



**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – THIRD SESSION**

**NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**THURSDAY, JULY 02, 2015**

1. The House assembled at thirty-five minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Speaker
4. **COMMUNICATION FROM THE CHAIR ON GUIDANCE ON THE CONSIDERATION OF THE COUNTY ALLOCATION OF REVENUE IN VIEW OF STANDING ORDER 124**

The Speaker conveyed the following Communication –

“Honourable Members,

Standing Order 124 provides that except with the leave of the House, not more than one stage of a Bill may be taken at any one sitting. However, this provision is exempted for an Appropriation Bill or a Consolidated Fund Bill.

From the onset, it is important to note that during the drafting of the current Standing Orders, the Budget Cycle as envisaged in the Constitution had not taken shape. However, be it as it may, the County Allocation of Revenue Bill and indeed the Division of Revenue Bill are, by all intents and purposes, ‘*appropriation*’ Bills as they concern the appropriation of public funds, that is, *the assignment of money for a specific purpose in Government*. With this in perspective therefore, the provision of Standing Order 124(2) exempting certain Bills from the procedure would apply to the County Allocation of Revenue Bill.

I thank you”.

5. **PETITION**

The Member for Baringo Central (Hon. Sammy Mwaita) presented a Petition on behalf of a Mr. R.O. Abednegao Etyang on alleged intimidation and victimization through irregular transfer/posting by the Principal Secretary for Interior and Co-ordination of National Government;

Petition referred to the relevant Departmental Committee pursuant to Standing Order 227(1)

6. **PAPERS LAID**

The following Papers were laid on the Table –

- (i) The National Treasury annual Public Debt report for the year ended 30<sup>th</sup> June, 2014;
- (ii) The First Quarterly Report of the Ethics and Anti-Corruption Commission covering the period 1<sup>st</sup> January 2015 to 31<sup>st</sup> March, 2015;
- (iii) The Report of the Auditor General on the Financial Statements of Agricultural Development Corporation for the year ended 31<sup>st</sup> March, 2014 and the certificate therein;
- (iv) The Report of the Auditor General on the Financial Statements of the Kenya Sugar Research foundation for the year ended 30<sup>th</sup> June, 2014 and the certificate therein;
- (v) The Report of the Auditor General on the Financial Statements of Sunset Hotel Limited for the year ended 30<sup>th</sup> June, 2014 and the certificate therein;
- (vi) The Report of the Auditor General on the Financial Statements of Lake Victoria South Water Services Board for the year ended 30<sup>th</sup> June, 2014 and the certificate therein;
- (vii) The Report of the Auditor General on the Financial Statements of Kisii University for the year ended 31<sup>st</sup> March, 2014 and the certificate therein;

*(The Leader of the Majority Party)*

- (viii) The Report of the Departmental Committee on Justice and Legal Affairs on the Companies Bill, 2015

*(The Chairperson, Departmental Committee on Justice and Legal Affairs)*

7. **NOTICES OF MOTION** – (Leader of the Majority Party)

- (i) THAT, this House adopts Sessional Paper No.8 of 2013 on National Values and Principles of Governance, laid on the Table of the House on April 22, 2015;
- (ii) THAT, this House adopts Sessional Paper No.10 of 2014 on the National Environment Policy, laid on the Table of the House on December 2, 2014;
- (iii) THAT, this House adopts Sessional Paper No.11 of 2014 on the National Education for Sustainable Development Policy, laid on the Table of the House on December 02, 2014;

- (iv) THAT, this House adopts Sessional Paper No.12 of 2014 on the National Wetlands and Conservation Management Policy, laid on the Table of the House on April 22, 2015;
- (v) THAT, this House adopts Sessional Paper No.13 of 2014 on the Integrated Coastal Zone Management Policy; and
- (vi) THAT, this House adopts Sessional Paper No.3 of 2014 on the National Policy and Action Plan on Human Rights, laid on the Table of the House on June 3, 2015;

8. **NOTICE OF MOTION – REPORT OF PAC ON THE HIRE OF AN AIRCRAFT FOR THE DEPUTY PRESIDENT**  
(The Chairperson, Public Accounts Committee)

THAT, this House adopts the Report of the Public Accounts Committee on the Hire of an Aircraft for the Deputy President for a tour of four African nations in May, 2013

9. **STATEMENT PURSUANT TO STANDING ORDER 44(2)(a)**

Pursuant to the provision of Standing Order 44(2) (a), the Leader of the Majority Party issued a Statement regarding the Business of the House for the week commencing Tuesday, July 7, 2015.

