



REPUBLIC OF KENYA  
TWELFTH PARLIAMENT - (SECOND SESSION)  
THE SENATE  
**ORDER PAPER**  
TUESDAY, OCTOBER 09, 2018 AT 2.30 PM

**PRAYERS**

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers (as listed in the appendix)
6. Notices of Motion
7. Statements (as listed in the appendix)
8. **\*THE CARE AND PROTECTION OF OLDER MEMBERS OF SOCIETY BILL (SENATE BILLS NO. 17 OF 2018)**  
(Sen. Aaron Cheruiyot, MP)  
*(Second Reading)*  
*(Resumption of Debate interrupted on Thursday, 4<sup>th</sup> October, 2018)*
9. **\*THE LOCAL CONTENT BILL (SENATE BILLS NO. 10 OF 2018)**  
(Sen. Gideon Moi, MP)  
*(Second Reading)*
10. **COMMITTEE OF THE WHOLE**  
**\*\*\*\*THE FOOD SECURITY BILL (SENATE BILLS NO. 12 OF 2017)**  
(The Senate Majority Leader)
11. **COMMITTEE OF THE WHOLE**  
**\*THE DISASTER RISK MANAGEMENT BILL (SENATE BILLS NO. 8 OF 2018)**  
(Sen. Mutula Kilonzo Jnr, MP and Sen. Sakaja Johnson, MP)
12. **COMMITTEE OF THE WHOLE**  
**\*THE RETIREMENT BENEFITS (DEPUTY PRESIDENT AND DESIGNATED STATE OFFICERS) (AMENDMENT) BILL (SENATE BILLS NO. 2 OF 2018)**  
(Sen. Ledama Olekina, MP)

13. COMMITTEE OF THE WHOLE**\*THE COUNTY STATISTICS BILL (SENATE BILLS NO. 9 OF 2018)**

(Sen. (CPA) Farhiya Haji, MP)

14. MOTION- ENFORCEMENT OF NATIONAL TRANSPORT AND SAFETY AUTHORITY (OPERATION OF MOTORCYCLE) REGULATIONS, 2015

(Sen. (Arch.) Sylvia Kasanga, MP)

**AWARE** that the National Transport and Safety Authority (NTSA) is mandated to plan, manage and regulate the road transport system, while ensuring the provision of safe, reliable and efficient road transport services;

**FURTHER AWARE** that motorcycle transport services have been rapidly embraced throughout the country leading to several challenges including: rise in road accidents involving motorcycle riders, unlawfulness, insecurity and road congestion;

**COGNIZANT** that the National Transport and Safety Authority (Operation of Motorcycles) Regulations that came into force on January 1, 2016 have not adequately addressed the challenges associated with the high numbers of motorcycles as a mode of transport;

**NOW THEREFORE**, the Senate resolves that the Ministry of Transport, Infrastructure, Housing, and Urban Development: -

1. identify strategies to enforce the National Transport and Safety Authority (Operation of Motorcycles) Regulations;
2. in collaboration with County Governments, develop programs to sensitize and educate members of boda-boda associations and the public on the laws regulating motorcycle operations;
3. submits a Report to the Senate within ninety(90) days outlining the short and long term strategies, and preventative measures that are being put in place to halt the rising cases of road carnage involving motorcycle riders.

*(Resumption of Debate interrupted on Thursday, 13<sup>th</sup> September, 2018)*

15. MOTION -IMPROVEMENT OF KENYA'S POSITION IN THE WORLD ECONOMIC FORUM TRAVEL AND TOURISM COMPETITIVENESS INDEX

(Sen. Ledama Olekina, MP)

**THAT, AWARE** that the Ministry of Tourism have developed and published the Kenya National Tourism Blueprint 2030 in May 2017;

**FURTHER AWARE** that Kenya Tourism Agenda 2018 – 2022, launched in April 2018, establishes the foundation for the National Tourism Blueprint 2030 and is the tool for initiating the components of the Blue Print;

**ALSO AWARE** that the contribution of travel and tourism to Kenyan GDP stood at 9.7 % in 2017, up from the 9.3 % previous year;

