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REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT – FIFTH SESSION – 2026

**DEPARTMENTAL COMMITTEE ON FINANCE AND NATIONAL
PLANNING**

REPORT ON THE
HARMONISATION OF THE PROPOSED AMENDMENTS TO THE
SOVEREIGN WEALTH FUND BILL (NATIONAL ASSEMBLY BILL NO 7
OF 2026)

 THE NATIONAL ASSEMBLY PAPERS LAID			
DATE: 02 JUN 2026 <table border="1" style="display: inline-table;"><tr><td style="text-align: center;">DAY</td></tr><tr><td style="text-align: center;"><i>Thursday</i></td></tr></table>		DAY	<i>Thursday</i>
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TABLED BY:	<i>Chairperson DC Finance and National Planning</i>		
CLERK-AT THE-TABLE:	<i>Halima Ahmed</i>		

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CHAIRPERSON'S FOREWORD

This Harmonisation Report presents the proceedings of the Departmental Committee on Finance and National Planning on its consideration and harmonisation of the proposed amendments to the Sovereign Wealth Fund Bill (National Assembly Bill No 7 of 2026) as proposed by the Committee, Hon (Dr.) Wilberforce Oundo, Hon. Justice Kimei, Hon. Mark Mwenje, MP, Hon. Caroli Omondi, MP, Hon. John Kaguchia, MP, Hon. Robert Mbui, MP and Hon. John Mukunji, MP

The Bill, sponsored by Hon. Kimani Ichung'wah, EGH, MP was published on 9th March 2026 and read for the First Time on Wednesday, 11th March 2026. It was subsequently committed to the Departmental Committee on Finance and National Planning for consideration, facilitation of public participation pursuant to Article 118 of the Constitution, and reporting to the House in accordance with Standing Order 127(1).

The Bill has sixty-one (61) clauses and seeks to establish the Sovereign Wealth Fund; to provide institutional arrangements for the effective administration and efficient management of minerals and petroleum revenues, and monies from other sources allocated to the Fund: and for connected purposes. The Bill also proposes to make consequential amendments to the Mining Act and Petroleum Act.

During the Committee of the Whole House on Wednesday, 1st July 2026, the Bill was referred back to the Departmental Committee on Finance and National Planning for the harmonisation of the proposed amendments by the Committee and Honourable Members who had proposed amendments.

The Committee is grateful to the Office of the Speaker and the Clerk of the National Assembly for the logistical and technical support extended throughout the process.

On behalf of the Committee, and pursuant to Standing Order 131, it is my honour and privilege to table this Report on the harmonisation process undertaken by the Departmental Committee on Finance and National Planning in its consideration of the Sovereign Wealth Fund Bill (National Assembly Bill No. 7 of 2026).

HON. FCPA KURIA KIMANI, CBS, MP
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON FINANCE AND
NATIONAL PLANNING

CHAPTER ONE

I.1 ESTABLISHMENT AND MANDATE OF THE COMMITTEE

1. The Departmental Committee on Finance and National Planning is one of twenty departmental committees of the National Assembly established under **Standing Order 216** whose mandate pursuant to the **Standing Order 216 (5)** is as follows:
 - a) *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;*
 - b) *To study the programme and policy objectives of ministries and departments and the effectiveness of the implementation;*
 - c) *To, on a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate;*
 - d) To study and review all legislation referred to it;**
 - e) *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;*
 - f) *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;*
 - g) *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);*
 - h) *To examine treaties, agreements and conventions;*
 - i) *To make reports and recommendations to the House as often as possible, including recommendations of proposed legislation;*
 - j) *To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and*
 - k) *To examine any questions raised by Members on a matter within its mandate.*
2. The Second Schedule to the National Assembly Standing Orders assigns the Committee the mandate to consider matters in relation to public finance, public audit policies, monetary policies, financial institutions, economy, investment policies, competition, banking, insurance, national statistics, population, revenue policies including taxation, national planning and development, digital finance, including digital currency.
3. In executing its mandate, the Committee oversees the following Ministries/Departments:
 - a. The National Treasury.

- b. State Department for Economic Planning.
- c. State Department for Public Investments and Asset Management.
- d. The Commission on Revenue Allocation (CRA)
- e. Office of the Controller of Budget

I.2 COMMITTEE MEMBERSHIP

4. The Departmental Committee on Finance and National Planning was constituted by the House on 27th October 2022 and comprises of the following Members:

Chairperson

Hon. FCPA Kuria Kimani, CBS, MP.
Molo Constituency
UDA Party

Vice-Chairperson

Hon. (Amb.) FCPA Langat Benjamin Kipkirui, CBS, MP
Ainamoi Constituency
UDA Party

Members

Hon. Peter Kaluma, CBS, MP
Homa Bay Town Constituency
ODM Party

Hon. Sunkuyia, R. George, MP
Kajiado West Constituency
UDA Party

Hon. FCPA Oyula, Joseph H. Maero, MP
Butula Constituency
ODM Party

Hon. Dr. Gathoni Wamuchomba, HSC, MP
Githunguri Constituency
UDA Party

Hon. Mboni, David Mwalika, MP
Kitui Rural Constituency
WDM Party

Hon. Sheikh Umul Sheikh, MP
Mandera County
UDM Party

Hon. Okuome Adipo Andrew, MP
Karachuonyo Constituency
ODM Party

Hon. (Dr.) Shadrack Mwiti, MP
South Imenti Constituency
Jubilee Party

Hon. Chiforomodo, Munga, MP
Lunga Lunga Constituency
UDM Party

Hon. (Dr.) Ariko John Namoit, MP
Turkana South Constituency
ODM Party

Hon. CPA Rutto Julius Kipletting, MP
Kesses Constituency
UDA Party

Hon. Machele M. Soud, MP
Mvita Constituency
ODM Party

Hon. Paul Biego, MP
Chesumei Constituency
UDA Party

I.3 COMMITTEE SECRETARIAT

5. The Committee is supported by the following secretariat:

Ms. Tracy Chebet
Principal Clerk Assistant II

Ms. Jennifer Ndeto
Deputy Director Legal Services

Mr. Benson Kamande
Clerk Assistant III

Ms. Winfred Kambua
Clerk Assistant III

Mr. Salem Lorot
Senior Legal Counsel

Mr. Eugene Luteshi
Audio Officer III

Ms. Nelly W. Ondieki
Research Officer III

Mr. George Ndenjeshe
Fiscal Analyst II

Mr. James Macharia
Media Relations Officer

Ms. Joyce Wachera
Hansard Reporter II

Mr. Benson Muthuri
Assistant Serjeant-At-Arms

Mr. Jared Onyancha
Protocol Officer

Ms. Peninah Simiren
Legal Counsel II

Mr. Allan Ngugi
Administrative Officer II

CHAPTER TWO

2.0 OVERVIEW OF THE SOVEREIGN WEALTH FUND BILL (NATIONAL ASSEMBLY BILL NO 7 OF 2026).

6. The Bill seeks to establish the Sovereign Wealth Fund; to provide institutional arrangements for the effective administration and efficient management of minerals and petroleum revenues, and monies from other sources allocated to the Fund; and for connected purposes. The Bill also proposes to make consequential amendments to the Mining Act and Petroleum Act.
7. **PART I** (Clause 1-3) of the Bill contains the preliminary provisions including the short title and commencement of the Act; the definition of key terms used in the Act and the guiding values and principles of the Act.
8. **PART II** (Clause 4-8) of the Bill provides for the establishment of the Sovereign Wealth Fund; the object and purpose of the Fund; the sources of funds from the Fund; the establishment of the Holding Account to hold the resources and assets of the Fund; and the general principles relating to withdrawals from the Fund.

Part II also provides for the organisation of the Fund into the Stabilisation Component, Strategic Infrastructure Investment Component and Future Generations Component; the sources of funds for the components of the Fund; the procedures for withdrawals and transfers from or out of the components of the Fund; and the effect of the depletion of mineral and petroleum resources on the organisation of the Fund.