10. **THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILL NO.05 OF 2015)**

Debate on the Second Reading having been concluded;

Question put and agreed to;

Bill read a Second Time and committed to the Committee of the whole House tomorrow.

11. **MOTION - ESTABLISHMENT OF INTENSIVE CARE & BLOOD TRANSFUSION UNITS IN EVERY CONSTITUENCY**

Debate on the Motion having been concluded;

Question put and agreed to;

12. **COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read;

**IN THE COMMITTEE**

The Third Chairperson in the Chair

(i) **The County Allocation of Revenue Bill (Senate Bill No.05 of 2015)**

Clauses 2,3,4,5,6,7,8,9,10,11,12 & 13 - agreed to

First Schedule - agreed to

Second Schedule - agreed to

Third Schedule - agreed to

First Schedule - agreed to

Fourth Schedule - agreed to

Clause 1 - agreed to

Bill to be reported without amendments;

13. **HOUSE RESUMED** - Second Chairperson in the Chair

Bill reported without amendments;

Motion made and Question proposed -

THAT, the House do agree with the Committee in the said Report

*(The Chairperson, Budget and Appropriations Committee)*

Question put and agreed to.

Motion made and Question proposed -

THAT, the County Allocation of Revenue Bill (Senate Bill No.05 of 2015) be now read a Third Time

*(The Chairperson, Budget and Appropriations Committee)*

Question put and agreed to;

Bill read a Third Time and **passed.**

14. **COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read;

**IN THE COMMITTEE**

The Third Chairperson in the Chair

(i) **The Securities and Investment Analysts Bill (National Assembly Bill No. 21 of 2014)**

Clause 25 - agreed to

Clause 26 - amendment proposed -

**THAT**, clause 26 be amended in subclause (1)—

- (a) by deleting the words “securities, financial and investment” and substituting therefor the words “ investment and financial”;
- (b) by deleting paragraph (p) and substituting therefor the following paragraph—

“(p) is an employee of an institution whose license is granted under the Capital Markets Act or any applicable law in Kenya and fails to keep the funds of a client in a separate account or fails to use such funds for purposes for which they are intended.”

*(The Chairperson, Departmental Committee on Finance, Planning and Trade)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed –

**THAT**, clause 26 be amended by deleting paragraph (p) and substituting therefor the following new paragraph—

“(p) is an employee of an institution whose license is granted under the Capital Markets Act and licensing regulations, permits handling of client’s funds, fails to keep the funds of a client in a separate banking account or to use such funds for purposes for which they are intended.”

*(The Leader of the Majority Party)*

Further proposed amendment withdrawn by the mover;

Clause 26 - as amended agreed to

Clause 27 - amendment proposed –

**THAT**, clause 27 be amended—

- (a) in subclause (1) by deleting the word “Board” wherever it occurs and substituting therefor the word “Committee”;
- (b) in subclause (2) by deleting the word “Board” and substituting therefor the word “Committee”;
- (c) in subclause (3)—
  - (i) in paragraph (a) by—
    - a. deleting the word “four” and substituting therefor the word “three”;

b. inserting the words “who meets the minimum qualifications of a full member of the Institute in good standing with at least ten years’ experience in the profession,” immediately after the word “ chairperson”;

(ii) by deleting paragraph (d) and substituting therefor the following new paragraph—

“(d) one nominated by the Institute of Certified Public Secretaries of Kenya;”

(iii) by inserting the following new paragraphs immediately after paragraph (d)—

“(e) one nominated by the Capital Markets Authority;

(f) one nominated by the cabinet Secretary in charge of the National Treasury.”