...../Motion

**COGNIZANT** that in the next 10 years every industry will be changed by technology;

**ALSO AWARE** that Kenya Tourism Board has partnered with Google, Safaricom, Kenya Wildlife Service and Tourism Finance Corporation to create new digital content for local tourism;

**CONCERNED** that Kenya tourism industry's potential is underutilized;

**AWARE** that Kenya's position in World Economic Forum's Travel & Tourism Competitiveness Index Ranking is 80 out of 136 in 2017, having improved by 2 points from 2015, while having currently the lowest score in cultural resources and business travel with 1.6 points out of 7;

**FURTHER CONCERNED** that majority of the solutions proposed by the tourism agenda are brick and mortar type and not addressing the trends; noting that in less than two years, the share of online booking globally has grown from 9% to almost 33% and the lucrative and fast-growing segment of business tourism;

**ALSO CONCERNED** that Kenya will continue to attract only beach and park type tourists ignoring the large number of conference and business travellers, who largely never leave Nairobi and are offered minimal exposure to Kenya;

**NOW THEREFORE**, the Senate calls upon the Ministry of Tourism to approach tourism sector with modern innovation and implement tangible, measurable and impactful solutions, resulting in improvement of Kenya's ranking in the World Economic Forum Travel & Tourism Competitiveness Index 2019 by 6 positions and improve the lowest score of cultural resources and business travel by 1 point.

16. **MOTION – PAYMENT OF A ONE-OFF HONORARIUM AND MONTHLY PENSION TO FORMER COUNCILLORS**

(Sen. John Kinyua, MP)

**THAT AWARE** that National Forum of Former Councillors petitioned the Senate regarding the need for legislative interventions to address the plight and welfare of former Councilors;

**FURTHER AWARE** that the Senate Standing Committee on Labour and Social Welfare considered the Petition and tabled its report on Tuesday, 16<sup>th</sup> February, 2016;

**ACKNOWLEDGING** that the Committee's report on the Petition made five recommendations among them that-

1. one-off honorarium of Kshs1.5 Million be paid to former councillors who served a minimum of one term since independence; and
2. monthly pension of at least Kshs30,000 be paid to former councillors.

**APPRECIATING** that the recommendations were based on the fact that former Councillors did not receive fixed emoluments and experienced disparities with regard to access to pension services and terms and conditions of pension schemes over the years, which made it difficult to fairly and equitably determine each councillor's rightful benefits retrospectively;

...../Motion

**CONCERNED** that the State Department for Social Services and Security, State Department for Devolution and the National Treasury have to date not implemented the Committee’s recommendations on the Petition;

**NOW THEREFORE**, the Senate calls upon the Principal Secretaries to the said State Departments and the National Treasury to take necessary steps to implement the recommendations contained in the Report.

17. **MOTION – HUMAN – WILDLIFE CONFLICT**

(Sen. Johnes Mwaruma, MP)

**AWARE THAT** tourism is amongst key sectors of Kenya’s economy contributing billions of shillings to the country as well as generating employment and livelihoods to millions of citizens;

**FURTHER AWARE THAT**, Kenya is endowed with different wildlife species which contribute substantially to the national economy through tourism;

**NOTING THAT**, cases of human-wildlife conflict are on the rise as a result of many factors key among them climate change and encroachment on parks and nature reserves leading to deaths and maiming of people by wild animals;

**FURTHER NOTING THAT** there’s need to create a conducive environment for peaceful coexistence of humans and wildlife in the same space given the importance of wildlife not only to our economy but to ecology as well;

**CONCERNED** that victims and families of victims of human-wildlife conflict are not being compensated for loss of lives, being maimed or loss of their means of livelihood due to failure of the Treasury to allocate adequate funds for this purpose contrary to the Wildlife Compensation Management Act, 2013;

**FURTHER CONCERNED** that the regions and communities hosting the wildlife are marginalized and do not benefit from the proceeds of tourism in their area;

**NOW THEREFORE** the Senate calls upon the National Government to-

1. Allocate adequate funds during the current financial year and subsequent years for compensation;
2. Ensure that victims and families of victims of human-wildlife conflict are always compensated within 90 days of submitting their claims; and
3. Come up with innovative ways of ensuring host communities benefit from the revenue accruing from wildlife tourism.

