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SNA
24/9/25*

REPUBLIC OF KENYA


THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT – FOURTH SESSION – 2025

DIRECTORATE OF DEPARTMENTAL COMMITTEES

DEPARTMENTAL COMMITTEE ON TOURISM AND WILDLIFE

REPORT ON:

THE CONSIDERATION OF THE PRESIDENT'S MEMORANDUM OF
REFERRAL OF THE WILDLIFE CONSERVATION MANAGEMENT
(AMENDMENT) BILL, 2023
(NATIONAL ASSEMBLY BILL NO. 3 OF 2023)

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 24 SEP 2025	
DAY: Wednesday	
TABLED BY:	Hon. Rashid Bedzimba (Vice Chairperson, Tourism and Wildlife Committee)
CLERK AT THE TABLE:	Mado

CLERK'S CHAMBERS
DIRECTORATE OF DEPARTMENTAL COMMITTEES
PARLIAMENT BUILDINGS
NAIROBI

SEPTEMBER 2025

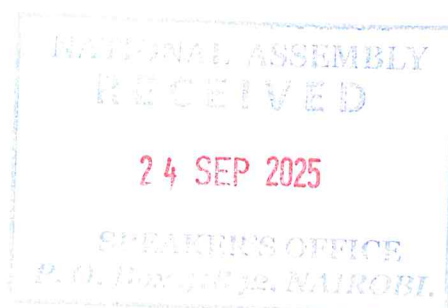


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LIST OF ABBREVIATIONS AND ACRONYMS

FORD-K	-	Forum for the Restoration of Democracy–Kenya
JP	-	Jubilee Party
MP	-	Member of Parliament
NAP-K	-	National Agenda Party of Kenya
ODM	-	Orange Democratic Movement
UDA	-	United Democratic Alliance
UDM	-	United Democratic Movement
WDM-K	-	Wiper Democratic Movement- Kenya

Report of the Departmental Committee on Tourism and Wildlife on its consideration of the President's Memorandum of Referral of the Wildlife Conservation and Management (Amendment) Bill (National Assembly Bill No. 3 of 2023)

LIST OF ANNEXURES

- Annexure 1: Adoption Schedule
- Annexure 2: Minutes
- Annexure 3: President's Memorandum of Referral of the Wildlife Conservation Management (Amendment) Bill, 2023
- Annexure 4: Message from the President on Referral of the Wildlife Conservation Management (Amendment) Bill, 2023
- Annexure 4: Speaker's Communication dated 28th July, 2015 on Consideration and Scope of Presidential Reservations Pursuant to Article 115 of the Constitution – Referral of Bills to Parliament for Reconsideration

CHAIRPERSON'S FOREWORD

This report contains the proceedings of the Departmental Committee on Tourism and Wildlife on its consideration of the President's Memorandum of Referral of the Wildlife Conservation and Management (Amendment) Bill, 2023.

The Bill was passed by the National Assembly on 18th June, 2025. The Rt. Hon. Speaker, thereafter, presented the Bill to H.E. the President for assent pursuant to the provisions of Article 115 of the Constitution.

In compliance with Article 115(1)(b) of the Constitution, the President, through a memorandum dated 18th August, 2025, referred the Bill back to the National Assembly for reconsideration, expressing reservations regarding Clause 2.

In a message from the President 19th August, 2025, the Rt. Hon. Speaker informed the House of the President's Memorandum of Referral concerning the Bill and referred it to the Departmental Committee on Tourism and Wildlife, in accordance with Standing Order 42(3)(c) of the National Assembly Standing Orders. Consequently, the Committee considered the President's Memorandum during its meeting held on Tuesday, 23rd September, 2025.

On behalf of the Departmental Committee on Tourism and Wildlife, and in accordance with Standing Order 199(6), it is my privilege and honor to present to this House the Report of the Committee regarding its consideration of the President's Memorandum on the Referral of the Wildlife Conservation and Management (Amendment) Bill, 2023.

The Committee extends its gratitude to the Offices of the Speaker and Clerk of the National Assembly for their logistical and technical support during our review of the President's Memorandum on the Bill. Finally, I would like to express my appreciation to the esteemed Members of the Committee and the Committee Secretariat for their valuable contributions to the preparation and production of this report.