(d) in sub clause (5) by deleting the word “Board” and substituting therefor the word “Committee”;

(e) in subclause (6) by deleting the word “Board” and substituting therefor the word “Committee”;

(f) in subclause (7) by deleting the word “Board” and substituting therefor the word “Committee”;

(g) in subclause (8) by deleting the word “Board” and substituting therefor the word “Committee”;

(h) in subclause (9) by deleting the word “Board” and substituting therefor the word “Committee”;

*(The Chairperson, Departmental Committee on Finance, Planning and Trade)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed -

**THAT**, clause 27 be amended in subclause (3) by inserting a new paragraph immediately after paragraph (d)—

“(e) one nominated by the Capital Markets Authority;

*(The Leader of the Majority Party)*

Question of the further amendment proposed;

Proposed further amendment withdrawn by the mover;

Clause 27 - as amended agreed to

Clause 28 - agreed to

Clause 29 - amendment proposed –

**THAT**, clause 29 be amended—

- (a) in subclause (1), by—
  - (i) deleting the word “Board” and substituting therefor the word “Committee
  - (ii) deleting the words “one hundred” paragraph (f) and substituting therefor the words “five hundred”.
- (b) in subclause (2) by deleting the word “Board” wherever it occurs and substituting therefor the word “Committee”;
- (c) in subclause (3) by deleting the word “Board” and substituting therefor the word “Committee”;
- (d) in subclause (4) by deleting the word “Board” wherever it occurs and substituting therefor the word “Committee”;
- (e) in subclause (5) by deleting the word “Board” and substituting therefor the word “Committee”;
- (f) in subclause (6) by deleting the word “Board” and substituting therefor the word “Committee”;

*(The Chairperson, Departmental Committee on Finance, Planning and Trade)*

Question of the amendment proposed;

Debate arising;

Proposed amendment in subclause (1) paragraph (f) withdrawn by the mover;

Question put and agreed to;

Further amendment proposed –

**THAT**, clause 29 be amended in sub clause (1) paragraph (f) by deleting the words “one hundred thousand” and substituting therefor the words “one million”.

*(The Leader of the Majority Party)*

Question of the further amendment proposed;

Debate arising;

Question put and agreed to;

Clause 29 - as amended agreed to

Clause 30 - amendment proposed –

**THAT**, clause 30 be amended by deleting the word “Board” wherever it occurs and substituting therefor the word “Committee”.

*(The Chairperson, Departmental Committee on Finance, Planning and Trade)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 30 - as amended agreed to

Clause 31 - amendment proposed –

**THAT**, clause 31 be amended by deleting the words “securities and investment” and substituting therefor the words “investment and financial”.

*(The Chairperson, Departmental Committee on Finance, Planning and Trade)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 31 - as amended agreed to

Clause 32 - agreed to

**THAT**, clause 32 be amended by deleting the words “Examinations Board” wherever they occur and substituting therefor the words “Registration Board”.

*(The Leader of the Majority Party)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 32 - as amended agreed to

Clauses 33 - agree to

Clause 34 - amendment proposed –

**THAT**, clause 34 of the Bill be deleted.

*(Chairperson, Departmental Committee on Finance, Planning and Trade)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;



Further amendment proposed -

**THAT**, clause 34 be amended by deleting the word “Examinations Board” wherever they occur and substituting therefor the words “Registration Board”.

*(The Leader of the Majority Party)*

Further amendment proposed withdrawn by the mover.

Clause 34 - deleted

Clause 35 - amendment proposed -

**THAT**, clause 35 be amended—

- (a) in subclause (1) by deleting the words “Securities and Investment” wherever they occur and substituting therefor the words “Investment and Financial”;
- (b) in subclause (4) by deleting the word “five” and substituting therefor the word “one”.

*(The Chairperson, Departmental Committee on Finance, Planning and Trade)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 35 - as amended agreed to

Clause 36, 37 & 38 - agreed to

Clause 39 - amendment proposed -

**THAT**, clause 39 be amended by deleting the words “Securities and Investment” and substituting therefor the words “Investment and Financial”.