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...../Notice

NOTICE

The Senate resolved on 14<sup>th</sup> February, 2018 as follows:-

**THAT**, pursuant to Standing Order 106 (1), the Senate resolves that debate on a Motion not sponsored by the Majority or Minority Party or a Committee shall be limited in the following manner:-

A maximum of three hours with not more than twenty minutes for the Mover, twenty minutes for the Majority Party Official Responder, twenty minutes for the Minority Party Official Responder and fifteen minutes for each other Senator speaking and that fifteen minutes before the time expires, the Mover shall be called upon to reply.

KEY

- \*\*\*\***     ▪ Denotes a Majority/Minority Party Bill
- \*\*\***     ▪ Denotes a National Assembly Bill
- \*\***       ▪ Denotes a Committee Bill
- \***        ▪ Denotes any other Bill

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**A. \*\*\*\*THE FOOD SECURITY BILL (SENATE BILLS NO. 12 OF 2017)**  
(The Senate Majority Leader)

**NOTICE** is given that the Chairperson, Standing Committee on Agriculture, Livestock and Fisheries intends to move the following amendments to the Food Security Bill (Senate Bills No. 12 of 2017) at the Committee of the Whole –

**CLAUSE 6**

**THAT** clause 6 of the Bill be amended –

- (a) by deleting sub-clause (2) and substituting therefor the following new sub-clause-
  - (2) In ensuring that the national government fulfils its obligations under sub-section (1), the Authority, in consultation with county governments shall –

**CLAUSE 9**

**THAT** clause 9 of the Bill be amended–

- (a) by deleting sub-clause (1) and substituting therefor the following new sub-clause –
  - (1) Every Kenyan has the right to safe and nutritious food that meet their dietary needs at all times –
- (b) by deleting sub-clause (2), paragraph (a) and substituting therefor the following new paragraph –
  - (a) put in place measures to ensure that the nutrition needs of certain special groups of persons who are food poor are adequately met.
- (c) by deleting the marginal note and substituting therefor the following new marginal note-
  - Special groups, pregnant and lactating women.

**CLAUSE 12**

**THAT** clause 12 of the Bill be amended –

- (a) in sub-clause (1) by deleting paragraph (e) and substituting therefor the following new paragraphs –
  - (e) collaborate with the county government in the monitoring, issuance and administration of the food eligibility card to eligible Kenyans by the county food security committees to ensure that food poor persons access food with ease and in a timely manner;
  - (ea) collaborate with the county government in the monitoring and implementation of the food distribution programme and the food subsidy programme by the county food security committees;
- (b) in sub-clause (2), paragraph (o) by inserting the words “In consultation with county governments” immediately before the words “Promote diversification”.

**CLAUSE 14**

**THAT** clause 14 of the Bill be amended in sub-clause (1) –

- (a) by inserting the following new paragraph immediately after paragraph (g)-
  - (ga) one person nominated by the Kenya National Human Rights and Equality Commission established under Article 59 of the Constitution of Kenya, 2010.

...../Amendments

**CLAUSE 23**

**THAT** clause 23 of the Bill be amended in sub-clause (2) by deleting the word "masters" appearing immediately after the words "holds a" in paragraph (a).

**CLAUSE 25**

**THAT** clause 25 of the Bill be amended in sub-clause (2) by deleting the words "both at the national and county levels" appearing immediately after the words "food subsidy programme" in paragraph (e).

**CLAUSE 31**

**THAT** clause 31 of the Bill be amended –

- (a) in paragraph (b) by inserting the words "coordinate the implementation of" immediately before the words "implement the decisions" ;
- (b) by deleting paragraph (e); and
- (c) in paragraph (f) by inserting the word "monitoring and" immediately before the words "make arrangements for".

**CLAUSE 32**

**THAT** clause 32 of the Bill be amended in sub-clause (2) (c) by inserting the following new subparagraph immediately after sub-paragraph (iv) –  
(v) dieticians or nutritionists.

**CLAUSE 35**

**THAT** clause 35 of the Bill be amended in sub-clause (1) by inserting the word "health" immediately after the word "livestock".

