



NATIONAL ASSEMBLY

e-NEWS

ISSUE 005

NOVEMBER-DECEMBER 2019

Inside:

**House Committee
Mulls Over Reforms
To Uphold House Ethics**

**Lands Committee
Orders Investigations
Into The Del Monte
Land Lease**

**Inadequate Funding
Slowing Dams
Constructions**

**The President's
Reservations
To The Finance Bill, 2019**



Foreword



I am pleased to pen this foreword for the 5th issue of the National Assembly E-Newsletter. It is my sincere hope that you have enjoyed reading the previous issues.

This issue covers activities undertaken by the National Assembly during the months of November and December, 2019.

The 5th issue contains an article on the President's reservation to the Finance Bill (2019). The article gives a background on the capping of interest rates, effects of the capping and finally the recommendations that were made by the Departmental Committee on Finance and Planning.

In a bid to enhance the image of the National Assembly, the Committee on Powers and Privileges is considering the establishment of a specific House committee to deal with standards and ethics of Members of Parliament. For details on this, read the story on page 7.

On the regional front, the East African Regional Caucus of the Pan African Parliament held a three-

day meeting in Nairobi, the deliberations and recommendations from this meeting are carried on our story on page 9.

From the departmental committees, we have stories from the Departmental Committee on Lands and the Departmental Committee on Environment and Natural Resources.

Amongst other stories this issue contains a report on status of Bills transacted in the National Assembly (both the Private Members Bills and Government Sponsored Bills). We have also carried a summary report of the Bills assented to by the President during the Third Session and therefore, have become Acts of Parliament.

Finally, I take this opportunity to wish all our readers a Merry Christmas and a Prosperous New Year.

Enjoy your reading.

Mr. Michael R. Sialai, EBS
Clerk of The National Assembly of Kenya

Contents

The President's Reservations To The Finance Bill, 2019 **4**

House Committee Mulls Over Reforms To Uphold House Ethics **7**

Regional PAP Caucus meeting in Nairobi resolves to work with civil society to speed up ratification of Legal Instruments **9**

Lands Committee Orders Investigations Into The Del Monte Land Lease **11**

Inadequate Funding Slowing Dams Constructions **12**

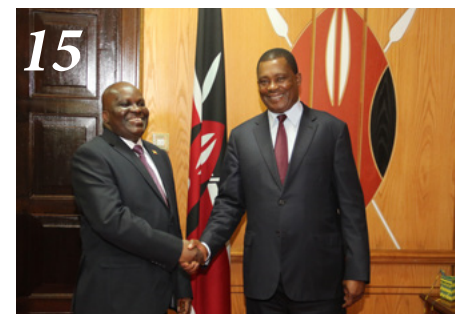
Pictorial **14**

Reports on Bills **17**



EDITORIAL TEAM

Peter Chemweno - Team Leader
Joe Okong'o
Mainah Wanjiku
Salem Lorot
James M. Macharia
Laureen Wesonga
Winnie Kiziah



The President's Reservations to The Finance Bill, 2019

In his Memorandum, the President submitted that:-

BACKGROUND

The capping of interest rates was introduced on 14th September, 2016 through section 33B of the Banking Act (Cap. 488) which capped the interest rates chargeable by banks at a rate not more than 4% of the base rate set and published by the Central Bank of Kenya (CBK) with the aim of addressing concerns about affordability and availability of credit especially to the common mwananchi. However, the capping of interest rates has caused unintended effects that are significant and damaging to the economy and in particular, the Micro, Small and Medium Enterprises (MSMEs) which are hardest hit.

Over the last three years, the Government and the banking sector have initiated programmes and measures to deal with the concerns of affordability and availability of credit from banks and at the same time strengthen the vulnerable sectors especially the MSMEs, Women and Youth. While noting that significant progress has been made, these programmes and measures are yet to achieve the desired results due to the negative effects caused by capping of interest rates. This is the reason for the proposal under clause 43 of the initial Bill to repeal section 33B of the

Banking Act.



EFFECTS OF CAPPING OF THE INTEREST RATES

1.Reduction of credit to the private sector, particularly Micro, Small and Medium Enterprises (MSMEs)

Most commercial banks adjusted their lending business models towards large corporates and the public sector and away from small scale borrowers and individuals. As a result, credit to segments such as MSMEs, that are perceived as risky, declined after imposition of the controls. Recent studies indicate a decline of credit to MSMEs by 10% in the first year following the introduction of interest rate capping.



2.Deduction in economic growth

A study by CBK showed that rationing out MSMEs from the credit market by commercial banks is estimated to have lowered the country's economic growth by 0.4 percentage points in 2017 and by a further 0.2 percentage points in 2018.



3.Weakening of the effectiveness of monetary policy with evidence of perverse outcomes making CBK less effective in dealing with economic shocks and delivering on its mandate

An analysis by CBK on the impact of interest rate capping showed a slowdown in monetary policy transmission to inflation and growth. The results showed that monetary policy transmission to growth and inflation takes 3 to 12 months and 12 to 20 months respectively which is 3 to 5 months longer compared to the period before the introduction of interest rate capping. In addition, the analysis showed evidence of perverse outcomes following a monetary policy action, particularly a reduction in loan advances by some banks after a lowering of the CBK.

4.Reduction of loan advances by banks

Studies indicate that the lending activity of smaller banks reduced with outstanding stock of credit declining by about five percent (5%) in the twelve (12) months ending September, 2017. Small banks have been disproportionately hit by capping due to their different business model of relying more on higher-risk/higher-return borrowers such as MSMEs.



5. Mushrooming of shylocks and other unregulated lenders in the financial sector

Shylocks and other unregulated lenders have taken advantage of the effects of capping to lend to desperate citizens at exorbitant rates in a predatory manner compounding the already existing problem of lack of access to affordable credit facilities due to prohibitive costs.

6. In addition to the above, other effects being experienced in the banking sector include:-

i. the withdrawal of banks' lending to specific segments of the market;

ii. the increase in average loan size, reflecting lower access by small borrowers and larger loans to more established firms; and

iii. the decreased diversity of loan products.

In view of the above, the President recommended that the Bill should be amended by deleting Clause 45 and substituting therefor the following:-

45. The Banking Act is amended by repealing section 33B.

RECOMMENDATION BY THE DEPARTMENTAL COMMITTEE ON FINANCE AND NATIONAL PLANNING

In considering the Memorandum, the Committee took into consideration the Speaker's guidance which stated that, "In considering the Reservation, the Committee is expected to additionally apply itself to the question of the commencement date of the provision and the effect of the proposed amendment with regards to existing loan contracts between lenders, that is, banks and other financial institutions, and borrowers."