*(The Chairperson, Departmental Committee on Finance, Planning and Trade)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

New Clause 31A - amendment proposed -

THAT, the Bill be amended by inserting the following new clause immediately after Clause 30

Funds of the  
Institute

**31A.** The funds of the Institute shall consist of —

- (a) such fees, monies or assets as may accrue to or vest in the Institute in the course of the exercise of its powers or the performance of its functions under this Act or under any other written law;
- (b) such gifts as may be given to the Institute; and
- (c) all monies from any other source provided for or donated to the Institute.

*(The Chairperson, Departmental Committee on Finance,  
Planning and Trade)*

Motion made and Question proposed –

THAT, the New Clause 31A be now read a Second Time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the New Clause 31A be part of the Bill

Question put and agreed to

New Clause 31B - amendment proposed -

THAT, the Bill be amended by inserting the following new clause immediately after Clause 31A

Financial  
year

**31B.** Unless otherwise provided, the financial year of the Institute shall be the period for twelve months ending on the thirty-first day of December in each year.

*(The Chairperson, Departmental Committee on Finance,  
Planning and Trade)*

Motion made and Question proposed –

THAT, the New Clause 31B be now read a Second Time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the New Clause 31B be part of the Bill

Question put and agreed to

New Clause 31C - amendment proposed –

THAT, the Bill be amended by inserting the following new clause immediately after Clause 31B

Annual  
estimates

**31C.** (1) At least three months before the commencement of each financial year, the Institute shall cause to be prepared estimates of revenue and expenditure for that year.

(2) The annual estimates shall be approved by the Council before the commencement of the financial year to which they relate.

(3) The Council shall cause to be kept all proper books and records of accounts of the income, expenditure and assets of the Institute.

(4) Within a period of four months from the end of each financial year, the Council shall submit to its auditors the accounts of the Institute for audit.

(5) Within six months before the end of the financial year, the Council shall lay the audited accounts before the annual general meeting of its members together with any reports made by the auditors.

*(The Chairperson, Departmental Committee on Finance,  
Planning and Trade)*

Motion made and Question proposed –

THAT, the New Clause 31C be now read a Second Time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the New Clause 31B be part of the Bill

Question put and agreed to

New Part IVA - New Part Proposed

**THAT**, the Bill be amended by introducing a new PART IVA- FINANCIAL PROVISIONS immediately after Part IV.

**PART IVA— FINANCIAL PROVISIONS**

New Part IVA - agreed to

First Schedule - amendment proposed

**THAT**, the First Schedule be amended in paragraph 1 by deleting subparagraph (3) and substituting therefor the following new subparagraph—

“(3) A person who holds the office of chairperson is not eligible for re- election until after the expiry of a period of at least two years since he or she vacated the office.”

*(The Chairperson, Departmental Committee on Finance, Planning and Trade)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

First Schedule - agreed to

Second Schedule - as amended agreed to

Third schedule - amendment proposed

**THAT**, the Third Schedule of the Bill be amended-

(a) in the heading by deleting the words “ REGISTRATION AND QUALITY ASSURANCE BOARD” and substituting therefor the words “REGISTRATION COMMITTEE”;

(b) by deleting the word “Board” wherever it occurs and substituting therefor the word “Committee”.

*(The Chairperson, Departmental Committee on Finance, Planning and Trade)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Third Schedule- as amended agreed to

Fourth Schedule - amendment proposed

**THAT**, the Fourth Schedule of the Bill be amended-

- (a) in the heading by deleting the words “DISCIPLINARY BOARD” and substituting therefor the words “DISCIPLINARY COMMITTEE”;
- (b) by deleting the word “Board” wherever it occurs and substituting therefor the word “Committee”.

*(The Chairperson, Departmental Committee on Finance, Planning and Trade)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Fourth Schedule - as amended agreed to

Fifth Schedule - amendment proposed

**THAT**, the Fifth Schedule of the Bill be amended by deleting the words “securities and investment” and substituting therefor the words “investment and financial” in paragraph 1

*(The Chairperson, Departmental Committee on Finance, Planning and Trade)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Fifth Schedule - as amended agreed to

Clause 2 - amendment proposed -

**THAT**, clause 2 be amended—

(a) in subclause (1),—

- (i) by deleting the definition of “Disciplinary Board”;
- (ii) in the definition of “Institute”, by deleting the words “Securities and Investments” and substituting therefor the words “Investment and Financial”;
- (iii) by deleting the definition “Registration Board”;
- (iv) by inserting the following new definitions in their proper alphabetical sequence—

“Disciplinary Committee” means the Committee established under section 27;

“Registration Committee” means the registration and quality assurance committee established under section 13 of this Act;”

(b) in sub clause (2), by inserting the words “if he does not seek registration or” immediately after the words “not registered” in paragraph (a).