9. **PART III** (Clause 19-24) of the Bill provides for fiscal responsibility principles applicable to the Fund including the application of the Public Finance Management Act on the operation and management of the Fund; the manner of enforcing the fiscal responsibility principles; the designation of the Administrator of the Fund and the way by which the Administrator shall report on the Fund; the preparation of the annual estimates and Budget of the Fund; the management of cash by the administrator; and the connection of the Fund to the annual national government budget process.
10. **PART IV** (Clause 25-41) of the Bill provides for the management of the Fund including the establishment of the Sovereign Wealth Fund Board; the qualifications, appointment, tenure and remuneration of the members of the Board; the manner of filling in vacancies in the Board; the meetings and committees of the Board; the appointment of the Chief Executive Officer and staff of the Board; the code of conduct applicable to the members of the Board, Chief Executive Officer and staff of the Board; the protection of members of the Board, Chief Executive Officer and staff of the Board

from personal liability in respect to their official functions; the duty of confidentiality; and the common seal of the Board.

- 11. PART V** (Clause 42-48) of the Bill provides for the investment of the Fund including provisions relating to qualifying investment instruments of the components of the Fund: prohibited instruments; risk management principles; and investment rules.
- 12. PART VI** (Clause 49 and 50) of the Bill provides for the appointment by the Board and functions of investment managers of the Fund.
- 13. PART VII** (Clause 51-53) of the Bill provides for financial matters including the annual financial statements of the Fund; the manner of auditing the Fund; and the preparation and submission of the annual report of the Fund.
- 14. PART VIII** (Clause 54-61) provides for miscellaneous matters including the offence of, and penalty for, the misappropriation of the funds and assets of the Fund; a general penalty; the manner of preserving the reserves of the Fund before and during a general election: that the Act shall prevail in respect of allocation, withdrawal, transfer. investment and management of all revenues from medium and large-scale mining and petroleum operations; the power to make regulations by the cabinet Secretary; and consequential amendments.
- 15. The First Schedule to the Bill** deals with the conduct of the business and affairs of the Board.
- 16. The Second Schedule to the Bill** deals with the types of qualifying investment instruments applicable to the components of the Fund.
- 17. The Third Schedule to the Bill** provides for the guidelines on service level agreements for an investment fund manager.
- 18. The Fourth Schedule to the Bill** provides for consequential amendments to the Mining Act, Petroleum Act and Kenya Revenue Authority Act.

CHAPTER THREE

3.0 CONSIDERATION AND HARMONIZATION OF PROPOSED AMENDMENTS TO THE SOVEREIGN WEALTH FUND BILL (NATIONAL ASSEMBLY BILL NO 7 OF 2026)

3.1 Referral of the Sovereign Wealth Fund Bill (National Assembly Bill No 7 of 2026)

- 19.**The Sovereign Wealth Fund Bill (National Assembly Bill No 7 of 2026) sponsored by the Leader of Majority Party, Hon. Kimani Ichung'wah, EGH, MP, was published on 9th March 2026 and read for the First Time on Wednesday, 11th March 2026. It was subsequently committed to the Departmental Committee on Finance and National Planning for consideration, facilitation of public participation pursuant to Article 118 of the Constitution, and reporting to the House in accordance with Standing Order 127(1).
- 20.**On Wednesday, 1st July 2026, during the Committee of the Whole House, the Bill was referred back to the Departmental Committee on Finance and National Planning for Harmonization of the amendments proposed by the Committee, Hon (Dr.) Wilberforce Oundo, Hon. Justice Kimei, MP, Hon. Mark Mwenje, MP, Hon. Caroli Omondi, MP, Hon. John Kaguchia, MP, Hon. Robert Mbui, MP and Hon. John Mukunji, MP to the Bill.
- 21.**Pursuant to the provisions of Standing Order 131, the Speaker directed that all the amendments received be referred to the Departmental Committee on Finance and National Planning and be subjected to harmonization.

3.2 COMMITTEE CONSIDERATION OF THE AMENDMENTS

22. The Committee undertook the Harmonization process with the Leader of Majority Party (the sponsor of the Bill) and made observations and recommendations on all the proposed amendments. The amendments proposed by the Members were as follows;

3.2.1 Hon. Justice Kemei, M.P, Member for Sigowet/Soin Constituency

CLAUSE 12

23. THAT, clause 12 of the Bill be amended in subclause (2) by inserting the words “artificial intelligence, space technology” immediately after the word “education”.

3.2.2 Hon. Caroli Omondi, M.P, Member for Suba South Constituency.

CLAUSE 1

24. THAT, Clause 1 of the Bill be deleted.

CLAUSE 2

25. THAT, Clause 2 of the Bill be deleted.

CLAUSE 3

26. THAT, Clause 3 of the Bill be deleted.

CLAUSE 4

27. THAT, Clause 4 of the Bill be deleted.

CLAUSE 5

28. THAT, Clause 5 of the Bill be deleted.

CLAUSE 6

29. THAT, Clause 6 of the Bill be deleted.

CLAUSE 7

30. THAT, Clause 7 of the Bill be deleted.

CLAUSE 8

31. THAT, Clause 8 of the Bill be deleted.

CLAUSE 9

32. THAT, Clause 9 of the Bill be deleted.

CLAUSE 10

33.THAT, Clause 10 of the Bill be deleted.

CLAUSE 11

34.THAT, Clause 11 of the Bill be deleted.

CLAUSE 12

35.THAT, Clause 12 of the Bill be deleted.

CLAUSE 13

36.THAT, Clause 13 of the Bill be deleted.

CLAUSE 14

37.THAT, Clause 14 of the Bill be deleted.

CLAUSE 15

38.THAT, Clause 15 of the Bill be deleted.

CLAUSE 16

39.THAT, Clause 16 of the Bill be deleted.

CLAUSE 17

40.THAT, Clause 17 of the Bill be deleted.

CLAUSE 18

41.THAT, Clause 18 of the Bill be deleted.

CLAUSE 19

42.THAT, Clause 19 of the Bill be deleted.

CLAUSE 20

43.THAT, Clause 20 of the Bill be deleted.

CLAUSE 21

44.THAT, Clause 21 of the Bill be deleted.

CLAUSE 22

45.THAT, Clause 22 of the Bill be deleted.

CLAUSE 23

46.THAT, Clause 23 of the Bill be deleted.

CLAUSE 24

47.THAT, Clause 24 of the Bill be deleted.

CLAUSE 25

48.THAT, Clause 25 of the Bill be deleted.

CLAUSE 26

49.THAT, Clause 26 of the Bill be deleted.

CLAUSE 27

50.THAT, Clause 27 of the Bill be deleted.

CLAUSE 28

51.THAT, Clause 28 of the Bill be deleted.

CLAUSE 29

52.THAT, Clause 29 of the Bill be deleted.

CLAUSE 30

53.THAT, Clause 30 of the Bill be deleted.

CLAUSE 31

54.THAT, Clause 31 of the Bill be deleted.

CLAUSE 32

55.THAT, Clause 32 of the Bill be deleted.

CLAUSE 33

56.THAT, Clause 33 of the Bill be deleted.

CLAUSE 34

57.THAT, Clause 34 of the Bill be deleted.

CLAUSE 35

58.THAT, Clause 35 of the Bill be deleted.

CLAUSE 36

59.THAT, Clause 36 of the Bill be deleted.

CLAUSE 37

60.THAT, Clause 37 of the Bill be deleted.

CLAUSE 38

61.THAT, Clause 38 of the Bill be deleted.

CLAUSE 39

62.THAT, Clause 39 of the Bill be deleted.

CLAUSE 40

63.THAT, Clause 40 of the Bill be deleted.

CLAUSE 41

64.THAT, Clause 41 of the Bill be deleted.

CLAUSE 42

65.THAT, Clause 42 of the Bill be deleted.

CLAUSE 43

66.THAT, Clause 43 of the Bill be deleted.

CLAUSE 44

67.THAT, Clause 44 of the Bill be deleted.

CLAUSE 45

68.THAT, Clause 45 of the Bill be deleted.

CLAUSE 46

69.THAT, Clause 46 of the Bill be deleted.

CLAUSE 47

70.THAT, Clause 47 of the Bill be deleted.

CLAUSE 48

THAT, Clause 48 of the Bill be deleted.

CLAUSE 49

71.THAT, Clause 49 of the Bill be deleted.

CLAUSE 50

72.THAT, Clause 50 of the Bill be deleted.

