

**PARLIAMENT OF KENYA  
THE SENATE**

**SENATE BILLS DIGEST**

**Issue No...../2018**

**THE PREVENTION OF TERRORISM (AMENDMENT) BILL, SENATE BILLS NO. 20  
OF 2018**

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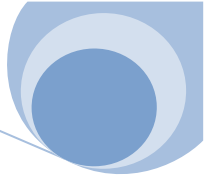
**Sponsor:** Sen. Naomi Waqo.  
**Date of Publication:** 19<sup>th</sup> July, 2018  
**Date of First Reading:** 11<sup>th</sup> September, 2018  
**Committee referred to:** National Security, Defence and Foreign Relations.  
**Type of Bill:** Ordinary Bill

**1. BACKGROUND AND PURPOSE OF THE BILL**

The Prevention of Terrorism Act (the Act) was enacted in the year 2012 for purposes of putting in place measures to detect and prevent terrorist activities. In the year 2014, the Act was amended to provide for the offence known as radicalization and established a National Counter Terrorism Centre (the Centre). The Centre is responsible for the co-ordination of national counter-terrorism efforts in order to detect, deter and disrupt terrorism acts.

The Prevention of Terrorism (Amendment) Bill seeks to amend the Act with a view to provide for responsibilities of the County Education Board, parents, and the administrators of learning institutions regarding prevention of radicalization and extremism.

The Bill proposes that the functions of the County Education Board shall be responsible for formulation and oversight of the implementation of county specific programs to counter radicalization, carry out background checks on teachers, and in collaboration with other stakeholders put in place mechanisms for reformation and reintegration of students found to have



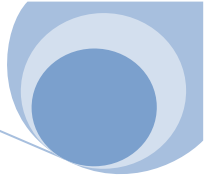
been involved in radicalization. The institution administrators shall implement measures to ensure students are not drawn into radicalization, keep an updated record of students, and ensure that staff are trained to recognize vulnerable students likely to be drawn into radicalization.

On their part, parents shall be responsible for monitoring the activities of students after school hours and during weekends, reporting cases of missing students to the Inspector-General of Police, the County Education Board, and the institution administrator where it is believed that the student is likely to be involved in terrorist acts or has been radicalized, and collaborate with the school, religious leaders and the county leadership in building support networks for students to counter radicalization.

Additionally, the Bill sets out the procedure for reporting a missing student. The parents will be required to conduct a search for the missing student, and notify the institution administrator and the Inspector-General of Police. Regarding a student who fails to report to school, the institution administrator shall inform the parents of the failure by the student to report to school and notify the Inspector General of Police. Where a missing student is found and it is determined that the student has undergone radicalization, the parent, the County Education Board, the institution administrator and the Inspector-General of Police shall be responsible for rehabilitating the student and investigating with a view to determine whether other students in the respective institution have been exposed to radicalization.

## **2. WAY FORWARD**

Pursuant to standing order 140(5), the Standing Committee on National Security, Defence and Foreign Relations shall facilitate public participation and shall take into account the views and recommendations of the public when the Committee submits its report to the Senate. Standing order 140(1) requires that the report of the Committee be submitted to the Senate within a period of thirty (30) calendar days of the committal of the Bill to the Committee. The thirty days lapse on 11<sup>th</sup> October, 2018.



Any comments on the Bill may be submitted to the Office of the Clerk of the Senate, 1<sup>st</sup> Floor, Main Parliament Buildings, Nairobi, Kenya through P.O Box 41842-00100, Nairobi, Kenya or email: [senatebills@parliament.go.ke](mailto:senatebills@parliament.go.ke).

Note:

1. This Digest reflects the Bill as published and does not cover any subsequent amendments to the Bill after publication.
2. The Digest does not have any official legal status.