*(The Chairperson, Departmental Committee on Finance, Planning & Trade)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed

**THAT**, clause 2 be amended in subclause (2), by inserting the words “if he does not seek registration or” immediately after the words “not registered” in paragraph (b).

*(The Leader of the Majority Party)*

Further proposed amendment dropped;

Clause 2 - as amended agreed to

Long Title - amendment proposed –

**THAT**, the long title of the Bill be amended by deleting the words “Securities and Investment” wherever they occur and substituting therefor the words “Investment and Financial”.

*(The Chairperson, Departmental Committee on Finance, Planning and Trade)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Long Title - as amended agreed to

Short Title - amendment proposed –

**THAT**, the title of the Bill be amended by deleting the words “SECURITIES AND INVESTMENTS” and substituting therefor the words “INVESTMENT AND FINANCIAL”.

*(The Chairperson, Departmental Committee on Finance, Planning and Trade)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Short Title - as amended agreed to

Clause 1 - amendment proposed –

**THAT**, clause 1 be amended by deleting the words “Securities and Investment” and substituting therefor the words “Investment and Financial”.

*(Chairperson, Departmental Committee on Finance, Planning and Trade)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 1 - as amended agreed to

Bill to be reported with amendments;

(iii) **The Water Bill (National Assembly Bill No.8 of 2014)**

Clause 2 - amendment proposed –

**THAT**, clause 2 be amended by –

- (a) deleting the word “Regulatory” appearing in the definition of the word “Authority”;
- (b) deleting the definition of “county water servicers providers”;
- (c) deleting the words “Regulatory Authority or a county government executive” appearing in the definition of the word “inspector” and substituting therefor the words “or the Regulatory Board”;
- (d) deleting the definition of the word “licensee” and substituting therefor with the following new definition –

“licensee” means a water service provider licensed by the Regulatory Board under this Act;

- (e) deleting the definition of the phrase “national importance”;
- (f) deleting the definition of the phrase “National Land Commission”;
- (g) deleting the definition of the phrase “National public water works”;
- (h) deleting the word “Regulatory Authority” appearing in the definition of the word “peri-urban water services” and substituting therefor with the words “Regulatory Board”;
- (i) by deleting the definition of the word “Regulatory Board”;
- (j) deleting the definition of the word “Regulatory Authority” and substituting therefor the following new definition –  
“Regulatory Board” means the Water Services Regulatory Board established under section 68;
- (k) deleting the word “Authority” appearing in the definition of “rural water services” and substituting therefor with the word “Board”;
- (l) deleting the definition of the word “strategic importance”;

(m) deleting the definition of the word “transboundary waters” and substituting therefor with the following new definition—

“transboundary waters” means water resources shared between Kenya and another State”;

- (n) deleting the word “Regulatory Authority” appearing in the definition of the word “urban water services” and substituting therefor with the words “Regulatory Board”;
- (o) deleting the words “and includes transboundary water resources within the territorial jurisdiction of Kenya” appearing in the definition of “water resource” and substituting therefor with the words “and includes sea water and transboundary waters within the territorial jurisdiction of Kenya”;
- (p) inserting the words “or storage” immediately after the words “the supply” appearing in the definition of “water services”;
- (q) deleting the words “the county government executive or the Regulatory Authority” appearing in the definition of the word “water services provider” and substituting therefor with the words “the Regulatory Board”;
- (r) deleting the word “board” appearing in the definition of the word “water works development boards” and substituting therefor the word “agencies”; and
- (s) inserting the following new definition in the proper alphabetical sequence—

“water resource management” means the conservation, including soil and water conservation, protection, development and utilization of water resources.”