CLAUSE 51

73.THAT, Clause 51 of the Bill be deleted.

CLAUSE 52

74.THAT, Clause 52 of the Bill be deleted.

CLAUSE 53

75.THAT, Clause 53 of the Bill be deleted.

CLAUSE 54

76.THAT, Clause 54 of the Bill be deleted.

CLAUSE 55

77.THAT, Clause 55 of the Bill be deleted.

CLAUSE 56

78.THAT, Clause 56 of the Bill be deleted.

CLAUSE 57

79.THAT, Clause 57 of the Bill be deleted.

CLAUSE 58

80.THAT, Clause 58 of the Bill be deleted.

CLAUSE 59

81.THAT, Clause 59 of the Bill be deleted.

CLAUSE 60

82.THAT, Clause 60 of the Bill be deleted.

CLAUSE 61

83.THAT, Clause 61 of the Bill be deleted.

FIRST SCHEDULE

84.THAT, the First Schedule to the Bill be deleted.

SECOND SCHEDULE

85.THAT, the Second Schedule to the Bill be deleted.

THIRD SCHEDULE

86.THAT, the Third Schedule to the Bill be deleted.

FOURTH SCHEDULE

87.THAT, the Fourth Schedule to the Bill be deleted.

3.3.3 Hon. Mark Mwenje, M.P, Member for Embakasi West Constituency

CLAUSE 2

88.THAT, clause 2 be amended by inserting the words ‘Public Debt Component’ immediately after the words ‘Strategic Infrastructure Investment Component’ in the definition of ‘component of the Fund’

CLAUSE 4

89.THAT, clause 4 of the Bill be amended in subclause (3) by inserting the following new paragraph immediately after paragraph (a)—

“(aa) the Public Debt Component;

CLAUSE 6

90.THAT, clause 6 of the Bill be amended—

(a) in subclause (1) (h) by inserting the words “and the National Assembly” at the end of the paragraph; and

(b) inserting the following new subclauses immediately after subclause (2)—

(3) All the monies under subsection (1) shall be paid into the Consolidated Fund.

(4) The monies shall be appropriated by the National Assembly into the Fund.

CLAUSE 5

91.THAT, clause 5 be amended in subclause (1) by inserting the following new paragraph immediately after paragraph (c)—

(d) to provide the national government with resources for the repayment, redemption, refinancing and prudent management of public debt obligations in order to promote fiscal sustainability.

CLAUSE 8

92.THAT, clause 8 of the Bill be amended—

(a) in subclause (1) by deleting the words “specified by the Cabinet Secretary in consultation with the Board at the beginning of each financial year considering conditions specified under section 5(2)” appearing immediately after the words “in proportions” and substituting therefor the words “specified in subsection (3).

- (b) by deleting subclause (3) and substituting therefor the following new subclause—
 “(3) The transfers into the respective components shall be distributed according to the following proportions at the beginning of each financial year—
 (a) twenty percent to the Stabilization Component subject to the cap established under section 17B;
 (b) forty percent to the Strategic Infrastructure Investment Component;
 (c) at least ten percent to the Future Generations Component;
 (d) thirty percent to the Public Debt Component in addition to any surplus funds transferred from the Stabilization Component once it reaches its prescribed ceiling.

CLAUSE 11

93.THAT, clause 11 be amended by deleting subclause (3) and substituting therefor the following new subclauses—
 (3) Any withdrawals from the Fund shall be approved by the Controller of Budget.

CLAUSE 17

94.THAT, the Bill be amended by inserting the following new part immediately after clause 17—

Public Debt Component

Object and purpose of the Public Debt Component. **17A.** The object and purpose of the Public Debt Component shall be to provide the national government with resources for the repayment, redemption, refinancing and management of public debt obligations in order to promote fiscal sustainability and maintain macro-economic stability.

Sources of funds of the Public Debt Component **17B.** The sources of funds of the Public Debt Component are—
 (a) transfers received from the Holding Account; and
 (b) fifty per cent of the investment income earned from the Public Debt Component.

Withdrawals from the Public Debt Component **17C.** (1) The Cabinet Secretary shall, in respect of any withdrawal from the Public Debt Component, submit a written request to the Board indicating—
 (a) the amount required;
 (b) the public debt obligation for which the withdrawal is sought; and

(c) the justification for the withdrawal.

(2) Where the Board is satisfied that the request complies with this Act, it shall issue written instructions to the Central Bank of Kenya to transfer the approved amount from the Public Debt Component to the Consolidated Fund.

(3) A withdrawal under this section shall be approved by the Cabinet and submitted to the National Assembly for appropriation in accordance with the Constitution and the Public Finance Management Act.

(4) Any balance standing to the credit of the Public Debt Component that is not immediately required for servicing public debt may be invested in a qualifying instrument in accordance with this Act.

(5) An investment under subsection (4) shall be undertaken in a manner that promotes the objectives of the Fund and does not prejudice the ability of the Public Debt Component to meet existing or anticipated public debt obligations.

(6) A transfer for investment purposes under subsection (4) shall require a resolution of the Board and written instructions from the Board to the Central Bank of Kenya authorising the transfer of funds from the Public Debt Component for investment.

(7) Transfers to the Stabilisation Component shall cease when the component grows to ten billion shillings or such amount as may be prescribed by the Cabinet Secretary, and any amount above that amount shall, with the approval of the Cabinet and the National Assembly, be utilised to service public debt.

CLAUSE 22

95.THAT, clause 22 of the Bill be amended in subclause (1) (b) by inserting the words “Public Debt Component” immediately after the words “Stabilisation Component”.

CLAUSE 28

96.THAT, clause 28 be amended in—

- a) subclause (1) (f) by inserting the words “process upon the approval of the National Assembly” immediately after the word ‘Cabinet Secretary’.

3.3.4 Hon. Kaguchia John P.G, M.P, Member for Mukurweini Constituency

CLAUSE 6

97.THAT, clause 6 of the Bill be amended—

- (a) in subclause (1) (h) by inserting the words “and the National Assembly” at the end of the paragraph; and
- (b) by inserting the following new subclauses immediately after subclause (2)—
 - (3) All the monies under subsection (1) shall be paid into the Consolidated Fund.
 - (4) The monies shall be appropriated by the National Assembly into the Fund.

CLAUSE 8

98.THAT, clause 8 of the Bill be amended—

- (a) in subclause (1) by deleting and substituting therefor the following new subclause—
 - “(1) Any deposits into the Holding Account shall be transferred into the respective components of the Fund as appropriated by the National Assembly.”; and
- (b) by deleting subclause (3).

CLAUSE 10

99.THAT, clause 10 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph—

- (a) monies appropriated by the National Assembly for the Stabilisation Component; and

CLAUSE 11

100. THAT, clause 11 be amended by inserting a new subclause immediately after subclause (3)—

- “(3A) Any withdrawal of funds from the Stabilization Component for investment in terms of subsection (1) shall be approved by the Controller of Budget.”

CLAUSE 13

101. THAT, clause 13 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph—

- (a) monies appropriated by the National Assembly for the Strategic Infrastructure Investment Component; and

CLAUSE 14

102. THAT, clause 14 of the Bill be amended by inserting the following new subclause immediately after subclause (2)—

- “(2A) Any withdrawal of Funds from the Strategic Infrastructure Investment component under subsection (2) shall be approved by the Controller of Budget.”

CLAUSE 16

103. THAT, clause 16 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph—

- (a) monies appropriated by the National Assembly for the Future Generations Component;

CLAUSE 17

104. THAT, clause 17 of the Bill be amended by deleting subclause (2) and substituting therefor the following new subclause—

- “(2) Any transfer or withdrawal of funds from the Future Generations Component for investment in terms of subsection (1) shall be approved by the Controller of Budget.”

CLAUSE 28

105. THAT, clause 28 of the Bill be amended in subclause (1) (f) by inserting the words “process upon the approval of the National Assembly” immediately after the words “through a”.

