



REPUBLIC OF KENYA

PARLIAMENT

SENATE BILLS

(Bill No. 24 of 2018)



**THE STATUTORY INSTRUMENTS (AMENDMENT)
BILL, 2018**

(A Bill published in the Kenya *Gazette* Supplement No. 113 of 10th August, 2018 and passed by the Senate, with amendments, on 10th July, 2019)

THE STATUTORY INSTRUMENTS (AMENDMENT) BILL, 2018

A Bill for

AN ACT of Parliament to make amendments to the Statutory Instruments Act and for connected purposes.

ENACTED by the Parliament of Kenya, as follows-

Short title. 1. This Act may be cited as the Statutory Instruments (Amendment) Act, 2018.

Amendment of section 11 of No. 23 of 2013. 2. The Statutory Instruments Act, in this Act referred to as the “principal Act”, is amended in section 11 by-

(a) deleting the words “responsible Clerk” appearing immediately after the words “transmitted to the” in subsection (1) and substituting therefor the words “Clerk of the Senate and the Clerk of the National Assembly”;

(b) deleting subsection (2); and

(c) deleting the words “responsible Clerk” appearing at the beginning subsection (3) and substituting therefor the words “Clerk of each House”.

Amendment of section 15 of No. 23 of 2013. 3. The principal Act is amended in section 15 by-

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

(1) The Committee shall make a report to the relevant House containing a resolution either that the statutory instrument that stands referred to the Committee be approved or that the statutory instrument be annulled.

(b) deleting subsection (3) and substituting therefor the following new subsection-

(3) Notwithstanding subsection (2) the House may, by resolution, extend the time within which the Committee shall consider a

statutory instrument under subsection (2) for a period not exceeding twenty-eight days.

Insertion of new section 15A in No. 23 of 2013.

4. The principal Act is amended by inserting the following new section immediately after section 15-

Concurrence on a statutory instrument.

15A. (1) The Clerk of the House to which a statutory instrument is referred shall, upon-

(a) the resolution of the relevant House under section 15(1) for the approval or annulment of a statutory instrument; or

(b) expiry of the period specified under section 15(2),

cause the resolution of the House to be transmitted to the Clerk of the other House within two days of the resolution.

(2) A resolution under subsection (1) shall stand referred to the relevant Committee of that House which shall consider the resolution together with the statutory instrument and report to the House within fourteen days of the referral.

(3) The House to which resolution is referred to under subsection (1) may extend the time within which the Committee shall consider the resolution for a period not exceeding seven days.

- (4) If both Houses resolve to-
- (a) approve the statutory instrument;
 - or
 - (b) annul the statutory instrument;

the Clerk of the House to which the statutory instrument was transmitted under section 11(1) shall, within seven days of the decision, notify the regulation-making authority.

(5) Where the House resolves to revoke a statutory instrument and the other House does not, the statutory instrument shall be referred to a joint committee for mediation in accordance with Article 113 of the Constitution which shall be applied with the necessary modification.

Amendment of
section 18 of No. 23
of 2013.

5. The principal Act is amended by deleting section 18 and substituting therefor the following new section-

Annulment.

18. (1) When Parliament passes a resolution to annul a statutory instrument the statutory instrument shall be deemed to be annulled.

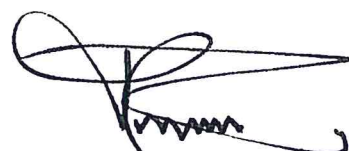
(2) The regulation making authority shall publish the annulment of the statutory instrument within fourteen days of the annulment.

I certify that this printed impression is a true copy of the Bill as passed by the Senate on Wednesday, 10th July, 2019.



Clerk of the Senate

Endorsed for presentation to the National Assembly in accordance with the provisions of standing order 156 of the Senate Standing Orders.



Speaker of the Senate