**B. \*THE DISASTER RISK MANAGEMENT BILL (SENATE BILLS NO. 8 OF 2018)**

(Sen. Mutula Kilonzo Jnr, MP and Sen. Sakaja Johnson, MP)

**NOTICE** is given that Sen., Mohamed Yusuf Haji, EGH, MP, the Chairperson of the Senate Standing Committee on National Security, Defence and Foreign Relations, intends to move the following amendments to the Disaster Risk Management Bill, Senate Bills No. 8 of 2018, at the Committee Stage —

**CLAUSE 4**

**THAT** clause 4 of the Bill be amended by deleting subclause (2).

**CLAUSE 5**

**THAT** clause 5 of the Bill be amended-

- (a) in paragraph (a) by inserting the words "and inter-ministerial" immediately after the word "inter-agency";
- (b) in paragraph (f) by inserting the words "in coordination with the Bureau of Statistics," at the beginning of the paragraph;

...../Amendments

**CLAUSE 7**

**THAT** clause 7 of the Bill be amended-

(a) by deleting subclause (1) and substituting therefor the following new subclause-

(1) There shall be a Board of the Authority which shall comprise—

- (a) a chairperson, who shall be appointed by the Cabinet Secretary;
- (b) the Principal Secretary in the Ministry responsible for matters relating to disaster risk management;
- (c) the Principal Secretary in the Ministry responsible for finance;
- (d) the Principal Secretary in the Ministry responsible for internal security;
- (e) a representative of the Kenya Red Cross Society;
- (f) one person nominated by the Council of County Governors;
- (g) one person appointed by the Cabinet Secretary from amongst three persons nominated by the Kenya Private Sector Alliance;
- (h) one person appointed by the Cabinet Secretary from amongst three persons nominated by the Kenya Medical Association; and
- (i) the Director-General of the Authority who shall be an *ex-officio* member and who shall have no vote.

(b) by deleting sub-clause (3) and substituting therefor the following new sub-clauses -

(3) A person shall qualify for appointment as the chairperson of the Board if that person —

- (a) holds a degree from a university recognised in Kenya;
- (b) has knowledge and experience in matters related to disaster management; and
- (c) meets the requirements of Chapter Six of the Constitution.

(3A) A person shall qualify for nomination under paragraph (1) (g) and (h) if that person —

- (a) holds a degree in a relevant field from a university recognised in Kenya; and
- (b) meets the requirements of Chapter Six of the Constitution.
- (c)

**CLAUSE 8**

**THAT** clause 8 of the Bill be amended in paragraph (d) by deleting the words “that violates” appearing immediately after the words “an offence” and substituting therefor the words “that constitutes a serious violation of”.

**CLAUSE 12**

**THAT** clause 12 of the Bill be amended by deleting subclause (2) and substituting therefor the following new sub-clauses-

(2) A person shall qualify for appointment under this section where such person —

- (a) holds a relevant degree from a university recognised in Kenya;
- (b) has at least five years’ managerial experience; and
- (c) meets the requirements of Chapter Six of the Constitution.

(2A) The Director-General shall hold office for a term of five years which may be renewed once.

**CLAUSE 13**

**THAT** clause 13 of the Bill be amended by deleting the word “co-opt” appearing immediately after the word “the board may” and substituting therefor the word “engage”.

**CLAUSE 14**

**THAT** clause 14 of the Bill be amended in subclause (1)-

- (a) by inserting the words “in coordination with the Bureau of Statistics” at the beginning of the introductory phrase to paragraph (b);
- (b) by inserting the word “county” immediately after the words “national and” in the introductory phrase to paragraph (d);
- (c) in paragraph (d) by inserting the following new sub-paragraph immediately after sub-paragraph (vi)-
  - (vii) any other critical infrastructure including power stations, power distribution networks and water reservoirs.

**CLAUSE 18**

**THAT** clause 18 of the Bill be amended in subclause (1) by-

- (a) deleting the word “commandant” appearing at the end of paragraph (d) and substituting therefor the word “commander”;
- (b) by deleting paragraph (g) and substituting therefor the following new paragraph-
  - (g) one person, with experience in disaster management, who is a resident of the county, appointed in writing by the chairperson of the most representative private sector association in the county;
- (c) inserting the following new paragraph immediately paragraph (h)-
  - (i) one person, with experience in disaster management, nominated appointed by the governor from the faith-based organisations in the county;

**CLAUSE 20**

**THAT** clause 20 of the Bill be amended in the introductory clause by deleting the word “Authority” appearing immediately after the words “foregoing the” and substituting therefor the word “Committee”.