The Committee deliberated extensively on the memorandum and arrived at three possible options to take:-

i. amend the Bill as proposed by the President;

If the Bill is amended as proposed in the Presidential Memorandum, this would have an effect on interest rates and the market for loanable funds, Caps on interest rates would be repealed and this therefore means that Banks would be at liberty to vary the terms on loans taken during the time interest rate caps were in force. If this happens, then there would be an increase in the repayable interest on loans which could lead to an increase in non-performing loans. This could have a further effect of crowding out investment and consequently a contraction in economic growth. In this scenario, voting on the amendment will be on a simple majority vote as provided for in S.O. 154(5)(b).



ii. To amend the Bill with amendments that fully accommodate the President's reservations;

In this case, the Committee would adopt the President's reservations to clause 45 and make a further amendment to save the rights of existing borrowers. The voting threshold would be a simple majority as contemplated under Article 122(1) and Article 115 (4) of the Constitution.

iii. To pass the Bill a second time without amendments by rejecting the President's reservations.

This would mean that the Committee proposes that the Bill be passed a second time with clause 45 remaining the same as was proposed by the Committee during passage of the Bill the first time. The voting threshold for this is two-thirds pursuant to Article 115(4) of the Constitution.

Subsequently, the Committee settled for the second option where they agreed to adopt the President's reservations to clause 45 and made a further amendment to save the rights of existing borrowers.

The Committee recommended that the House adopts the proposal by the Committee to adopt the President's reservations with amendments by inserting the following new clause:-

NEW CLAUSE

THAT the Bill be amended by inserting the following new clause immediately after clause 45-

45A. The Banking Act is amended in section 56 by inserting the following new sub-section immediately after sub-section (3)-

(4) Notwithstanding the repeal of section 33B, any agreement or arrangement to borrow or lend which was made or entered into, or varied pursuant to the provisions of section 33B (now repealed), shall continue to be in force on such terms, including interest rates, and for the duration specified in the agreement or arrangement.

Provided that the interest rate chargeable under that agreement or arrangement may be varied downwards

The purpose of the amendment is to safeguard people with loan contracts that were taken in the period when the interest rate caps were still in place.

House Committee Mulls Over Reforms to Uphold House Ethics



The Committee on Powers and Privileges in the National Assembly has underscored the need to establish a specific House Committee to deal with Standards and Ethics of Members of Parliament in a bid to enhance the image of Parliament and restore the confidence of the citizenry on their representatives.

Drawing experiences from the increased scrutiny of Parliaments across the world, which places ethics, standards and accountability among the key tenets that the public wish are entrenchment among lawmakers that represent them, the Committee holds the opinion that while in the past the House has focused on the privileges of legislators, it would be important to set the bar as high as envisaged by Chapter 6 of the Constitution of Kenya.

The Committee which in November attended a workshop on Ethics and Standards, also cast a spot-

light a spotlight on the need to review the structure of the Powers and Privileges Committee as well as its leadership to ensure that the Committee lives to the billing of its set mandate. The training is conducted by the National Democratic Institute (NDI) in partnership and the House Democracy Partnership.

Speaking when he opened the workshop at the Hilton Garden Inn hotel in Nairobi, the Speaker of the National Assembly Hon. Justin Muturi, who also chairs the Committee called upon the Committee Members to consider introducing amendments to the Powers and Privileges Act, 2017 with a view to ensure it responds to the spirit and provisions of Chapter Six of the Constitution of Kenya which speaks to Leadership and Integrity.

"As you may all have noted, it is not possible for this Committee to address all the concerns that emerge on the Standards and Ethics of House Membership.

Furthermore, it is not tenable for either of the House Speakers to continue chairing this Committee, as any output of an inquiry by the Committee may end up putting into compromise the Office of the Speaker, which is not fair,” Speaker Muturi noted.

He observed that since the Committee presents its report to the floor of the House where the Speaker will be required to again preside debate on the report, it would be better if another Member chaired the Committee.

While browsing through the provisions of Chapter Six of the Constitution during his opening remarks, he revealed that most legislators may have violated some the provisions without their knowledge due to lack of sensitization on the provisions. He thus opined that the establishment of a Committee on Ethics could help step up enforcement to the law hence putting the political class on a high pedestal of scrutiny.

On his part, House Clerk Mr. Michael Sialai noted that with emerging concerns on relations between Legislators and Parliamentary staff as well as their personal staff had brought sharp focus on the need for the establishment of Parliamentary Standards and

Ethics.

He cited emerging complaints across jurisdictions due to the nature of the work of Parliamentarians, with staff lamenting over poor remuneration, being overworked and abuse of their basic rights, all which need to be addressed in a structured way.

NDI Country Director Mr. Dennis Omondi observed that the forum was a good opportunity for the Committee which is responsible for the enforcement of integrity among Members to deliberate with a view to upholding public confidence and integrity for lawmakers; very crucial virtues for the institution of Parliament.

Key resource persons in the 2-day workshop; Ms. Karena Dees and Ms. Sheria Clarke, both of whom have remarkable expertise on Ethics generated from their interactions with the US House of Representatives’ Committee on Ethics, will be sharing their Congressional experiences with the Committee Members and are expected to guide the Committee as well as those of the House Rules and Procedures on how to enrich the existing code of conduct for Members in line with the provisions of Chapter 6 of the Constitution.



The Committee on Powers and Privileges led by Speaker Muturi (front row, centre) pose for a group photo with resource persons; Ms. Karena Dees (to the right of the Speaker) and Ms. Sheria Clarke (to the left of the Speaker), both of whom have remarkable congressional expertise on Ethics

Regional PAP Caucus meeting in Nairobi resolves to work with civil society to speed up ratification of Legal Instruments



Member of PAP East African Regional Caucus at Crown Hotel, Nairobi.

The East African Regional Caucus held a three-day meeting in Nairobi early November which witnessed days of consultations between members of Pan-African Parliament (PAP) and civil society organizations from the region. The overarching recommendation from the meeting called upon the PAP to collaborate with civil society organizations in building regional consensus in the promotion of African Union (AU) legal instruments.

The theme of the meeting held between 18 and 21 November 2019 at Crown Plaza Hotel was: “Building regional consensus on AU Legal instruments and promoting the ratification of the protocol to the constitutive act of the Pan-African parliament: Engaging civil society organizations in the promotion of AU legal instruments”.

During his opening address, Hon. Chief Fortune Charumbira, 4th Vice-President of the PAP, said that Rt. Hon. Roger Nkodo Dang and the entire Bureau

expect a lot from the conclusions of their meeting and hoped that the region would see it fit to empower the PAP especially at this crucial stage when calls for the African integration journey have gained momentum.

In her welcome remarks, Kenya’s Hon. Sen. Janet Ongera, who is also the Chairperson of the PAP East African Regional Caucus, noted that the meeting provided an opportunity for the region to consult on how to catch up and come up with concrete steps on how build momentum for the ratification of the revised PAP Protocol.

“We cannot afford to be left behind as the Eastern Caucus. We ought to heed the call and give our continental Parliament the necessary tools to make a tangible impact on the lives of our citizens. Africa needs a strong PAP and this meeting has the potential to enhance this strength through concrete action. Let’s get to work!”