3.3.5 Hon. (Dr.) Wilberforce Oundo, MP Member for Funyula Constituency

CLAUSE 2

106. THAT, Clause 2 of the Bill be amended by deleting the definition “extraordinary shocks”.

CLAUSE 4

107. THAT, Clause 4 of the Bill be amended in subclause (3) by deleting paragraph (a).

CLAUSE 5

108. THAT, Clause 5 of the Bill be amended in subclause (2) by deleting paragraph (a).

CLAUSE 8

109. THAT, Clause 8 of the Bill be amended in subclause (1) by inserting the words “and after the approval by the Controller of Budget” immediately after the words “in consultation with the Board”.

CLAUSE 9

110. THAT, Clause 9 of the Bill be deleted.

CLAUSE 10

111. THAT, Clause 10 of the Bill be deleted.

CLAUSE 11

112. THAT, Clause 11 of the Bill be deleted.

CLAUSE 12

113. THAT, Clause 12 of the Bill be amended in subclause (2) by deleting the words “transport, housing,” appearing immediately after the word “agriculture,”.

CLAUSE 14

115. THAT, Clause 14 of the Bill be amended—

(a) in subclause (1)(a) by deleting the words “Stabilisation Component” appearing immediately after the words “to the credit of the” and substituting therefore the words “Infrastructure Investment Component”;

(b) in subclause (3) by deleting the words “to the Consolidated Fund” appearing at the end of the subclause and substituting therefor the following words “to the approved accounts held at the Central Bank of Kenya of the respective implementing agencies of the strategic infrastructure investment priorities approved as provided for under subsection (1) (b)”.

(c) by inserting the following new subclauses immediately after subclause (3)—
“(3A) The Board shall transfer the funds required to implement projects appropriated under subsection (1)(b) to the respective implementing agencies with specific performance conditions.

(3B) The implementing agencies shall implement the projects referred to in subsection (3A) and submit a report to the Board.”

CLAUSE 16

116. THAT, Clause 16 of the Bill be amended by deleting paragraph (c).

CLAUSE 17

117. THAT, Clause 17 of the Bill be amended by deleting subclause (2) and substituting therefor the following new subclause—

“(2) Any transfer or withdrawal of funds from the Future Generations Component for investment in terms of subsection (1) shall be approved by the Controller of Budget.”

118. CLAUSE 20

THAT, Clause 20 of the Bill be amended by deleting the words “Stabilisation Component and” appearing immediately after the words “from the”.

CLAUSE 22

119. THAT, Clause 22 of the Bill be amended—

(a) in subclause (1) (b) by deleting the words “Stabilisation Component and” appearing immediately after the words “from the”;

(b) in subclause (2) (a) by deleting the words “Stabilisation Component and” appearing immediately after the words “from the”.

CLAUSE 29

120. THAT, Clause 29 of the Bill be amended in subclause (1) by deleting the words “under section 28(1) (a) and (f)” appearing immediately after the words “a member of the Board”.

CLAUSE 44

121. THAT, Clause 44 of the Bill be deleted.

CLAUSE 48

122. THAT, Clause 48 of the Bill be amended by deleting subclause (5).

CLAUSE 60

123. THAT, Clause 60 of the Bill be amended—

(a) by inserting the following new subclause immediately after subclause (1)—

“(1A) The interim manager and staff referred to in subsection (1) shall be public officers on secondment to the Fund.”

(b) by inserting the following new subclause immediately after subclause (3)—
“(3A) The President and the Cabinet Secretary, as the case may be, shall constitute the Board within three months of commencement of this Act.”

FIRST SCHEDULE

124. THAT, the First Schedule to the Bill be amended in paragraph (1) by deleting subparagraph (3) and substituting therefor the following new subparagraph—
“(3) The quorum for the conduct of the business of the Board shall be six members of whom at least one shall be a member appointed under section 28(1)(a) and (f).”

SECOND SCHEDULE

125. THAT, the Second Schedule to the Bill be amended by deleting paragraph (2)

3.3.6 Hon. Mukunji John Gitonga, MP, Member for Manyatta Constituency
CLAUSE 2

126. THAT, clause 2 of the Bill be amended by—

a) inserting the following definition in its proper alphabetical sequence—

"Strategic Infrastructure" means major public investments designated by law or approved by Parliament for sustainable economic growth or the delivery of essential public services, including transport, energy, water, education, health, capable of generating a reasonable financial return on investment over their life cycle and may leverage private sector finances.

CLAUSE 10

127. THAT, clause 10 of the Bill be amended in—

a) subclause (a) by inserting the words "not exceeding three percent in any financial year" immediately after the word "transfers".

CLAUSE 13

128. THAT, clause 13 of the Bill be amended by inserting the following new subclause (c) immediately after subclause (b)—

- b) a percentage of the net financial returns derived from investments made from the Strategic Component, as prescribed by the Cabinet Secretary.

3.3.7 Hon. Robert Mbuyi, MP, Member for Kathiani Constituency

CLAUSE 6

129. THAT, clause 6 of the Bill be amended—

(a) in subclause (1), by deleting paragraph (h); and

(b) by deleting subclause (2).

NEW CLAUSE 6A

130. THAT, the Bill be amended by inserting the following new clause immediately after clause 6—

Consolidated Fund. **6A.** (1) All monies collected under section 6 shall be paid into the Consolidated Fund.

(2) The monies shall be appropriated by the National Assembly into the Sovereign Wealth Fund pursuant to section 7.

CLAUSE 8

131. THAT, clause 8 be amended—

(a) in subclause (1) by deleting the words “in proportions specified by the Cabinet Secretary in consultation with the Board at the beginning of each financial year considering conditions specified under section 5(2)” appearing immediately after the word “Fund”; and

(b) by deleting subclause (3).

CLAUSE 10

132. THAT, clause 10 of the Bill be amended in paragraph (a) by inserting the words “twenty per cent of” immediately before the word “transfers”.

CLAUSE 13

133. THAT, clause 13 of the Bill be amended in paragraph (a) by inserting the words “twenty per cent of” immediately before the word “transfers”.

CLAUSE 16

134. THAT, clause 16 of the Bill be amended in paragraph (a) by inserting the words “twenty per cent of” immediately before the word “transfers”.

CLAUSE 29

135. THAT, clause 29 of the Bill be amended in subclause (1) by inserting the words “, education, engineering, mining, geology” immediately after the word “banking” appearing in paragraph (c).

CLAUSE 49

136. THAT, clause 49 of the Bill be deleted.

CLAUSE 50

137. THAT, clause 50 of the Bill be deleted.

CHAPTER FOUR

4.0 COMMITTEE OBSERVATIONS ON THE HARMONIZATION OF PROPOSED AMENDMENTS TO THE SOVEREIGN WEALTH FUND BILL (NATIONAL ASSEMBLY BILL NO. 7 OF 2026)

The Committee having considered the amendments as proposed to the Sovereign Wealth Fund Bill (National Assembly Bill No. 7 of 2026) by the Committee and Honourable Members; the Committee made the following observations; -

1) Authorization of withdrawals of funds by the Controller of Budget

138. The Committee noted the Members' proposed amendments on withdrawals of funds, either deleting the provision or amending it to provide for the authorization of withdrawals of funds by the Controller of Budget. The Members were Hon. (Dr.) Wilberforce Oundo, MP, Hon. Mark Mwenje, MP, Hon. Caroli Omondi, MP and Hon. John Kaguchia, MP. The Committee observed that it had proposed a similar amendment but only to clause 11. The Committee agreed to carry in its amendments provisions on authorization of withdrawal of funds by the Controller of Budget in clauses 11, 14 and 17 of the Bill as proposed by the Members.

2) The nature of the Fund

139. The Committee noted that the Fund as envisaged in the Bill is a public fund that has been excluded from the Consolidated Fund as provided for under Article 206(1)(a) of the Constitution. The Committee further noted that the rationale for the funds not to be paid into the Consolidated Fund is to achieve the main purpose of the Fund which is to preserve and invest it, and to mitigate the risks such as its decrease by dint of Article 214 of the Constitution and payments to other competing priorities for example, payment of salaries and emoluments.

The Committee therefore agreed with the proposed amendments by Members providing for the funds to be paid into the Consolidated Fund that they don't proceed with their amendments. The Members were Hon. Robert Mbui, MP (new clause 6A), Hon. John Kaguchia, MP (clauses 6, 8, 10, 13, 16), Hon. Caroli Omondi, MP and Hon. Mark Mwenje, MP (clause 6(b)).