**CLAUSE 21**

**THAT** clause 21 of the Bill be amended in paragraph (d) by deleting the words "that violates" appearing immediately after the words "an offence" and substituting therefor the words "that constitutes a serious violation of".

**CLAUSE 30**

**THAT** clause 30 of the Bill be amended-

- (a) in subclause (1) by deleting the word "Authority" appearing immediately after the words "administered by the" and substituting therefor the word "Board";
- (b) (b) in subclause (4) inserting the word "prevention" immediately after the words "used for disaster".

**CLAUSE 36**

**THAT** clause 36 of the Bill be amended in subclause (1) by inserting the following new paragraph immediately after paragraph (g)-

- (ga) the administration and management of the Fund;

**FIRST SCHEDULE**

That the Bill be amended by deleting the First Schedule.

**CLAUSE 2**

**THAT** clause 2 of the Bill be amended by —

- (a) in the definition of the word "disaster" by inserting the words "and impacts" immediately after the words "environmental losses";
- (b) in the definition of the word "disaster risk management" by inserting the words "multi-sectoral" immediately after the words "capacities to implement";
- (c) in the definition of the word "hazard" by deleting the words "damaging physical event" appearing immediately after the words "means a" and substituting therefore the word "process";
- (d) in the definition of the word "preparedness" by inserting the words "imminent" immediately after the words "impacts of likely";
- (e) by deleting the definition of the word "prevention" and substituting therefor the following new definition-  
"prevention" means the activities and measures taken to avoid existing and new disasters;
- (f) in the definition of the word "recovery" by inserting the words "prevent or" immediately after the words "including efforts to";
- (g) by deleting the definition of the word "response" and substituting therefor the following new definition-  
"response" means actions taken before, during or immediately after a disaster to save lives, reduce health impacts, ensure public safety and meet the basic subsistence needs of the affected persons;
- (h) by deleting the definition of the word "vulnerability" and substituting therefor the following new definition-

“vulnerability” means the conditions determined by physical, social, economic and environmental factors or processes which increase the susceptibility of an individual, a community, assets or systems to the impacts of a hazard;

(i) by inserting the following new definition immediately after the definition of the word “hazard”-

“Bureau of Statistics” means the Kenya National Bureau of No. 4 of 2006 Statistics established under section 3 of the Statistics Act.

**C. \* THE RETIREMENT BENEFITS (DEPUTY PRESIDENT AND DESIGNATED STATE OFFICERS) (AMENDMENT) BILL (SENATE BILLS NO. 2 OF 2018)**

(Sen. Ledama Olekina)

**NOTICE** is given that Sen. Farhiya Ali Haji, intends to move the following amendments to the Retirement Benefits (Deputy President and Designated State Officers) (Amendment) Act, Senate Bills No. 2 of 2018, at the Committee Stage—

**CLAUSE 5**

**THAT** clause 5 of the Bill be amended by inserting the following new paragraphs after paragraph (a)-

(aa) in subsection (1) by deleting the word “four” appearing immediately after the words “once every” in paragraph (c) and substituting therefor the word “five”.

(ab) in subsection (1) by deleting the word “four” appearing immediately after the words “once every” in paragraph (d) and substituting therefor the word “five”

**THAT** the Bill be amended by introducing the following new clauses after clause 5

**CLAUSE 5A**

**THAT** section 5A of the Act be amended by-

(a) deleting the word “four” appearing immediately after the words “once every” in paragraph (c) and substituting therefor the word “five”.

(a) deleting the word “four” appearing immediately after the words “once every” in paragraph (d) and substituting therefor the word “five”

**CLAUSE 5B**

**THAT** section 5B of the Act be amended by-

(a) deleting the word “four” appearing immediately after the words “once every” in paragraph (c) and substituting therefor the word “five”.

- (b) deleting the word "four" appearing immediately after the words "once every" in paragraph (d) and substituting therefor the word "five"

**CLAUSE 5C**

**THAT** section6 of theAct be amended by-

- (a) deleting the word "four" appearing immediately after the words "once every" in paragraph (c) and substituting therefor the word "five".