It is my pleasure to report that the Committee has considered the President's Memorandum on the Wildlife Conservation and Management (Amendment) Bill, 2023, and has the honour to report back to the National Assembly with the recommendation that the House **approves the amendment of the Bill in light of the President's reservations.**

Hon. Bedzimba, Rashid Juma, MP

Vice- Chairperson, Departmental Committee on Tourism and Wildlife

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CHAPTER ONE

I PREFACE

I.1 Establishment of the Committee

- I. The Departmental Committee on Tourism and Wildlife is one of the twenty Departmental Committees of the National Assembly established under **Standing Order 216** whose mandates pursuant to the **Standing Order 216 (5)** are as follows:
 - i. To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;
 - ii. To study the programme and policy objectives of ministries and departments and the effectiveness of the implementation;
 - iii. on a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate;
 - iv. To study and review all legislation referred to it;
 - v. To study, assess and analyse the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;
 - vi. To investigate and inquire into all matters relating to the assigned ministries and departments as they may deem necessary, and as may be referred to them by the House;
 - vii. To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments);
 - viii. To examine treaties, agreements and conventions;
 - ix. To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;
 - x. To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and
 - xi. To examine any questions raised by Members on a matter within its mandate.
2. The subject matter of the Departmental Committee on Tourism and Wildlife
In accordance with the Second Schedule of the Standing Orders, the Committee is mandated to consider tourism, & tourism promotion and management, tourism research and wildlife management.

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1.2 Committee Membership

3. The Committee was reconstituted by the House on 5th March 2025 and comprises the following Members:

Chairperson

Hon. Mbiuki Japhet Miriti Kareke, CBS MP
Maara Constituency
UDA Party

Vice-Chairperson

Hon. Bedzimba, Rashid Juma, MP
Kisauni Constituency
ODM Party

Members

Hon. Obo, Ruweida Mohamed, MP
Lamu East Constituency
Jubilee Party

Hon. Abubakar Talib Ahmed, MP
Nominated Member
Wiper Party

Hon. Patrick Makau, CBS, MP
Mavoko Constituency
WDM-K- Party

Hon. Mugabe Innocent Maino, MP
Likuyani Constituency
ODM Party

Hon. Leah Sankaire, MP
Kajiado County
UDA Party

Hon. Karambu Elizabeth, MP
Meru County
UDA Party

Hon. Chebor Paul Kibet, MP
Rongai Constituency
UDA Party

Hon. Kilel Richard Cheruiyot, MP
Bomet Central Constituency
UDA Party

Hon. (Dr.) Murumba John, Chikati, MP
Tongaren Constituency
FORD-K Party

Hon. Abdi, Ali Abdi, MP
Ijara Constituency
NAP-K Party

Hon. Farah, Salah Yakub, MP
Fafi Constituency
UDA Party

Hon. Shake, Peter Mbogho, MP
Mwatate Constituency
Jubilee Party

Hon. Abdi, Khamis Chome, MP
Voi Constituency
WDM-K-Party

1.3 Secretariat

4 The Committee is facilitated by the following secretariat:

Ms. Mary Lemerelle
Head of Secretariat/ Clerk Assistant I

Ms. Violet Ouma
Clerk Assistant III

Mr. Yakub Ahmed
Media Relations Officer

Ms. Terry Ondiko
Fiscal Analyst III

Mr. Bonface Mushila
Serjeant-at-Arms

Mr. Peter Mwaura
Principal Legal Counsel

Mr. Rodgers Kilungya
Audio Officer III

Mr. Oscar Onsongo
Research Officer III

Mr. Amos Tindi
Hansard Reporter

Ms. Felistus Muiya
Public Communication Officer

CHAPTER TWO

2 CONSIDERATION OF THE PRESIDENT'S MEMORANDUM OF REFERRAL OF THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL, 2023

2.1 Background

4. The Bill was passed by the National Assembly on 18th June, 2023 and was thereafter presented to the President for assent in accordance with provision of Article 115 of the Constitution.
5. In accordance with Article 115(1)(b) of the Constitution, H.E the President, vide a memorandum dated 19th August, 2025 referred the Bill back to the National Assembly for reconsideration with reservations recommending amendment of Clause 2 of the Bill.
6. Consequently, and pursuant to Standing Order 42(3) (c) of the National Assembly Standing Orders, the Rt. Hon. Speaker referred the President's Memorandum of Referral of the Wildlife Conservation and Management (Amendment) Bill, 2023 to the Departmental Committee on Tourism and Wildlife.
7. In accordance with Standing Order 154(2) of the National Assembly Standing Orders, the Rt. Hon. Speaker directed that the House ought to consider the President's reservations within twenty-one (21) days
8. To this end, the Committee convened a meeting on Tuesday 23rd September, 2025, to discuss the President's reservations regarding the Wildlife Conservation and Management (Amendment) Bill, 2023.