3) Transfers from the holding account (Clause 8)

140. The Committee had proposed amendments to Clause 8. In addition, the following Members had also proposed amendments: Hon. (Dr.) Wilberforce Oundo, MP, Hon. Mark Mwenje, MP, Hon. Caroli Omondi, MP, Hon. John Kaguchia, MP and Hon. Robert Mbui, MP. Following deliberations, the Committee agreed to the harmonized version to be carried by the Committee in the Committee of the whole House.

4) Cessation of transfers to the Stabilisation Component (Clause 11(7))

141. The Committee had a particular amendment to clause 11(7). The Members who had proposed amendments to the clause proposed the deletion of the entire clause. They were Hon. (Dr.) Wilberforce Oundo and Hon. Caroli Omondi. The Committee had proposed that subclause (7) be amended as follows: *(7) The transfers into the Stabilisation Component pursuant to section 8, shall cease when the component raises ten billion shillings.* After deliberations, it was agreed that clause 11 be amended by deleting subclause (7).

5) The purpose of the Strategic Infrastructure Investment Component (Clause 12(2))

142. The Committee, Hon. Caroli Omondi, Hon. Justice Kemei and Hon. (Dr.) Wilberforce Oundo had proposed amendments to clause 12(2) on the object and purpose of the Strategic Infrastructure Investment Component. It was agreed that the harmonized version of the amendment should not particularize the investments under this component and should borrow the text in clause 5(2)(b) of the Bill and include the aspect of leveraging private sector finances.

6) Amendment of the definition “extraordinary shocks” (clause 2)

143. During deliberations, although there was no amendment to the definition “extraordinary shocks” by the Committee and the Members proposing amendments, it was agreed that the definition be amended by deleting the words “including terms-of-trade shocks, natural disasters, shocks due to demand for exports, or conflict or crisis in neighbouring countries that has adverse effects on balance of payments” appearing immediately after the word “economy”. It was noted that the definition sought to particularize circumstances that may fall within the definition but this would be counterintuitive.

7) Transfer of funds from the Strategic Infrastructure Investment Component (Clause 14)

144. The Committee did not have an amendment to clause 14 of the Bill. Hon. (Dr.) Wilberforce Oundo, MP had proposed amendments to clause 14. After deliberations, it was agreed that the Committee would provide for his amendment to subclauses (1) and (3) in the harmonized version. However, it was agreed that the Member's proposed new subclauses (3A) and (3B) could be dealt with administratively and that it may not be provided for in the clause. Therefore, the harmonized text which the Committee would propose was agreed as follows—

CLAUSE 14

THAT, clause 14 of the Bill be amended—

- (a) in subclause (1)(a) by deleting the words “Stabilisation Component” appearing immediately after the words “to the credit of the” and substituting therefor the words “Strategic Infrastructure Investment Component”; and*
- (b) in subclause (3) by deleting the words “to the Consolidated Fund” and substituting therefor the words “to the approved accounts held at the Central Bank of Kenya of the respective implementing agencies of the strategic infrastructure investment priorities approved as provided for under subsection (1) (b)”.*

The Committee agreed with the Member that the amendments were proper for the following reasons:

- (a) the first amendment to subclause (1)(a) is a correction of a clerical error: clause 14 provides for withdrawals from the Strategic Infrastructure Investment Component hence referral to the Stabilization Component in subclause (1)(a) is erroneous;
- (b) the second amendment to subclause (3) is aligning the provision to the policy position adopted by the Committee that monies will be paid into the Sovereign Wealth Fund (as a public fund) and not to the Consolidated Fund for the reasons outlined in the Committee's observations on the nature of the fund.

8) Qualifications of members of the Board

145. The Committee, Hon. (Dr.) Wilberforce Oundo, MP and Hon. Robert Mbui, MP had proposed amendments to clause 29. In regard to Hon. Oundo's amendments, the Committee noted that providing for the qualifications under clause 29(1) (a) to apply to all members of the Board including those under clause 28(b), (c), (d) and (e) who are essentially Government representatives in the Board would not be proper since their qualifications and approval process are provided for in respective Acts of Parliament including the Public Appointments (Parliamentary Approval) Act. Further, their role in the Board is by virtue of the office they hold. It was therefore agreed that Hon. Oundo's amendment be dropped.

Regarding Hon. Robert Mbui's proposed amendment, it was agreed that the words "or other relevant field" in clause 29(1)(c) were sufficient to address his concerns.

Additionally, it was agreed that the Committee, in addition to its earlier amendments to clause 29, amends subclause (2) by deleting paragraph (a). The rationale for the deletion was that sitting Members of Parliament or a County Assembly automatically do not qualify to be either Chairperson or a member of the Board by dint of Article 77(1) of the Constitution.

9) Prohibition of advances, credits and collateralisation of the Components of the Fund (clause 46)

146. Although the Committee and the Members proposing amendments did not have an amendment to clause 46 of the Bill, the clause was deliberated upon and it was agreed that the clause be amended and that the Committee carries it in its harmonized amendments as follows—

CLAUSE 46

THAT, the Bill be amended by deleting clause 46 and substituting therefor the following new clause—

Prohibition of advances, credits and collateralisation of the Future Generations Component of the Fund.	46. The Future Generations Component shall not be used— (a) to make advances or loans or provide any other form of credit to a government entity or any person; or (b) as collateral for borrowing by a government entity or any person.
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The proposed amendment would provide further clarity on the clause to achieve its purposes.


10) Appointment of interim manager and staff (Clause 60)

147. Both the Committee and Hon. (Dr.) Wilberforce had proposed amendments to Clause 60. It was agreed that since Hon. (Dr.) Oundo's amendments were similar to the Committee's, the Committee will move the amendments in the Committee of the whole House. Hon. (Dr.) Oundo agreed to drop his amendments.

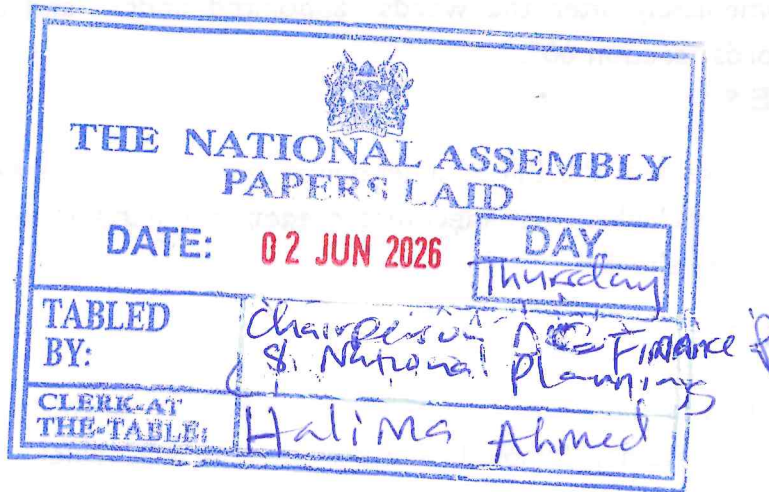
CHAPTER FIVE

5.0 COMMITTEE RECOMMENDATIONS ON THE HARMONIZATION OF PROPOSED AMENDMENTS TO THE SOVEREIGN WEALTH FUND BILL (NATIONAL ASSEMBLY BILL NO. 7 OF 2026)

148. The Committee, having considered the amendments to the Sovereign Wealth Fund Bill (National Assembly Bill No. 7 of 2026) proposed by the Committee and Honourable Members, recommends that the House **approves** the Bill with the amendments set out in Chapter Six of this report.

SIGNED  DATE 2nd July 2026

HON FCPA KURIA KIMANI, CBS, MP
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON FINANCE AND NATIONAL PLANNING.



CHAPTER SIX

6.0 SCHEDULE OF AMENDMENTS

149. Having considered all the proposed amendments as proposed by the Committee and Honourable Members, the Committee adopted the following amendments;

CLAUSE 2

THAT, clause 2 of the Bill be amended—

(a) by inserting the following new definition in its proper alphabetical sequence—

“Government” means the national government;

(b) in the definition “extraordinary shocks” by deleting the words “including terms-of-trade shocks, natural disasters, shocks due to demand for exports, or conflict or crisis in neighbouring countries that has adverse effects on balance of payments” appearing immediately after the word “economy”; and

(c) in the definition “Interim Manager” by deleting the words “section 51” appearing immediately after the words “appointed under” and substituting therefor the words “section 60”.