“ We cannot afford to be left behind as the Eastern Caucus. We ought to heed the call and give our continental Parliament the necessary tools to make a tangible impact on the lives of our citizens... Let's get to work!”

*-Hon. Sen. Janet Ongera,
Chairperson ; PAP East African
Regional Caucus -*

The Nairobi recommendation urged AU organs to harmonize strategies and efforts to ensure full participation of African citizens in the development and economic integration of the continent; and popularize AU Treaties and Conventions at grass-root level. In this regard, the PAP pledged to work closely with the Economic, Social and Cultural Council (ECOSOCC) as both institutions have the mandate to give citizens a voice within the AU institutions and decision-making processes.

Other recommendations from the consultation meeting included the following:

- The East African Regional Caucus should identify a credible and respected Champion to lead the promotion of the Malabo Protocol Region by engaging directly with Heads of State and Government;

- The Caucus needs to develop an action Plan that will compel members to report back on what each one of them has done within their member states on the Ratification of the Protocol;

- The Region to conduct a scientific research on why countries are reluctant to ratify the Malabo Protocol;

- There is a need to improve the visibility of the PAP in the Region and encourage all other regions to do the same – by engaging the media, development partners and relevant stakeholders;

- Regular workshops to be conducted relating to the role of PAP to allow stakeholders understand the work of the PAP.

The meeting was officially closed by Hon. Patrick Mariru on behalf of the Rt. Hon. Justin Muturi, Speaker of the National Assembly of Kenya.

The East African Region of the PAP is comprised of 13 countries which include Comoros, Djibouti, Kenya, Ethiopia, Rwanda, Somali, Madagascar, Mauritius, Seychelles, South Sudan, Sudan, Tanzania and Uganda. Somalia and Madagascar are the only two countries that have signed, ratified and deposited the instrument. Comoros and Djibouti have only signed up, though are yet to complete the process that would see their admission into the top continental legislative organ.



Hon. Chief Fortune Charumbira, 4th Vice-President
of the PAP delivers his opening address



Lands Committee Orders Investigations into The Del Monte Land Lease

The National Assembly Committee on Lands; Chaired by Kitui South Member of Parliament, Hon. Dr. Rachel Nyamai has issued a directive to the Director of Survey in the Ministry of Lands and Physical Planning to re-survey the land held by Del Monte Kenya Limited in Muranga and Kiambu Counties. In a report tabled before the house in November, the Committee also directed that the National Land Commission should also investigate the circumstances under which Del Monte acquired the controversial piece of land, as outlined in a Petition submitted to parliament by the Kandara Residents' Association.

The Committee was reporting on its findings, following a petition lodged by Mr. Philip Njuguna on 11th June 2019, presented on behalf of Kandara Residents Association regarding irregular renewal of leases of land currently held by Del Monte Kenya. The petitioners alleged that they had originally settled in the land but were illegally removed and a lease allocated to the company, and that upon the expiry of the leases, the County Government of Murang'a renewed leases to Del Monte contrary to section 13 of the Land Act 2012, which outlines the modalities of land lease renewal to foreign owners.

During its hearings, the Committee observed the NLC had received a historical injustice claim from the residents association against Del Monte, and determined the matter on 7th February, after which the Lands' Commission had recommended, among other things, that the land held by Del Monte Kenya Limited should be resurveyed to establish if the company was in possession of land that it is not registered to hold.

The Hon. Nyamai-led Committee however observed that there are six pending court cases regarding the renewal of leases and the recommendations of the

Commission, and noted that the petition had limited its focus to renewal of leases by the Murang'a County for land owned by Del Monte Kenya Limited. However, the Members observed that the role of the County government was limited to making recommendations on the renewal of the leases and could not undertake the actual renewal as this is the mandate of the National Land Commission.

The Committee further observed that the Managing Director, Del Monte Kenya Limited was not opposed to the recommendation made by the National Land Commission for resurvey of the land as demonstrated by the letters to the Director of Survey in the Ministry of Lands and Physical Planning seeking the fast tracking of the exercise.

The Committee further noted that the submissions made by the Ministry of Lands had indicated that LR. No. 12158 measuring 2900 acres in Murang'a County that is registered in the name of Del Monte Kenya Limited is an amalgamation of three pieces of land with different registration numbers. Appearing before the Committee, Kiambu MP, Hon. Jude Njomo, MP informed the Committee that the said parcels of land were surrendered to the government by two companies namely Sassa Coffee and Rappit B Limited and were later acquired by Del Monte Kenya Limited, hence the directive by the Committee for NLC to investigate the arrival at the current ownership.

In view of the foregoing, the Committee observed that although there may be matters pending in court, Standing Order 89(5) allows a Committee to refer to matters that may be active in court, and that the reference to the matters were also not likely to prejudice the fair determination of the cases because both the Petitioners and the Del Monte Company Limited are not opposed to the issue of resurveying of the land in question.

Inadequate Funding Slowing Dams' Constructions



A section of Itare Dam in Kuresoi North under construction.

The Departmental Committee on Environment and Natural Resources chaired by Hon. Kareke Mbiuki has observed that the construction of various dams' projects in the country has been slowed down by inadequate financial resources, inefficient and costly financing models and unsettled resettlement action plan. This observation was made following an inquiry into the status of dams in Kenya. The committee embarked on this inquiry as a result of the fact that various dams under construction across the country have been allocated funds in the budget year after year without any results.

During the inquiry the Committee held several meeting with various stakeholders including one with the Minister for Water and Sanitation, Mr. Simon Chelugui on 5th March, 2019.

As part of the inquiry process, the Departmental Committee conducted inspection visits of seven

dams in different parts of the country. The dams visited were; Itare Dam, Chemsusu Dam, Northern Collection Tunnel, Karimenu II Dam, Twake Dam, Umaa Dam and Mwache Dam.

According to its Report tabled in the House on 17th October, 2019, the Committee observed that the National Treasury is engaging foreign private commercial banks in borrowing money to finance the project. "This is a matter of great concern as these loans come with high interest rates, costly insurance requirements, undisclosed negotiation fees and other hidden costs", reads the Report. This has resulted in loans many times more expensive than the usual concessional loans.

In its recommendations, the Committee states that the National Treasury and line Ministries should forthwith stop implementing any new projects through the Engineering, Procurement, Construc-

tion and Financing (EPC+F) mode due to the high cost. "The financing models considered for project implementation must be efficient, cost effective and give Kenyans value for money", it says.

Additionally the Departmental Committee recommends that the Ministry of Water, Sanitation and Irrigation must forthwith stop any procurement for all Dam Projects that are at the planning and procurement stages. This, it says, "should give room for the Ministry to do a review of the technical and financial

aspects of the project to ascertain if the country is getting value for money".

