



REPUBLIC OF KENYA
NATIONAL ASSEMBLY

TWELFTH PARLIAMENT – FIFTH SESSION
DEPARTMENTAL COMMITTEE ON FINANCE AND NATIONAL PLANNING

In the Matter of Article 118 (1)(b) of the Constitution

and

In the Matter of Consideration by the National Assembly of the Proceeds of Crime and Anti-Money Laundering
(Amendment) Bill, 2021 (National Assembly Bill No. 39 of 2021)

INVITATION FOR PUBLIC PARTICIPATION (SUBMISSION OF MEMORANDA)

Pursuant to Article 118(1) (b) of the Constitution and Standing Order 127(3) of the National Assembly Standing Orders, the Clerk of the National Assembly now invites members of the public and relevant stakeholders to submit memoranda on the **Proceeds of Crime and Anti-Money Laundering (Amendment) Bill, 2021 (National Assembly Bill No. 39 of 2021)**.

The Bill seeks to remove the position of a Deputy Director at the Financial Reporting Centre. This proposal is consistent with the current practice of not providing for positions of Deputy Chief Executives of State Corporations in law.

Further, the Bill proposes to designate advocates, notaries and other independent legal professionals who are sole practitioners, partners or employees within professional firms as reporting persons for purposes of the Proceeds of Crime and Anti-Money Laundering Act, 2009.

In addition, the Bill seeks to introduce a new section 44A requiring the Financial Reporting Centre to intervene where the Centre has reasonable grounds to suspect that a transaction may be suspicious. This will ensure timely access to information on assets held by suspected criminals as a preventive and measure and, ultimately, stem criminal networks and unlawful activities.

Finally, the Bill proposes to amend section 54C (5) of the Act by substituting the word “Agency” with the words “Oversight Board” in relation to the approval of the Agency’s annual budget. This is consistent with the proposed functions of the Oversight Board under the proposed section 55B.

In addition, the Bill proposes to insert new sections for the establishment, membership, functions, committees and procedures of the Asset Recovery Oversight Board.

The Bill was read for a First Time on Wednesday, 6th October, 2021 and committed to the **Departmental Committee on Finance and National Planning** for consideration and reporting back to the House.

Now Therefore, in compliance with Article 118 (1) (b) of the Constitution and Standing Order 127(3) of the National Assembly Standing Orders, the Clerk of the National Assembly hereby invites members of the public and relevant stakeholders to submit memoranda on the Bill.

Copy of the Bill is available at the National Assembly Table Office, or on www.parliament.go.ke/the-national-assembly/house-business/bills.

The representations may be forwarded to the **Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi**; hand-delivered to the **Office of the Clerk, Main Parliament Buildings, Nairobi**; or emailed to clerk@parliament.go.ke; to be received **on or before Tuesday, 30th November, 2021 at 5.00 p.m.**

MICHAEL R, SIALAI, CBS
CLERK OF THE NATIONAL ASSEMBLY

18th November, 2021