- (b) deleting the word "four" appearing immediately after the words "once every" in paragraph (d) and substituting therefor the word "five"

**CLAUSE 5D**

**THAT** section7 of theAct be amended by-

- (a) deleting the word "four" appearing immediately after the words "once every" in paragraph (c) and substituting therefor the word "five".

- (b) deleting the word "four" appearing immediately after the words "once every" in paragraph (d) and substituting therefor the word "five"

**D. \* THE COUNTY STATISTICS BILL (SENATE BILLS NO. 9 OF 2018)**

(Sen. (CPA) Farhiya Haji, MP)

**NOTICE** is given that Sen. (Eng.) Mohamed M. Mahamud, the Chairperson of the Senate Standing Committee on Finance and Budget, intends to move the following amendments to the County Statistics Bill, Senate Bills No. 9 of 2018, at the Committee Stage-

**CLAUSE 4**

**THAT** clause 4 of the Bill be amended in sub-clause (1) by deleting the introductory clause to paragraph (c) and substituting therefor the following new clause—

- (c) coordinating the compilation and dissemination of statistics and related information in the respective county, with particular regard to-

**CLAUSE 5**

**THAT** clause 5 of the Bill be amended in sub-clause (2) by –

- (a) deleting the words "county statistics" appearing immediately after the words "the head of the" in the introductory clause;
- (b) deleting the words "county statistics" appearing immediately after the words "management of the" in paragraph (a);
- (c) deleting the words "county statistics" appearing immediately after the words "staff of the" in paragraph (b);
- (d) deleting the words "county statistics" appearing immediately after the words "objectives of the" in paragraph (c);
- (e) deleting the words "statistics" appearing immediately after the words "annual plan of the" in paragraph (d)(i); and
- (f) deleting the words "statistics" appearing immediately after the words "annual budget of the" in paragraph (d)(ii).

**PART III—HEADING**

**THAT** the Bill be amended by deleting the heading to Part III and substituting therefor the following new heading-

**PART III - INTERGOVERNMENTAL TECHNICAL COMMITTEE ON STATISTICS**

**CLAUSE 8**

**THAT** the Bill be amended by deleting clause 8 and substituting therefor the following new clause-

Technical  
Committee.

**8.** (1) There is established a technical committee known as the Intergovernmental Technical Committee on County Statistics comprising—

(a) the Principal Secretary in the Ministry responsible for matters relating to statistics who shall be the chairperson;

(b) one county executive committee member responsible for matters relating to statistics nominated by the Council of County Governors;

(c) one county statistician nominated by the Council of County Governors;

(d) three persons appointed by the Cabinet Secretary from entities recognized by the government as representing-

- (i) statisticians;
- (ii) research institutions; and
- (iii) public universities;

(f) one person nominated by the National Council for Population and Development; and

(g) the Director General of the Kenya National Bureau of Statistics or an officer designated by the Director General of the Bureau who shall be the secretary to the technical committee and shall have no vote.

(3) The persons nominated under subsection(1) (d), (e,) and (f) shall —

(a) be appointed by the Cabinet Secretary by notice in the *Gazette*; and

(b) serve on a part-time basis for a term of four years renewable for one further term.

(4) The Cabinet Secretary shall appoint the first members of the technical committee under subsection (1)(d)(e)and (f)within two months of the commencement of this Act.

(5) The Cabinet Secretary shall provide the technical committee with such facilities and other support as it may require for the discharge of its functions.

**CLAUSE 9**

**THAT** clause 9 of the Bill be amended –

- (a) in the introductory clause by deleting the word “consultative” appearing immediately after the word “the” and substituting therefor the word “technical”;
- (b) in paragraph (b) by deleting the words “various county statistics offices” appearing immediately after the words “programmes of the” and substituting therefor the word “office”; and

- (c) in paragraph (c) by deleting the words "offices of the county statistician" appearing immediately after the words "coordination of" and substituting therefor the word "the office".