A further recommendation is given that within six months of the adoption of the Report, the Office of the Auditor General undertakes performance audit of all the dam projects implemented through EPC+F model. This audit should assess the cost-benefit analysis, completion rate of projects and viability of the EPC+F model in future projects.



Above: A section of Thiba Dam under Construction

Below: Members of the Departmental Committee on Environment and Natural Resources led by the Chairperson Hon. Kareke Mbiuki,





The Speaker of the National Assembly Hon. Justin B Muturi hosted representatives of the Media Council of Kenya, and the Kenya Editors' Guild in two-day Retreat to deliberate on the issues affecting Media operations within Parliament.



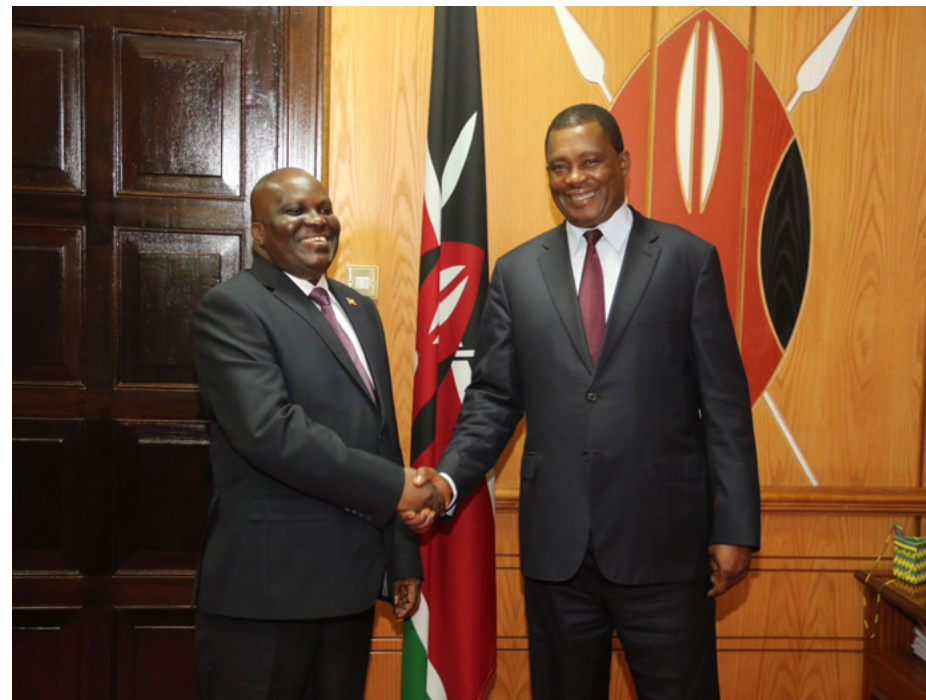
1. Majority Leader Hon. Aden Duale and Clerk of the National Assembly Mr. Michael Sialai, follow proceedings at the retreat.



2. Participating Media Editors and Journalists during the Retreat.

3. Parliamentary Service Commission Vice ChairPerson, Hon. Naomi Shaban, gifts a Guest Resource Person, Hon. Paul Amoru Omiat from the Parliament of Uganda, in appreciation of his participation in the retreat.

4. Session Chair, Majority Leader, Hon. Aden Duale addresses the meeting.



The Speaker of the National Assembly with his counterpart, H.E. Rt. Honorable Pascal Nyabenda, President of Burundi National Assembly who called on him, share a light moment on the sidelines of ICPD25 conference held in Nairobi this month.



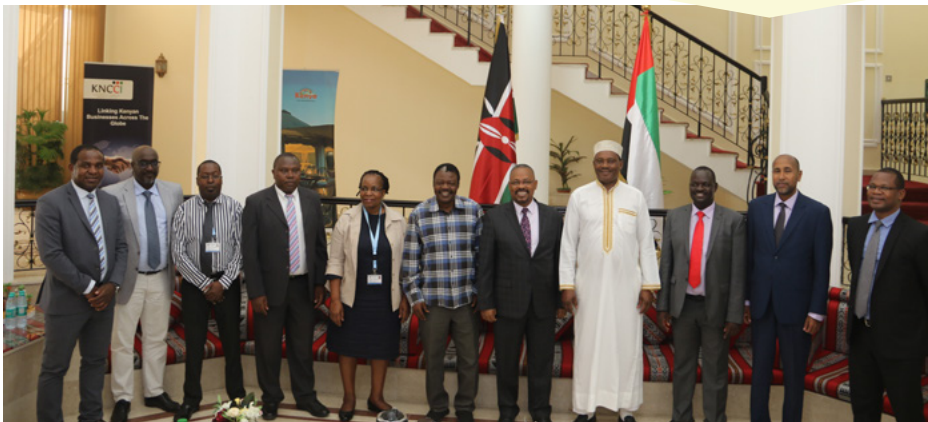


Members of the Kenya Young Parliamentarians Association led by the Hon. Babu Owino when they held a meeting American Council of Young Political Leaders (ACYPL) who were in the country on an Exchange Program organized by the Council. The programme focuses on international educational exchanges for young political leaders worldwide. The team is in the Country to understand the Kenyan governance system, policy making structures, elections and political campaigns, economy, culture and bilateral relations between Kenya and the USA.



LEFT: National Assembly Speaker, Justin Muturi (Centre) poses with fellow panel members, GOPAC's John Hyde (Moderator-Left) Kenya's Hon. Jared Okelo, Fiji's Miliana Ramatanivai, and Ms. Annika Wythes (UNODC- Pacific) during the 8th Session of the Conference of the State Parties to the United Nations Convention Against Corruption.

BELOW: The Speaker of the National Assembly poses with the staff at the Kenyan Embassy in Abu Dhabi UAE led by Ambassador Kariuki Mugwe (to the Speaker's left) when he visited the Embassy on the sidelines of his official engagements at the 8th Session of the Conference of the State Parties to the United Nations Convention Against Corruption.



House Transport Committee Tours Mombasa Infrastructure Projects; Directs that Projects be completed within the stipulated time

The stalled culvert that is part of Funzi causeway

Members of the Departmental Committee on Transport, Housing and Public Works Committee have directed that infrastructure projects within Mombasa be completed within the stipulated time. The team comprising of a section of the Committee Members and led by Hon. Samuel Arama, made this directive when they toured Moi International Airport where they inspected the rehabilitation of runways, construction of airside pavements and airfield ground lighting at the Airport. During the inspection, the Committee which was received by the Moi International Airport Manager, Mr. Peter Wafula and the Airport's Chief Engineer, Mr. Samuel Mochache, expressed their disapproval on the slow pace of the projects.

It was noted that the project was only 18.3% complete as at 31st October this year forcing the committee to order that the Kenya Airports Authority Management and the Contractor - Sogea Satom/Razel Bec JV, work together to fast track completion of the runway rehabilitation.