2.2 Consideration of the President's Memorandum of Referral

9. Article 115 of the Constitution provides as follows:

"Presidential assent and referral.

115. (1) Within fourteen days after receipt of a Bill, the President shall—

- (a) assent to the Bill; or*
- (b) refer the Bill back to Parliament for reconsideration by Parliament, noting any reservations that the President has concerning the Bill.*
- (2) If the President refers a Bill back for reconsideration, Parliament may, following the appropriate procedures under this Part—*
 - (a) amend the Bill in light of the President's reservations; or*
 - (b) pass the Bill a second time without amendment.*
- (3) If Parliament amends the Bill fully accommodating the President's reservations, the appropriate Speaker shall re-submit it to the President for assent.*
- (4) Parliament, after considering the President's reservations, may pass the Bill a second time, without amendment, or with amendments that do not fully accommodate the President's reservations, by a vote supported—*
 - (a) by two-thirds of members of the National Assembly; and*
 - (b) two-thirds of the delegations in the Senate, if it is a Bill that requires the approval of the Senate.*
- (5) If Parliament has passed a Bill under clause (4)—*
 - (a) the appropriate Speaker shall within seven days re-submit it to the President; and*

(b) the President shall within seven days assent to the Bill.
(6) If the President does not assent to a Bill or refer it back within the period prescribed in clause (1), or assent to it under clause (5)(b), the Bill shall be taken to have been assented to on the expiry of that period.”

10. As directed by the Rt. Hon. Speaker, the Committee was guided by Speaker's Communication dated on the Referral of Bills to Parliament for Reconsideration in deliberating the following:

11. As directed by the Right Honourable Speaker, the Committee was guided by the Speaker's Communication dated 28th July 2015 regarding the referral of bills to Parliament for reconsideration while deliberating on the following Presidential reservations:

Clause 2

12. Clause 2 of the Bill proposes to amend part A of the Third Schedule to the Wildlife Conservation and Management Act by inserting the words “shark, stone fish, whale, and sting ray” immediately after the word “buffalo” as species of wildlife for which, if they cause death or injury to any person, compensation may be paid to that person under Section 25 (1) of the Wildlife Conservation and Management Act.

13. The President observed that the inclusion of marine life under Part A of the Third Schedule to the Act introduces new complexities in the verification of claims arising from death or injury occasioned by marine life, owing to the inherent difficulty in preserving or securing the *locus in quo* of such incidents.

Proposal to Anchor the Proposed Amendments:

14. The President recommended that the Bill be amended by adding the following new section after section 18

- I. Insert a new Section 18 A- Composition of Committees in Marine-Related Claims.
 - a) One representative from the Kenya Coast Guard Service;
 - b) One representative from the Kenya Fisheries Service Department; and
 - c) One representative from the Kenya Marine and Fisheries Research Institute (KMFRI).

Committee Observation

15. In considering the President's reservations, the Committee had two options as contemplated in Article 115(2) of the Constitution. These were:

- (a) Recommending that the House amends the Bill fully accommodating the President's reservations; or
- (b) Recommending that the House passes the Bill a second time without amendment.

16. The Committee fully concurred with the President's reservations, noting that the President's proposal to amend the Wildlife Conservation and Management Act to include

Report of the Departmental Committee on Tourism and Wildlife on its consideration of the President's Memorandum of Referral of the Wildlife Conservation and Management (Amendment) Bill (National Assembly Bill No. 3 of 2023)

a specific section for marine-related claims is significant, as it addresses the unique challenges associated with verifying and managing compensation claims arising from incidents involving marine wildlife. Given the complexities of securing and preserving marine environments as crime or incident scenes ("locus in quo"), specialized expertise and coordination are essential for the effective assessment of such claims.

17. The Committee acknowledged that the establishment of a dedicated committee comprising representatives from the Kenya Coast Guard Service, Kenya Fisheries Service, and Kenya Marine and Fisheries Research Institute (KMFRI) will ensure that investigations into marine-related injury or death claims are conducted accurately, informedly, and efficiently. This approach enhances the integrity of the compensation process and recognizes the distinct nature of maritime incidents compared to terrestrial wildlife cases.