CLAUSE 5

THAT, clause 5 of the Bill be amended in subclause (2) paragraph (a) by inserting the following words “which may affect macro-economic stability” immediately after the words “extraordinary shocks”.

CLAUSE 6

THAT, clause 6 of the Bill be amended in subclause (1) (h) by inserting the words “and the National Assembly” immediately after the word “Cabinet”.

CLAUSE 8

THAT, clause 8 of the Bill be amended

(a) by deleting subclause (1) and substituting therefor the following new subclauses—

(1) Any deposits into the Holding Account shall be transferred into the respective components of the Fund.

(IA) Subject to subsection (I) —

- (a) thirty percent of the amount in the Holding Account shall be transferred into the Future Generations Component; and
 - (b) the remaining seventy percent shall be transferred into the Stabilization Component and Strategic Infrastructure Investment Component in such proportions as may prescribed by the Cabinet Secretary in consultation with the Board at the beginning of each financial year.
- (b) in subsection (3) by deleting the expression “subsection(1)” and substituting therefor the expression “subsection (IA)”.

CLAUSE 11

THAT, clause 11 of the Bill be amended—

- (a) by deleting subclause (3) and substituting therefor the following new subclause—
 - (3) A withdrawal of monies under this section shall be authorized by the Controller of Budget.
- (b) by deleting subclause (6) and substituting therefor the following new subclause—
 - (6) A request for transfer under subsection (4) from the Stabilization Component, for investment purposes shall be—
 - (a) accompanied by a resolution of the Board and written instructions for transfer of the specified monies; and
 - (b) be authorized by the Controller of Budget.
- (c) by deleting subclause (7).

CLAUSE 12

THAT, clause 12 of the Bill be amended by deleting subclause (2) and substituting therefor the following new subclause —

- (2) The Strategic Infrastructure Investment Component may be used to leverage private sector finance for strategic infrastructure investment.

CLAUSE 14

THAT, clause 14 of the Bill be amended—

(a) in subclause (1)(a) by deleting the words “Stabilisation Component” appearing immediately after the words “to the credit of the” and substituting therefor the words “Strategic Infrastructure Investment Component”;

(b) by inserting the following new subclause immediately after subclause (2)—

“(2A) Any withdrawal of monies from the Strategic Infrastructure Investment Component under subsection (2) shall be approved by the Controller of Budget.”; and

(c) in subclause (3) by deleting the words “to the Consolidated Fund” and substituting therefor the words “to the approved accounts held at the Central Bank of Kenya of the respective implementing agencies of the strategic infrastructure investment priorities approved as provided for under subsection (1) (b)”

CLAUSE 15

THAT, clause 15 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph—

(a) establishing an endowment to support Strategic Infrastructure Investment for future generations;

CLAUSE 17

THAT, clause 17 of the Bill be amended by inserting the following subclause immediately after subclause (4)-

(5) Any withdrawal of monies from the Future Generations Component under subsection (4) shall be approved by the Controller of Budget.

CLAUSE 27

THAT, clause 27 of the Bill be amended in subclause (2) (d) by inserting the words “and the National Assembly” immediately after the word “Cabinet”.

CLAUSE 29

THAT, clause 29 of the Bill be amended—

(a) in subclause (1) by deleting paragraph (b) and substituting therefor the following new paragraph—

“(b) has served in a senior management or leadership position for a period of at least five years;” and

(b) in subclause (2) by deleting paragraph (a).

CLAUSE 35

THAT, clause 35 of the Bill be amended—

(a) in subclause (2) by deleting paragraph (a) and substituting therefor the following new paragraph—

“(a) holds a bachelors degree in a relevant field from a university recognized in Kenya;”

(b) in subclause (3) by inserting the words “on advice of” immediately before the words “the Salaries and Remuneration Commission”.

CLAUSE 36

THAT, clause 36 of the Bill be amended be deleting paragraph (b) and substituting therefor the following new paragraph—

(b) be removed from office by the Board—

- (i) for contravening the Constitution or any other laws relating to public finance;
- (ii) if he or she is adjudged bankrupt;
- (iii) if he or she is convicted for an offence involving fraud or dishonesty;
- (iv) if he or she is convicted of an offence whose term of imprisonment exceeds six months;
- (v) if he or she is incapacitated by prolonged physical or mental illness;
- (vi) for gross misconduct; or
- (vii) if he or she is incompetent and is unable to perform the function of the office.

CLAUSE 37

THAT, clause 37 of the Bill be amended by deleting subclause (2) and substituting therefor the following new subclause—

(2) The staff recruited under subsection (1) shall serve on such terms and conditions as the Board may determine, on advice of the Salaries and Remunerations Commission.

CLAUSE 40

THAT, clause 40 of the Bill be amended in subclause (3) by inserting the words “or to both” at the end of the subclause.

CLAUSE 46

THAT, the Bill be amended by deleting clause 46 and substituting therefor the following new clause—

Prohibition of advances, credits and collateralization of the Future Generations Component of the Fund.	47. The Future Generations Component shall not be used— (c) to make advances or loans or provide any other form of credit to a government entity or any person; or (d) as collateral for borrowing by a government entity or any person.
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CLAUSE 49

THAT, clause 49 of the Bill be amended—

- (a) in subclause (2) by inserting the word “fund” immediately after the word “investment”;
- (b) in subclause (3) by inserting the word “fund” immediately after the word “investment”.

CLAUSE 51

THAT, clause 51 of the Bill be amended by deleting subclause (1) and substituting therefor the following new subclause—

(1) Within three months after the end of each financial year, the Board shall cause to be prepared and submit consolidated financial statements for each component of the Fund, in accordance with the standards set by the Accounting Standards Board for onward transmission to the Auditor-General for audit with a copy to the Cabinet Secretary and the Controller of Budget.

CLAUSE 53

THAT, clause 53 of the Bill be amended in subclause (3) (c) by inserting the following new subparagraph immediately after subparagraph (iii)—

(iiia) details of all fees paid to investment fund managers and any other service providers;

CLAUSE 55

THAT, clause 55 of the Bill be amended—

(a) by deleting the words “not less than two years” appearing immediately after the words “for a term” and substituting therefor the words “not exceeding three years”;

(b) by deleting the words “not less than five million shillings” appearing immediately after the words “to a fine of” and substituting therefor the words “not exceeding ten million shillings”.

CLAUSE 56

THAT, clause 56 of the Bill be amended in subclause (3) by deleting the words “one month” appearing at the beginning of the subclause and substituting therefor the words “three months”.

CLAUSE 60

THAT, clause 60 of the Bill be amended—

(a) by deleting subclause (1) and substituting therefor the following new subclauses—

(1) The Cabinet Secretary may appoint an interim manager and staff to administer the Fund pending the constitution of the Board under section 28.

(1A) The interim manager and staff referred to in subsection (1) shall be public officers on secondment to the Fund.

(b) by deleting subclause (3) and substituting therefor the following new subclause—

(3) The appointment of the interim manager and staff shall come to an end, six months after the commencement of this Act.

(c) by inserting the following new subclause immediately after subclause (3)—

(3A) The interim manager and staff recruited under subsection (1) shall serve on such terms and conditions as the Cabinet Secretary may, on advice of the Salaries and Remunerations Commission, determine.”

THIRD SCHEDULE

THAT, the Third Schedule to the Bill be amended by deleting paragraph 2 and substituting therefor the following new paragraph—

2. The annual management fee payable to an investment fund manager shall not exceed two percent of the investment in the qualifying instrument and shall be specified in the instrument of appointment.

FOURTH SCHEDULE

THAT, the Fourth Schedule to the Bill be amended by deleting paragraph I and substituting therefor the following new paragraph—

Amendment I. Section 186 of the Mining Act is amended by inserting the of section following new subsections immediately after subsection (I)—
186 of Cap.
306.

(IA) The State department responsible for collecting royalties shall remit the royalties paid under subsection (I) to the Collector and the Collector shall remit the royalties into the Sovereign Wealth Fund.

