the

Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Companies Act by -

(a) deleting the proposed new section 275A;

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(965)

(b) deleting the proposed amendments to section 329(1);

(c) deleting the proposed amendments to section 329(2)

WW. THE NATIONAL DROUGHT MANAGEMENT AUTHORITY ACT, 2016 (No. 4 of 2016)

Notice is given that the Chairperson of the Departmental Committee of Environment and Natural Resources intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to section 13 of the National Drought Management Authority Act by inserting the following new subsection immediately after the proposed new subsection (2)—

“(3) The Board shall ensure that in the appointment of its staff—

(a) not more than two-thirds of the staff shall be of the same gender;

(b) the regional and other diversity of the people of Kenya is taken into account; and

(c) persons with disabilities are afforded adequate and equal opportunities.”

XX. THE FOREST CONSERVATION AND MANAGEMENT ACT, 2016 (No. 34 of 2016)

Notice is given that the Chairperson of the Departmental Committee of Environment and Natural Resources intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Forest Conservation and Management Act by deleting the proposed amendment to section 34 and substituting therefor the following—

s. 34(1) delete the words "or the Senate," appearing immediately after the words "National Assembly".

(No. 77) **WEDNESDAY, AUGUST 22, 2018** **(966)**

s. 34(3) delete the words "relevant House" appearing immediately after the words "Standing Orders of" and substituting therefor the words "National Assembly".

s. 34(5) (b) delete the words "or the Senate" appearing immediately after the words "National Assembly".

s. 34(6) delete the words "or the Senate" appearing immediately after the words "National Assembly".

YY. THE BRIBERY ACT, 2016 (No. 47 of 2016)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Bribery Act by deleting the proposed amendment to section 27(2) and substituting therefor the following—

s. 27(2) Delete and substitute therefor the following new subsection—

No.3 of 2003 (2)Any investigation, prosecution or court proceedings instituted before the commencement of this Act based on an offence committed under the Anti-Corruption and Economic Crimes Act shall be continued under the Anti-Corruption and Economic Crimes Act.

(No. 77)

WEDNESDAY, AUGUST 22, 2018

(967)

NOTICES

The House resolved on Wednesday, February 14, 2018 as follows-

- II. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a **debate** on any **Motion**, including a **Special motion** be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

- III. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on **Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** shall be limited as follows:- A maximum of forty five (45) minutes for the Mover, in moving and fifteen minutes (15) in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee), and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each (if the Bill is not sponsored by either of them); and that priority in speaking shall be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

- IV. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on a **Report of a Committee**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House, be limited as follows:- A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

...../Notice Paper

NOTICE PAPER

Tentative business for

Thursday, August 23, 2018

(Published pursuant to Standing Order 38(1))

It is **notified** that the House Business Committee, at their last meeting, approved the following **tentative** business to appear in the Order Paper for Thursday, August 23, 2018:-

A. THE WAREHOUSE RECEIPT SYSTEM BILL (SENATE BILL NO. 10 OF 2017)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, August 22, 2018 – Afternoon Sitting)

B. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2018)

(The Chairperson, Departmental Committee on Finance & National Planning)

Second Reading

(If not concluded on Wednesday, August 22, 2018 – Afternoon Sitting)

C. THE URBAN AREAS AND CITIES (AMENDMENT) BILL (SENATE BILL NO. 4 OF 2017)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, August 22, 2018 – Afternoon Sitting)

**D. THE HEALTH LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY
BILL NO. 14 OF 2018)**

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, August 22, 2018 – Afternoon Sitting)

**E. MOTION - REPORT ON AMENDMENTS TO THE STANDING
ORDERS**

(The Chairperson, Procedure & House Rules Committee)