The Committee further met with Eng. Howard M'mayi and Eng. Anthony Omach from Kenya National Highways Authority to inspect the Dongo Kundu -Mwache - Tsunza - Mteza road and bridge, which is part of the Mombasa Port Area Development Project that will provide a permanent link between Mombasa Island and South Coast including the Dongo Kundu Special Economic Zone through Tsunza area in Kwale County.

The project which is financed by the Government of Kenya in conjunction with the Japan International Cooperation Agency (JICA) will improve access to the Port of Mombasa, thus enhancing its efficiency; provide connection to the South Coast via a bridge and provide access to/from Moi International Airport and Standard Gauge Railway (SGR) Miritini Terminus.

The Committee further inspected Mombasa Jomvu road construction which includes upgrading the existing 4 lane and 2 lane road to 6 lane dual carriage

way and 3 interchanges.

During the visit Members also took issue with the slow progress towards the completion of the Mom-basa-Jomvu project, which the committee noted had been caused by delays in land acquisition and compensation as well as encroachment on road reserves by residents. Members urged the Kenya National Highways Authority to work with the Ministry of Transport and National Land Commission to resolve those issues in a timely manner.

FUNZI ISLAND CAUSEWAY

Another team of Members of the Committee led by Hon. Johnstone Naicca also visited the proposed Funzi causeway located in Msambweni Constituency, Kwale County. The Committee had an opportuni-

ty to interact with local residents who complained of lack proper access to the mainland and key facilities like hospitals, markets and proper housing units. The residents further lamented on the slow progress of completion of the causeway.

“We are going to allocate more funds in the upcoming budget to complete this road. We want to open up Funzi to tourism and create employment opportunities,” noted area MP, Hon. Suleiman Dori, who is also a Member of the Committee

The construction, which is being undertaken by the Kenya Rural Roads Authority , includes upgrading to gravel standards, the Funzi Island access road and construction of a 500meters-long Causeway.



Members of the Committee led by Hon. Samuel Arama with the Kenya Rural Roads Authority Regional Director Eng. Howard M'manyi during the inspection of the Funzi causeway



Report on Private Members' Bills (As At December 5, 2019)



LIST OF PRIVATE MEMBERS' BILLS (As at December 5, 2019)

	BILL	SPONSOR	status
1.	The Law of Contract (Amendment) Bill (National Assembly Bill No. 1 of 2019)	The Hon. Francis M. Waititu, MP	Passed
A. AWAITING COMMITTEE OF THE WHOLE HOUSE			
2.	The Livestock and Livestock Products Marketing Board Bill (National Assembly Bill No. 2 of 2019)	The Hon. Bashir Abdullahi, MP	Second Reading concluded on 30/10/2019
3.	The Institute of Directors of Kenya Bill (National Assembly Bill No. 3 of 2019)	The Hon. Chris Wamalwa, MP	Second Reading concluded on 11/9/2019
4.	The Parliamentary Pensions (Amendment) Bill (National Assembly Bill No. 45 of 2019)	The Hon. John Mbadi, MP [Party-Sponsored]	Second Reading concluded on 14/11/2019
5.	The Banking (Amendment) Bill (National Assembly Bill No. 55 of 2019)	The Hon. Jude Njomo, MP	Second Reading concluded on 25/9/2019
6.	The Kenya Institute of Curriculum Development (Amendment) Bill (National Assembly Bill No. 33 of 2019)	The Hon. Joyce Emanikor, MP	Second Reading concluded on 4/12/2019
7.	The Equalisation Fund Bill (National Assembly Bill No. 43 of 2019)	The Hon. Kassait Kamket, MP	Second Reading concluded on 4/12/2019
B. AWAITING/UNDERGOING SECOND READING			
	BILL	SPONSOR	status
8.	The Industrial Training (Amendment) Bill (National Assembly Bill No. 4 of 2019)	The Hon. Jude Njomo, MP	First Reading on 20/3/2019
9.	The National Hospital Insurance Fund (Amendment) Bill (National Assembly Bill No. 5 of 2019)	The Hon. Emmanuel Wangwe, MP	First Reading on 20/3/2019
10.	The National Youth Council (Amendment) Bill (National Assembly Bill No. 8 of 2019)	The Hon. Gideon Keter, MP	First Reading on 20/3/2019
11.	The Higher Education Loans Board (Amendment) Bill (National Assembly Bill No. 9 of 2019)	The Hon. Ruweida Mohamed Obo, MP	First Reading on 20/3/2019
12.	The National Disaster Management Authority Bill (National Assembly Bill No. 10 of 2019)	The Hon. Kimani Ichung'wah, MP	First Reading on 3/4/2019

13.	The Public Order (Amendment) Bill (National Assembly Bill No. 14 of 2019)	The Hon. Simon King'ara, MP	First Reading on 24/4/2019
14.	The Employment (Amendment) Bill (National Assembly Bill No. 15 of 2019)	The Hon. Martha Wangari, MP	First Reading on 3/4/2019
15.	The National Government Constituencies Development Fund (Amendment) Bill (National Assembly Bill No. 16 of 2019)	The Hon. Makali Mulu, MP	First Reading on 24/4/2019
16.	The Public Service (Values and Principles) (Amendment) Bill (National Assembly Bill No. 17 of 2019)	The Hon. Andrew Mwadime, MP	First Reading on 2/5/2019
17.	The Labour Relations (Amendment) Bill (National Assembly Bill No. 18 of 2019)	The Hon. Kimani Ichung'wah, MP	First Reading on 24/4/2019
	BILL	SPONSOR	status
18.	The Constitution of Kenya (Amendment) Bill (National Assembly Bill No. 19 of 2019)	The Hon. Florence Mutua, MP	First Reading on 3/4/2019
19.	The Kenya Information and Communication (Amendment) Bill (National Assembly Bill No. 20 of 2019)	The Hon. Elisha Odhiambo, MP	First Reading on 25/9/2019
20.	The Public Finance Management (Amendment) Bill (National Assembly Bill No. 22 of 2019)	The Hon. Kimani Ichung'wah, MP	First Reading on 2/5/2019
21.	The Independent Electoral and Boundaries Commission (Amendment) Bill (National Assembly Bill No. 24 of 2019)	The Hon. Jude Njomo, MP	First Reading on 2/5/2019
22.	The Crops (Amendment) Bill (National Assembly Bill No. 25 of 2019)	The Hon. Tandaza Kassim, MP	First Reading on 26/6/2019
23.	The Public Service Commission (Amendment) Bill (National Assembly Bill No. 27 of 2019)	The Hon. Benjamin G. Mwangi, MP	First Reading on 2/5/2019
24.	The Traffic (Amendment) Bill (National Assembly Bill No. 28 of 2019)	The Hon. Jude Njomo, MP	First Reading on 8/5/2019
25.	The County Governments' Retirement Scheme Bill (National Assembly Bill No. 29 of 2019)	The Hon. Chachu Ganya, MP	First Reading on 8/5/2019
26.	The Kenya Food and Drugs Authority Bill (National Assembly Bill No. 31 of 2019)	The Hon. (Dr.) Robert Pukose, MP	First Reading on 2/5/2019
27.	The Crops (Amendment) Bill (National Assembly Bill No. 32 of 2019)	The Hon. Moses Kuria, MP	First Reading on 2/5/2019
28.	The Assisted Reproductive Technology Bill (National Assembly Bill No. 34 of 2019)	The Hon. Millie Odhiambo Mabona, MP	First Reading on 26/6/2019
	BILL	SPONSOR	status
29.	The Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 36 of 2019)	The Hon. Rigathi Gachagua, MP	First Reading on 04/7/2019
30.	The Constitution of Kenya (Amendment)(No.2) Bill (National Assembly Bill No. 40 of 2019)	The Hon. George Kariuki GK, MP	First Reading on 07/08/2019
31.	The Kenya Uwezo Fund Bill (National Assembly Bill No. 42 of 2019)	The Hon. Kangogo Bowen, MP	First Reading on 03/7/2019
32.	The Radiographers Bill (National Assembly Bill No. 47 of 2019)	The Hon. Sabina Chege, MP	First Reading on 11/9/2019
33.	The Public Finance Management (Amendment) Bill (National Assembly Bill No. 48 of 2019)	The Hon. Alexander Kosgey, MP	First Reading on 31/7/2019
34.	The Constitution of Kenya (Amendment) Bill (National Assembly Bill No. 53 of 2019)	The Hon. Gladys Boss Shollei, MP	First Reading on 24/7/2019
35.	The Land (Amendment) Bill (National Assembly Bill No. 54 of 2019)	The Hon. Simon King'ara, MP	First Reading on 24/7/2019
36.	The Parliamentary Pensions (Amendment) (No. 2) Bill (National Assembly Bill No. 56 of 2019)	The Hon. Wangari Mwaniki, MP	First Reading on 24/7/2019
37.	The National Government Constituencies Development Fund (Amendment) (No.2) Bill (National Assembly Bill No. 58 of 2019)	The Hon. David Eseli Simiyu, MP	First Reading on 18/9/2019
38.	The Parliamentary Pensions (Amendment) (No. 3) Bill (National Assembly Bill No. 57 of 2019)	The Hon. Andrew Mwadime, MP [Pensions Committee-Sponsored]	First Reading on 24/7/2019