(IC) For the purpose of this section, “Collector” means the Commissioner-General appointed under section 11 of the Kenya Revenue Authority Act.



THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT – FIFTH SESSION - 2026
DEPARTMENTAL COMMITTEE ON FINANCE AND NATIONAL PLANNING.
ATTENDANCE SCHEDULE

AGENDA : Harmonization of Amendments to the Sovereign Wealth Fund Bill (National Assembly Bill No. 7 of 2026)

VENUE : Committee Room 7, Main Parliament Buildings

DATE : 1st July 2026

TIME: From 1:30 PM To

S/NO.	NAME	SIGNATURE
1.	Hon. Robert Mbui	
2.	JOHN KAGUCHIA, MP	
3.	Hon Justice Kenai, MP	
4.	DR. OJAMBO DUNDO	
5.	CAROL OMONDI	
6.	Mark Mwenje, MP	
7.	Gitonga MUKWAZI	
8.	Korani Ichungwah	
9.		
10.		
11.		
12.		
13.		
14.		
15.		

Forwarded by:

Signed: **Date:**

Tracy Chebet
Principal Clerk Assistant II

Approved by:

Signed: **Date:**

Mr. Peter Chemweno.
Director, Directorate of Departmental Committees



THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT – FIFTH SESSION - 2026
DEPARTMENTAL COMMITTEE ON FINANCE AND NATIONAL PLANNING.

ATTENDANCE SCHEDULE

AGENDA Harmonization of Amendments to the Sovereign Wealth Fund Bill (National Assembly Bill No. 7 of 2026)

VENUE : Committee Room 9, Main Parliament Buildings

DATE : 1st July 2026

TIME: From 10:30 AM To

S/NO.	NAME	SIGNATURE
1.	HON. FCPA. KURIA KIMANI, CBS, MP - CHAIRPERSON	
2.	HON. FCPA (AMB). BENJAMIN KIPKIRUI LANGAT, MP – VICE CHAIRPERSON	
3.	HON. KALUMA PETER OPONDO, CBS, MP	
4.	HON. GEORGE SUNKUYIA RISA, MP	
5.	HON. FCPA JOSEPH MAERO OYULA, OGW, MP	
6.	HON. ANDREW ADIPO OKUOME, MP	
7.	HON. DAVID MWALIKA MBONI, MP	
8.	HON. CHIFOROMODO MANGALE MUNGA, MP	
9.	HON. GATHONI WAMUCHOMBA, HSC, MP	
10.	HON. (CPA) JULIUS KIPLETING RUTTO, MP	
11.	HON. PAUL KIBICHIY BIEGO, MP	
12.	HON. UMUL KER SHEIKH KASSIM, MP	
13.	HON. DR. SHADRACK MWITI ITHINJI, MP	
14.	HON. DR. JOHN ARIKO NAMOIT, MP	
15.	HON. MOHAMED SOUD MACHELE, MP	

Forwarded by:

Signed: **Date:**

Tracy Chebet
Principal Clerk Assistant II

Approved by:

Signed: **Date:**

Mr. Peter Chemweno.
Director, Directorate of Departmental Committees



THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT - FIFTH SESSION-2026
DIRECTORATE OF DEPARTMENTAL COMMITTEES

MINUTES OF THE 73rd SITTING OF THE DEPARTMENTAL COMMITTEE ON FINANCE AND NATIONAL PLANNING HELD ON WEDNESDAY, 1ST JULY 2026 AT COMMITTEE ROOM 9, MAIN BUILDING AT 4.30 P.M.

PRESENT

- | | | |
|---|---|--------------------|
| 1. Hon. FCPA. Kuria Kimani, CBS, MP | - | Chairperson |
| 2. Hon. Kaluma Peter Opondo, CBS MP | | |
| 3. Hon. David Mwalika Mboni, MP | | |
| 4. Hon. CPA Julius Kipletting Rutto, MP | | |
| 5. Hon. FCPA. Joseph Maero Oyula, MP | | |
| 6. Hon. Chiforomodo Mangale Munga, MP | | |
| 7. Hon. Gathoni Wamuchomba, MP | | |

ABSENT WITH APOLOGY

- | | |
|---|-------------------------|
| 1. Hon. (Amb.) Benjamin Kipkirui Langat, CBS, MP- | Vice-Chairperson |
| 2. Hon. Andrew Adipo Okuome, MP | |
| 3. Hon. (Dr.) Shadrack Mwiti Ithinji, MP | |
| 4. Hon. Umul Ker Sheikh Kassim, MP | |
| 5. Hon. Mohamed Soud Machele, MP | |
| 6. Hon. George Sunkuyia Risa, MP | |
| 7. Hon. Paul Kibichiy Biego, MP | |
| 8. Hon. (Dr.) John Ariko Namoit, MP | |

IN- ATTENDANCE

1. Hon. Kimani Ichung'wah, EGH, MP – Leader of the Majority Party
2. Hon. Robert Mbui, CBS, MP – Deputy Leader of the Minority Party
3. Hon. Mark Mwenje, CBS, MP – Deputy Minority Whip
4. Hon. Justice Kemei, MP
5. Hon. Dr Ojiambo Oundo, MP
6. Hon. Caroli Omondi, MP
7. Hon. Gitonga Mukunji, MP
8. Hon. John Kaguchia, MP

THE NATIONAL TREASURY

Mr. Lawrence Kibet, EBS– Director General, Public Investment and Portfolio Management

COMMITTEE SECRETARIAT

1. Ms. Jennifer Ndeto	-	Deputy Director Legal Services
2. Ms. Tracy Chebet	-	Principal Clerk Assistant II
3. Mr. Salem Lorot	-	Senior Legal Counsel
4. Mr. Benson Kamande	-	Clerk Assistant III
5. Ms. Penninah Simiren	-	Legal Counsel II
6. Ms. Patriciah Gichane	-	Legal Counsel II
7. Mr. Allan Kimani	-	Administrative Officer III
8. Ms. Anne Kang'ethe	-	Administrative Officer III
9. Mr. Luteshi Eugene	-	Audio Officer

AGENDA

1. Prayers
2. Preliminaries;
3. Confirmation of Minutes/Matters Arising;
4. **Harmonization of Amendments to the Sovereign Wealth Fund Bill (National Assembly Bill No.7 of 2026)**
5. Any Other Business
6. Adjournment

MIN No. NA/F & NP/2026/294: PRELIMINARIES

The Chairperson called the meeting to order at 4.35 p.m. with a word of prayer. The Chair thereafter informed the Committee that the Sovereign Wealth Fund Bill (National Assembly Bill No. 7 of 2026) had been scheduled for Committee of the Whole House that afternoon. However, due to a wide range of proposed amendments to the said Bill by both the Committee and individual Members of Parliament, the Speaker referred the proposed amendments to the Bill to a 'winnowing' process pursuant to the provisions of Standing Order 131.

MIN No. NA/F & NP/2026/295: CONFIRMATION OF MINUTES

Agenda was deferred.

MIN NO. NA/F & NP/2026/296: Harmonization of Amendments to the Sovereign Wealth Fund Bill (National Assembly Bill No.7 of 2026)

The Committee undertook the Harmonization process with the Leader of Majority Party, Hon. Kimani Ichung'wah, EGH, MP (the sponsor of the Bill) and other Honourable Members who had proposed amendments to **the Sovereign Wealth Fund Bill (National Assembly Bill No.7 of 2026)**.

The meeting made observations and recommendations on all the proposed amendments. Consequently, the Committee and the Members agreed on the following harmonized amendments:

CLAUSE 2

THAT, clause 2 of the Bill be amended—

(a) by inserting the following new definition in its proper alphabetical sequence—

“Government” means the national government;

(b) in the definition “extraordinary shocks” by deleting the words “including terms-of-trade shocks, natural disasters, shocks due to demand for exports, or conflict or crisis in neighbouring countries that has adverse effects on balance of payments” appearing immediately after the word “economy”; and

(c) in the definition “Interim Manager” by deleting the words “section 51” appearing immediately after the words “appointed under” and substituting therefor the words “section 60”.