CHAPTER THREE

3 COMMITTEE RECOMMENDATIONS

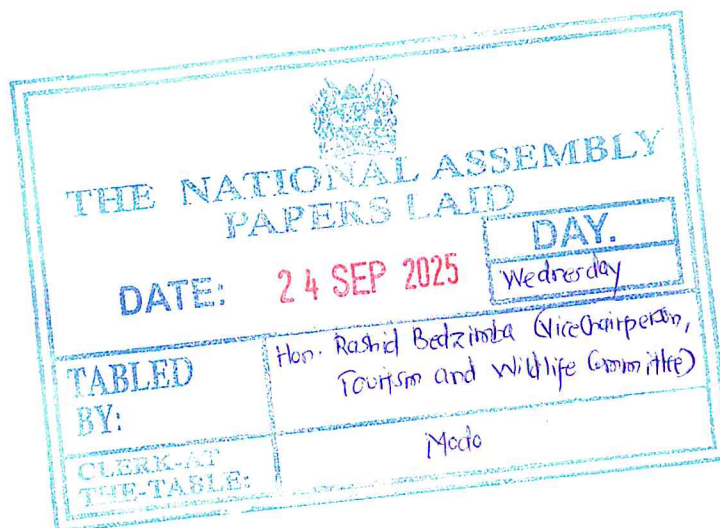
18. The Committee, having considered the President's reservations to the Wildlife Conservation and Management (Amendment) Bill (National Assembly Bill No. 3 of 2023) and pursuant to Article 115(2) (a) of the Constitution, recommends that the House **adopts** the President's reservations to the Bill and amends the Bill as follows:

- I. Insert a new Section 18 A- Composition of Committees in Marine-Related Claims.
 - a) One representative from the Kenya Coast Guard Service;
 - b) One representative from the Kenya Fisheries Service Department; and
 - c) One representative from the Kenya Marine and Fisheries Research Institute (KMFRI).

SIGNED.....DATE.....

HON. BEDZIMBA, RASHID JUMA, MP
VICE- CHAIRPERSON

DEPARTMENTAL COMMITTEE ON TOURISM AND WILDLIFE



Report of the Departmental Committee on Tourism and Wildlife on its consideration of the President's Memorandum of Referral of the Wildlife Conservation and Management (Amendment) Bill (National Assembly Bill No. 3 of 2023)



**THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT -FOURTH SESSION - 2025
DIRECTORATE OF DEPARTMENTAL COMMITTEES
DEPARTMENTAL COMMITTEE ON TOURISM & WILDLIFE**

ADOPTION SCHEDULE

Date: 23/9/2025

Start Time: 11.00am

End Time:

VENUE: Committee Room 13 on 2nd Floor, Bunge Tower, Parliament Buildings

AGENDA: Adoption of the report on the President's Memorandum of Referral of the Wildlife Conservation Management (Amendment) Bill, 2023 (National Assembly Bill No. 3 of 2023)

NO.	NAME	SIGNATURE
1.	Hon. Mbiuki, Japhet Miriti Kareke, CBS, MP Chairperson	
2.	Hon. Bedzimba, Rashid Juma, MP Vice- Chairperson	
3.	Hon. Patrick Makau, CBS, MP	
4.	Hon. (Capt.) Obo, Ruweida Mohamed, MP	
5.	Hon. Khamis, Abdi Chome, MP	
6.	Hon. Mugabe, Innocent Maino, MP	
7.	Hon. Kailemia, Elizabeth Karambu, MP	
8.	Hon. Abdi, Abdi Ali, MP	
9.	Hon. (Dr.) John Chikati, MP	
10.	Hon. Kilel, Richard Cheruiyot, MP	
11.	Hon. Paul Chebor, MP	
12.	Hon. Shake, Peter Mbogho, MP	
13.	Hon. Salah Yakub, MP	
14.	Hon. Abubakar, Talib Ahmed, MP	
15.	Hon. Leah Sankaire, MP	

Forwarded by:

Signed..... **Date.....** 23/9/2025

Ms. Mary Lemerelle

Clerk Assistant I

Departmental Committee on Tourism & Wildlife.

Approved By:

Signed.....**Date.....**

Mr. Peter Chemweno

Director, Directorate of Departmental Committees.