39.	The Kenya Information and Communication (Amendment) (No.2) Bill (National Assembly Bill No. 61 of 2019)	The Hon. Malulu Injendi, MP	First Reading on 02/10/2019
	BILL	SPONSOR	status
40.	The Health (Amendment) Bill (National Assembly Bill No. 64 of 2019)	The Hon. Swarup Ranjan Mishra, MP	First Reading on 18/9/2019
41.	The Cancer Prevention and Control (Amendment) Bill (National Assembly Bill No. 65 of 2019)	The Hon. Gladys Wanga, MP	First Reading on 02/10/2019
42.	The Sugar Bill (National Assembly Bill No. 68 of 2019)	The Hon. Wafula Wamunyinyi, MP	First Reading on 30/10/2019
43.	The Alcoholic Drinks Control (Amendment) Bill (National Assembly Bill No. 70 of 2019)	The Hon. Silvanus Osoro, MP	First Reading on 30/10/2019
44.	The Public Participation (No. 2) Bill (National Assembly Bill No. 71 of 2019)	The Hon. Chris Wamalwa, MP	First Reading on 30/10/2019
45.	The Anti-Corruption and Economic Crimes (Amendment) (No.2) Bill (National Assembly Bill No. 72 of 2019)	The Hon. Silas Tiren, MP	First Reading on 6/11/2019
46.	The Breastfeeding Mothers Bill (National Assembly Bill No. 74 of 2019)	The Hon. Sabina Chege, MP	First Reading on 6/11/2019
47.	The Law of Succession (Amendment) Bill (National Assembly Bill No. 75 of 2019)	The Hon. Peter Kaluma, MP	First Reading on 4/12/2019
48.	The Constitution of Kenya (Amendment) (No.6) Bill (National Assembly Bill No. 76 of 2019)	The Hon. Vincent Kemosi, MP	First Reading on 4/12/2019
49.	The Public Finance Management (Amendment) (No.4) Bill (National Assembly Bill No. 78 of 2019)	The Hon. Samuel Atandi, MP	First Reading on 4/12/2019
C. WITHDRAWN			
	BILL	SPONSOR	status
50.	The Statutory Instruments (Amendment) Bill (National Assembly Bill No. 13 of 2019) [withdrawn by the Mover]	The Hon. Muturi Kigano, MP	Withdrawn on 17/10/2019
51.	The Narcotic Drugs and Psychotropic Substances (Control) (Amendment) Bill (National Assembly Bill No. 7 of 2019) – [withdrawn by the Mover]	The Hon. Mohamed Ali Mohamed, MP	Withdrawn on 1/10/2019
D. LOST			
52.	The Anti-Corruption and Economic Crimes (Amendment) Bill (National Assembly Bill No. 6 of 2019)	The Hon. Ndindi Nyoro, MP	Negated at Second Reading on 16/10/2019



Status Of Pending Government Sponsored Bills

A. Awaiting Assent

The Nuclear Regulatory Bill, 2018
Passed on 5/12/2019

B. Awaiting/Undergoing Second Reading

The Refugees Bill, 2019
First Reading on 10/9/2019

The Waqf Bill, 2019
First Reading on 6/11/2019

The County Governments (Revenue Raising Process) Bill, 2018
First Reading on 16/10/2018

The Business Laws (Amendment) Bill 2019
First Reading on 4/12/2019

C. Forwarded To The Senate

The Government Contracts Bill, 2018
Forwarded to the Senate for consideration on 20/12/2018

The Statute Law (Miscellaneous Amendments) (No. 2) Bill, 2018
Forwarded to the Senate for consideration

The Sectional Properties Bill, 2019
Forwarded to the Senate for consideration on 5/11/2019

The Sacco Societies (Amendment) Bill, 2018
Forwarded to the Senate for consideration on 5/11/2019

The National Drought Management Authority (Amendment) Bill, 2019
Forwarded to the Senate for consideration on 5/12/2019

D. Referred To Mediation Committee

The Kenya Roads Bill, 2017
Rejected on 14/3/2019;
Bill referred to a Mediation Committee

The Public Private Partnerships (Amendment) Bill, 2017
Senate amendments rejected on 31/7/2019;
Bill referred to a Mediation Committee.