CLAUSE 5

THAT, clause 5 of the Bill be amended in subclause (2) paragraph (a) by inserting the following words “which may affect macro-economic stability” immediately after the words “extraordinary shocks”.

CLAUSE 6

THAT, clause 6 of the Bill be amended in subclause (1) (h) by inserting the words “and the National Assembly” at the end of the paragraph.

CLAUSE 8

THAT, clause 8 of the Bill be amended by deleting subclause (1) and substituting therefor the following new subclauses—

(1) Any deposits into the Holding Account shall be transferred into the respective components of the Fund.

(1A) Subject to subsection (1) —

(a) thirty percent of the amount in the Holding Account shall be transferred into the Future Generations Component; and

(b) the remaining seventy percent shall be transferred into the Stabilization Component and Strategic Infrastructure Investment Component in such proportions as may prescribed by the Cabinet Secretary in consultation with the Board at the beginning of each financial year.

CLAUSE 11

THAT, clause 11 of the Bill be amended—

(a) by deleting subclause (3) and substituting therefor the following new subclause—

(3) A withdrawal of funds under this section shall be authorized by the Controller of Budget.

(b) by deleting subclause (6) and substituting therefor the following new subclause—

(6) A request for transfer under subsection (4), from the Stabilization Component, for investment purposes shall be—

(a) accompanied by a resolution of the Board and written instructions for transfer of the specified funds; and

(b) be authorized by the Controller of Budget.

(c) by deleting subclause (7).

CLAUSE 12

THAT, clause 12 of the Bill be amended by deleting subclause (2) and substituting therefor the following new subclause –

(2) The strategic infrastructure investment priorities under subsection (1) may include such investments that foster strong and inclusive growth and development and may leverage private sector finances.

CLAUSE 14

THAT, clause 14 of the Bill be amended—

(a) in subclause (1)(a) by deleting the words “Stabilisation Component” appearing immediately after the words “to the credit of the” and substituting therefor the words “Strategic Infrastructure Investment Component”; and

(b) in subclause (3) by deleting the words “to the Consolidated Fund” appearing at the end of the subclause and substituting therefor the following words “to the approved accounts held at the Central Bank of Kenya of the respective implementing agencies of the strategic infrastructure investment priorities approved as provided for under subsection (1) (b)”

CLAUSE 15

THAT, clause 15 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph—

(a) establishing an endowment to support Strategic Infrastructure Investment for future generations;

CLAUSE 27

THAT, clause 27 of the Bill be amended in subclause (2) (d) by inserting the words “and the National Assembly” immediately after the word “Cabinet”.

CLAUSE 29

THAT, clause 29 of the Bill be amended—

(a) in subclause (1) by deleting paragraph (b) and substituting therefor the following new paragraph—

“(b) has served in a senior management or leadership position for a period of at least five years;” and

(b) in subclause (2) by deleting paragraph (a).

CLAUSE 35

THAT, clause 35 of the Bill be amended—

(a) in subclause (2) by deleting paragraph (a) and substituting therefor the following new paragraph—

“(a) holds a bachelors’ degree in a relevant field from a university recognized in Kenya;”

(b) in subclause (3) by inserting the words “on advice of” immediately before the words “the Salaries and Remuneration Commision”.

CLAUSE 36

THAT, clause 36 of the Bill be amended be deleting paragraph (b) and substituting therefor the following new paragraph—

(b) be removed from office by the Board—

(i) for contravening the Constitution or any other laws relating to public finance;

(ii) if he or she is adjudged bankrupt;

(iii) if he or she is convicted for an offence involving fraud or dishonesty;

(iv) if he or she is convicted of an offence whose term of imprisonment exceeds six months;

(v) if he or she is incapacitated by prolonged physical or mental illness;

(vi) for gross misconduct; or

(vii) if he or she is incompetent and is unable to perform the function of the office.

CLAUSE 37

THAT, clause 37 of the Bill be amended by deleting subclause (2) and substituting therefor the following new subclause—

(2) The staff recruited under subsection (1) shall serve on such terms and conditions as the Board may determine, on advice of the Salaries and Remunerations Commission.

CLAUSE 40

THAT, clause 40 of the Bill be amended in subclause (3) by inserting the words “or to both” at the end of the subclause.

CLAUSE 46

THAT, the Bill be amended by deleting clause 46 and substituting therefor the following new clause—

Prohibition of advances, credits and collateralization of the Future Generations Component of the Fund.

46. The Future Generations Component shall not be used—

(a) to make advances or loans or provide any other form of credit to a government entity or any other legal or natural person; or

- (b) as collateral for any borrowing of a government entity or any other legal or natural person.

CLAUSE 49

THAT, clause 49 of the Bill be amended—

- (a) in subclause (2) by inserting the word “fund” immediately after the word “investment”;
- (b) in subclause (3) by inserting the word “fund” immediately after the word “investment”.

CLAUSE 51

THAT, clause 51 of the Bill be amended by deleting subclause (1) and substituting therefor the following new subclause—

(1) Within three months after the end of each financial year, the Board shall cause to be prepared and submit consolidated financial statements for each component of the Fund, in accordance with the standards set by the Accounting Standards Board for onward transmission to the Auditor-General for audit with a copy to the Cabinet Secretary and the Controller of Budget.

CLAUSE 53

THAT, clause 53 of the Bill be amended—

- (a) in subclause (1) by deleting the words “six months” appearing immediately after the words “shall, within” and substituting therefor the words “three months”;
- (b) in subclause (3) (c) by inserting the following new subparagraph immediately after subparagraph (iii)—

(iiia) details of all fees paid to investment fund managers and any other service providers;

CLAUSE 55

THAT, clause 55 of the Bill be amended—

- (a) by deleting the words “not less than two years” appearing immediately after the words “for a term” and substituting therefor the words “not exceeding three years”;
- (b) by deleting the words “not less than five million shillings” appearing immediately after the words “to a fine of” and substituting therefor the words “not exceeding ten million shillings”.

CLAUSE 56

THAT, clause 56 of the Bill be amended in subclause (3) by deleting the words “one month” appearing at the beginning of the subclause and substituting therefor the words “three months”.

CLAUSE 60

THAT, clause 60 of the Bill be amended—

- (a) by deleting subclause (1) and substituting therefor the following new subclauses—

- (1) The Cabinet Secretary may appoint an interim manager and staff to administer the Fund pending the constitution of the Board under section 28.
- (1A) The interim manager and staff referred to in subsection (1) shall be public officers on secondment to the Fund.
- (b) by deleting subclause (3) and substituting therefor the following new subclause—
 - (3) The appointment of the interim manager and staff shall come to an end, six months after the commencement of this Act.
- (c) by inserting the following new subclause immediately after subclause (3)—
 - (3A) The interim manager and staff recruited under subsection (1) shall serve on such terms and conditions as the Cabinet Secretary may, on advice of the Salaries and Remunerations Commission, determine.”

THIRD SCHEDULE

THAT, the Third Schedule to the Bill be amended by deleting paragraph 2 and substituting therefor the following new paragraph—

2. The annual management fee payable to an investment fund manager shall not exceed two percent of the investment in the qualifying instrument and shall be specified in the instrument of appointment.

FOURTH SCHEDULE

THAT, the Fourth Schedule to the Bill be amended by deleting paragraph 1 and substituting therefor the following new paragraph—

Amendment
of section
186 of Cap.
306.

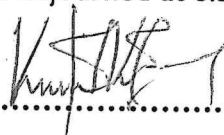
I. Section 186 of the Mining Act is amended by inserting the following new subsections immediately after subsection (1)—

(1A) The State department responsible for collecting royalties shall remit the royalties paid under subsection (1) to the Collector and the Collector shall remit the royalties into the Sovereign Wealth Fund.

(1C) For the purpose of this section, “Collector” means the Commissioner-General appointed under section 11 of the Kenya Revenue Authority Act.

MIN No. NA/F & NP/2026/297: ADJOURNMENT/DATE OF THE NEXT MEETING

The meeting was adjourned at 8.54 p.m. The next meeting will be held on notice.

SIGNED:  **DATE:** *2nd July, 2026*

**HON. FCPA. KURIA KIMANI, CBS, MP
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON FINANCE AND
NATIONAL PLANNING**