**CLAUSE 10**

**THAT** clause 10 of the Bill be amended –

- (a) in sub-clause (1) by deleting the word "consultative" appearing immediately after the word "the" and substituting therefor the word "technical";
- (b) in sub-clause (2) by deleting the word "consultative" appearing immediately after the words "chairperson of the" and substituting therefor the word "technical"; and
- (c) in sub-clause (3) by deleting the word "consultative" appearing immediately after the words "meetings of the" and substituting therefor the word "technical".

**CLAUSE 11**

**THAT** clause 11 of the Bill be amended by deleting sub-clause (2) and substituting therefor the following new sub-clause—

No. 31 of 2016	(2) The Kenya National Bureau of Statistics and the office shall, pursuant to the Access to Information Act, ensure that the statistics held by it are accessible to the members of the public.
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**CLAUSE 12**

**THAT** clause 12 of the Bill be amended—

- (a) in sub-clause (3) by inserting the word "county" immediately after the words "conferred on the" in paragraph (a) and;
- (b) by deleting sub-clause (5) and substituting therefor the following new sub-clause—

(5) A department in the respective county government shall, in collecting, analysing and disseminating statistics, be guided by the standards and methodologies approved by the Kenya National Bureau of Statistics under section 4 (2).

**CLAUSE 14**

**THAT** clause 14 of the Bill be amended-

- (a) by deleting sub-clause (1) and substituting therefor the following new sub-clause-

(1) Any person, other than an officer of the office or the Kenya National Bureau of Statistics, who intends to conduct a statistical survey in a county on any matter set out in the Fourth Schedule, shall obtain the approval of the office.

...../Amendments

(b) in sub-clause (2) by inserting the word "county" immediately after the words "plans to the"; and

(c) by inserting the following new sub-clause immediately after sub-clause (2)-

(2A) Notwithstanding subsection(2) the county statistician may, in the case of an emergency, waive the requirement for the submission of an application under subsection (1) at least three months before the commencement of the survey.

**CLAUSE 15**

**THAT** clause 15 of the Bill be amended by deleting sub-clause (3).

**CLAUSE 16**

**THAT** clause 16 of the Bill be amended by deleting the word "service" appearing immediately after the words "functions of the" and substituting therefor the word "office".

**CLAUSE 18**

**THAT** clause 18 of the Bill be amended-

(a) by inserting the following new sub-clause immediately after sub-clause (2)-

(2A) The report made under subsection (1) shall be transmitted electronically to the Kenya National Bureau of Statistics for the purpose of aggregation of statistics from the counties.

(b) in sub-clause (3) by deleting the words "and the Senate" appearing immediately after the words "the county assembly".

**CLAUSE 19**

**THAT** clause 19 of the Bill be amended —

(a) in paragraph (d) by inserting the word "county" immediately after the words "required by the"; and

(b) by inserting the following new paragraph immediately after paragraph (d)-

(e) fraudulently, or wilfully gives inaccurate or false statistical information to an officer appointed under this Act;

**CLAUSE 2**

**THAT** clause 2 of the Bill be amended by-

(j) deleting the definition of the term "consultative committee";

(k) deleting the words "office of the" appearing immediately after the words "means the" in the definition of the term "office"

(l) inserting the following new definitions immediately after the definition of the term official body" –

"statistics" means aggregated numerical information relating to demographic, economic, financial, environmental, social or similar matters, at national or county level, which is compiled and analyzed according to relevant scientific and statistical methodology;

"statistical information" means-

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2006

(a) In the case of the Kenya National Bureau of Information, information collected by the Bureau, for purposes of the Statistics Act; and

(b) In the case of the office, information collected by the office, for purposes of this Act;

"technical committee" means the Intergovernmental Technical Committee on Statistics established under section 8;

APPENDIX

**1. PAPERS LAID**

- (i) Report of the Auditor General on the Financial Statements of Busia County Agricultural Development Fund for the Year ended 30 June 2017;
- (ii) Report of the 12<sup>th</sup> Meeting of the Speakers of National Legislatures of the East African Community Partner States and EALA.

*(The Senate Majority Leader)*

**2. STATEMENT PURSUANT TO STANDING ORDER NO. 47 (1)**

- (i) Nominated Senator (Sen. (Arch.) Sylvia Kasanga, MP) to make a statement on the World Mental Health Day, to be observed on 10<sup>th</sup> October, 2018.