List/Status Of Senate Bills (As At December 5, 2019)

A. SENATE BILLS CONCLUDED BY THE NATIONAL ASSEMBLY AND ASSENTED TO

BILL	SPONSOR
The County Allocation of Revenue (Amendment) Bill (Sen. Bill No. 9 of 2017)	The Senate Majority Leader
The Urban Areas and Cities (Amendment) Bill (Sen. Bill No. 4 of 2017)	The Senate Leader of the Majority Party
The Division of Revenue (Amendment) Bill (Sen. Bill No. 14 of 2018)	Chairperson, Senate Committee on Finance and Budget
The Warehouse Receipt System Bill (Sen. Bill No. 10 of 2017)	The Senate Leader of the Majority Party
The County Allocation of Revenue Bill, 2018 (Sen. Bill No. 11 of 2018)	The Chairperson, Sectoral Committee on Finance & Budget
The County Allocation of Revenue (Amendment) Bill (Sen. Bill No. 29 of 2018)	The Chairperson, Sectoral Committee on Finance & Budget
The Assumption of Office of the County Governor Bill (Sen. Bill No. 1 of 2018)	Sen. Paul Wamatangi, MP

B. SENATE BILLS CONCLUDED BY THE NATIONAL ASSEMBLY AND SENT BACK TO THE SENATE

BILL	SPONSOR	STATUS
The Office of the County Attorney Bill (Sen. Bill No. 3 of 2018)	Chairperson, Senate Committee on Justice, Legal Affairs and Human Rights	Passed sent back to the Senate on 3/12/2019
The Petition to County Assemblies (Procedure) Bill (Sen. Bill No. 22 of 2018)	Sen. Judith Pareno, MP	Passed sent back to the Senate on 3/12/2019
The Early Childhood Education Bill (Senate Bill No. 26 of 2018)	Chairperson, Senate Committee on Education	Passed sent back to the Senate on 3/12/2019

C. AWAITING/UNDERGOING MEDIATION	
BILL	SPONSOR
The County Governments (Amendment) Bill (No.2)(Sen. No.7 of 2017)	Sen. Mutula Kilonzo Junior, MP
The County Governments (Amendment) Bill (Sen. No.11 of 2017)	Senate Majority Leader
D. AWAITING COMMITTEE OF THE WHOLE HOUSE	
BILL	SPONSOR
The National Flag, Emblems and Names (Amendment) Bill (Sen. Bill No. 8 of 2017)	Sen. Mutula Kilonzo Junior, MP
The County Statistics Bill (Sen. Bill No. 9 of 2018)	Sen. Farhiya Ali Haji, MP
The Salaries and Remuneration Commission (Amendment) Bill (Sen. Bill No. 12 of 2018)	Chairperson Standing Committee on Finance and Budget
E. AWAITING SECOND READING	
BILL	SPONSOR
The Tea Bill (Sen. Bill No. 36 of 2018)	Sen. Aaron Cheruiyot, MP
The County Governments (Amendment) Bill (Sen. Bill No. 13 of 2018)	Sen. Aaron Cheruiyot, MP
The Impeachment Procedure Bill (Sen. Bill No. 15 of 2018)	Chairperson, Senate Committee on Justice, Legal Affairs and Human Rights
The Preservation of Human Dignity and Enforcement of Economic and Social Rights Bill (Sen. Bill No. 27 of 2018)	Sen. Abshiro Halake, MP
The Care and Protection of Older Members of Society Bill (Sen. Bill No. 17 of 2018)	Sen. Aaron Cheruiyot, MP
The County Roads, Walkways and Parking Bays Bill (Sen. Bill No 18 of 2018)	Sen. Ledama Ole Kina, MP
The County Outdoor Advertising Control Bill (Sen. Bill No. 19 of 2018)	Sen. Samuel Poghisio, MP
The County Law Compliance and Enforcement Bill (Sen. Bill No. 25 of 2018)	Sen. George Khaniri, MP
The Public Finance Management (Amendment) Bill (Sen. 3 of 2019)	Sen. (Dr.) Agnes Zani, MP
The County Wards (Equitable Development) Bill (Sen. Bill No. 34 of 2018)	Chairperson, Senate Committee on Finance and Budget
The County Statutory Instruments Bill (Sen. Bill No. 21 of 2018)	Chairperson, Senate Committee on Delegated Legislation
The Statutory Instruments (Amendment) Bill (Sen. Bill No. 24 of 2018)	Chairperson, Senate Committee on Delegated Legislation
The Determination of the Nature of Bills (Procedure) Bill (Sen. Bill No. 30 of 2018)	Sen. Mutula Kilonzo Junior, MP and Sen. Sakaja Johnson, MP
The National Cohesion and Peace Building Bill (Sen. Bill No. 35 of 2018)	Sen. Judith Pareno, MP

F. REFERRED TO BUDGET AND APPROPRIATIONS COMMITTEE		
BILL	SPONSOR	STATUS
The County Boundaries Bill (Sen. No. 6 of 2017)	Sen. Mutula Kilonzo Junior, MP	Referred to Budget and Appropriations Committee for further review on 17/10/2018
The Food Security Bill (Sen. Bill No. 12 of 2017)	Senate Majority Leader	Referred to Budget and Appropriations Committee for further review on 17/10/2018

BILL	SPONSOR	STATUS
The Office of the County Printer Bill (Sen. Bill No. 7 of 2018)	Sen. Petronila Were Lokorio, MP	Referred to Budget and Appropriations Committee for further review on 4/12/2018
The Disaster Risk Management Bill (Sen. Bill No. 8 of 2018)	Sen. Mutula Kilonzo Jr, MP and Sen. Johnson Sakaja, MP	Referred to Budget and Appropriations Committee for further review on 4/12/2018
The Public Participation Bill (Sen. Bill No.4 of 2018)	Sen. Amos Wako, MP	Referred to Budget and Appropriations Committee for further review on 19/6/2019
The Treaty Making and Ratification (Amendment) Bill (Sen. Bill No. 23 of 2018)	Sen. Fatuma Dullo, MP	Referred to Budget and Appropriations Committee for further review on 19/6/2019
The Prevention of Terrorism (Amendment) Bill (Sen. Bill No. 20 of 2018)	Sen. Naomi Waqo Jilo, MP	Referred to Budget & Appropriations Committee for further review on 23/7/2019
The Local Content Bill (Sen. Bill No. 10 of 2018)	Sen. Gideon Moi, MP	Referred to Budget & Appropriations Committee for further consideration 24/9/2019
The Mental Health (Amendment) Bill (Sen. 32 of 2018)	Sen. (Arch.) Sylvia Kasanga, MP	Referred to Budget & Appropriations Committee for further review on 24/9/2019
The Personal Data Protection Bill (Sen. Bill No. 16 of 2018)	Chairperson, Senate Committee on Information and Technology	Referred to Budget & Appropriations Committee for further review on 12/9/2019.

G. REFERRED TO PARLIAMENTARY BUDGET OFFICE



BILL	SPONSOR	STATUS
The Natural Resources (Benefit Sharing) Bill (Senate Bill No. 31 of 2018)	Sen. (Dr.) Agnes Zani, MP	Forwarded to Parliamentary Budget Office for technical review on 12/11/2019
The Commission of Administrative Justice (Amendment) Bill (Senate Bill No. 6 of 2019)	Sen. Petronila Were Lokorio, MP	Forwarded to Parliamentary Budget Office for technical review on 12/11/2019

H. REJECTED

BILL	SPONSOR	STATUS
The Division of Revenue Bill (Sen. Bill No. 13 of 2019)	Chairperson, Senate Committee on Finance and Budget	Bill not to proceed per Speaker's ruling of Thursday, 8/8/2019





Summary Report on The Bills Assented To By The President During The Third Session

During the Third Session of the Twelfth Parliament, His Excellency the President of the Republic of Kenya assented to twenty eight (28) Bills. These are -

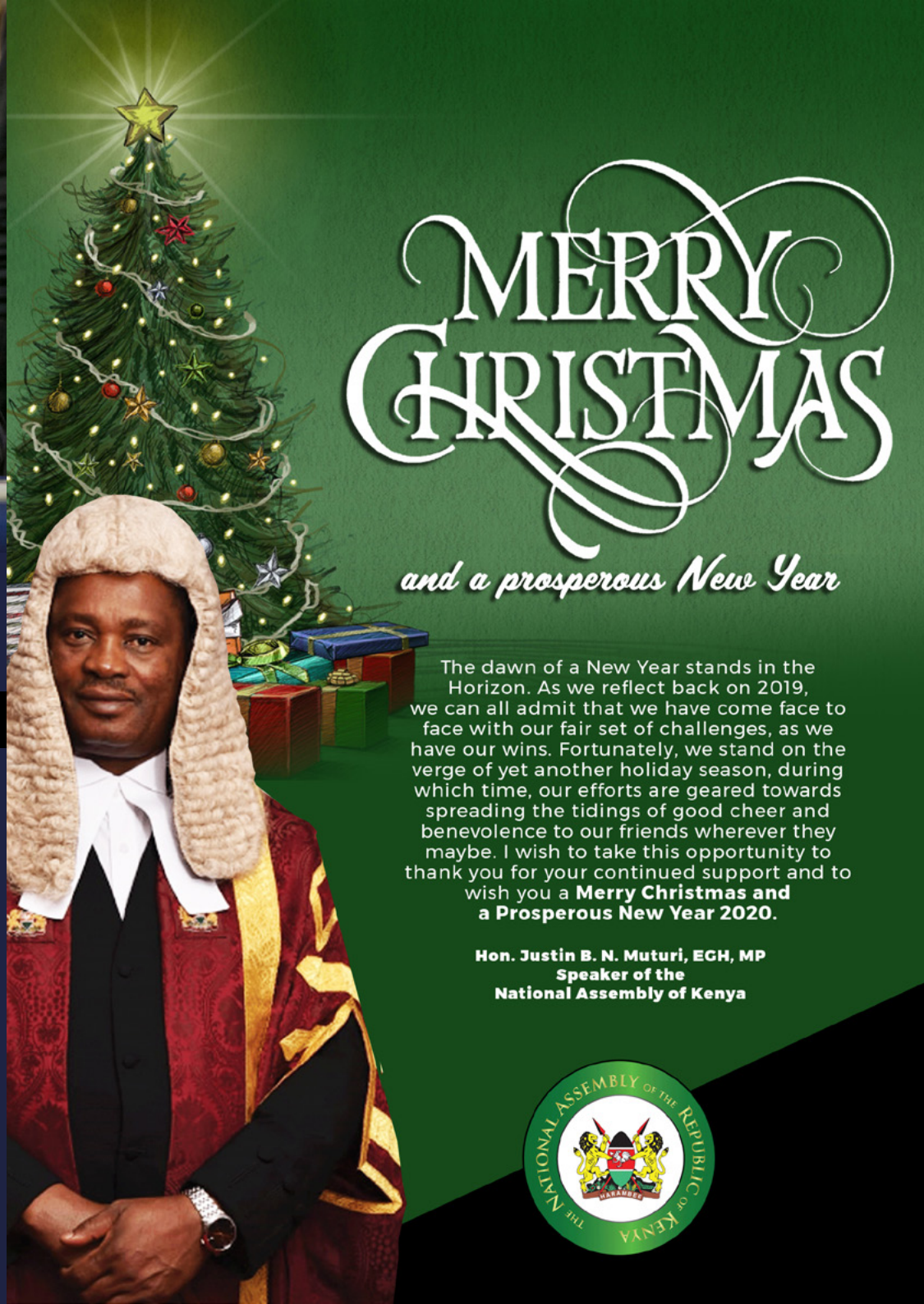
A. Originating from the National Assembly

1. The Irrigation Act, 2019
2. The County Governments Retirement Scheme Act, 2019
3. The Statute Law (Miscellaneous Amendments) Act, 2019
4. The Supplementary Appropriation Act, 2019
5. The Appropriation Act, 2019
6. The Energy Act, 2019;
7. The Petroleum Act, 2019;
8. The Physical and Land Use Planning Act, 2019;
9. The Data Protection Act, 2019;
10. The Finance Act, 2019;
11. The Parliamentary Service Act, 2019;
12. The Copyright (Amendment) Act, 2019;
13. The Kenya Accreditation Service Act, 2019;
14. The Statistics (Amendment) Act, 2019;
15. The Health (Amendment) Laws Act, 2019;
16. The Division of Revenue Act, 2019;

17. The Land Value (Amendment) Act, 2019;
18. The National Cohesion and integration Act, 2019;
19. The Sports (Amendment) Act, 2019;
20. The Insurance (Amendment) Act, 2019;
21. The Supplementary Appropriation Act(No.2), 2019;
22. The Kenya Roads Board (Amendment) Act 2019.
23. The Insurance (Amendment) Bill, 2019; and
24. The Competition (Amendment) Bill, 2019

B. Originating From The Senate

25. The Warehouse Receipt System Bill, 2017
26. The Urban Areas Cities (Amendment) Act, 2019;
27. The County Allocation of Revenue Act, 2019; And
28. The Assumption of The office of The Governor Act, 2019;



MERRY CHRISTMAS

and a prosperous New Year

The dawn of a New Year stands in the Horizon. As we reflect back on 2019, we can all admit that we have come face to face with our fair set of challenges, as we have our wins. Fortunately, we stand on the verge of yet another holiday season, during which time, our efforts are geared towards spreading the tidings of good cheer and benevolence to our friends wherever they maybe. I wish to take this opportunity to thank you for your continued support and to wish you a **Merry Christmas and a Prosperous New Year 2020.**

Hon. Justin B. N. Muturi, EGH, MP
Speaker of the
National Assembly of Kenya





Published by:

The Clerk of The National Assembly
Parliament Buildings,
PO Box 41842 - 00100,
Nairobi, Kenya.

Email: clerk@parliament.go.ke
Tel: (254-2) 222 12 91 or 284 80 00
Fax: (254-2) 224 36 94
Website: www.parliament.go.ke