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 2 - as amended agreed to

Clause 3 - agreed to

Clause 4 - amendment proposed –

**THAT**, clause 4 be amended by deleting the word “Regulatory Authority” and substituting therefor the word “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 4 - as amended agreed to



Clauses 5, 6 & 7 - agreed to

Clause 8 - amendment proposed –

**THAT**, clause 8 be amended –

(a) by deleting subclause (1) and substituting therefor the following new sub clause–

“(1) A national public water works means a water works which has been designated by the Cabinet Secretary, by notice published in the Gazette, as a national public water works based on the fact that –

- (a) the water resource on which it depends is of a cross county in nature;
- (b) it is financed out of the national government’s share of national revenue pursuant to the provisions of the Public Finance Management Act, 2012;
- (c) it is intended to serve a function of the national government; or
- (d) it is intended to serve a function which by agreement between the national and county government has been transferred to the national government”; and

(b) in sub clause (3) by deleting the words “from a basin water resources committee provided for under section 23 or ”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 8 - as amended agreed to

Clause 9 - amendment proposed –

**THAT**, clause 9 be amended by deleting the word “Regulatory” appearing in sub clause (1).

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 9 - as amended agreed to

Clause 10 - amendment proposed –

**THAT**, clause 10 be amended by—

- (a) deleting the words “ in consultation with the National Land Commission” appearing in paragraph (b);
- (b) inserting the word “made under this Act” immediately after the word “regulations” appearing in paragraph “(c)”; and
- (c) deleting the words “for issuance by basin water resources committees” appearing in paragraph (f).

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 10 - as amended agreed to

Clause 11 - agreed to

Clause 12 - amendment proposed –

**THAT**, clause 12 be amended—

- (a) in sub clause (1) by deleting the word “Management “appearing before the word “Board”;
- (b) in sub clause (3) by deleting the word “Management”appearing before the word “Board”; and
- (c) in sub clause (4) by deleting the word “Management”appearing before the word “Board”; and

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 12 - as amended agreed to

Clause 13 - amendment proposed –

**THAT**, clause 13 be amendedby—

- (a) deleting the word “Management” appearing in the marginal note; and
- (b) deleting the word “Management” appearing before the word “Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 13 - as amended agreed to

Clause 14 - amendment proposed –

**THAT**, clause 14 be amended–

- (a) by deleting the word “Management” appearing in the marginal note;
- (b) in sub clause (1) by deleting the word “Management” appearing before the word “Board”; and
- (c) in sub clause (2) by deleting the word “Management” appearing before the word “Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 14 - as amended agreed to

Clause 15 - amendment proposed –

**THAT**, clause 15 be amended–

- (a) in sub clause (1) by deleting the word “Management” appearing before the word “Board”; and
- (b) by deleting the word “Management” wherever it appears in sub clause (4).

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 15 - as amended agreed to

Clause 16 - amendment proposed –

**THAT**, clause 16 be amended by deleting the word “Management” appearing before the word “Board”;

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 16 - as amended agreed to

Clauses 17, 18, 19, 20, 21, 22 & 24 - agreed to

Clause 24 - amendment proposed –

**THAT** clause 24 be amended–

(a) in sub-clause (1) by deleting paragraph (b) and substituting therefor the following new paragraph–

(b) a representative of each county government whose area falls within the basin; and

(b) by deleting sub clause (2) and substituting therefor the following new sub clause–

(2) The Cabinet Secretary shall, by notice in the Gazette appoint the chairperson from amongst the members appointed under subsection (1) (a), who shall hold office for a period of three years.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 24 - as amended agreed to

Clause 25 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 25 and inserting the following new clause 25–

Functions of the  
basin water  
resources  
committees.

**25.**The powers and functions of the basin water resources committee shall be to advise the Authority, at the respective regional office, concerning–

(a) conservation, use and apportionment of water resources;

(b) the grant, adjustment, cancellation or variation of any permit;

(c) protection of water resources and increasing the availability of water;

(d) annual reporting to the users of its services and the public on water

issues and their performance within the basin area;

- (e) collection of data, analyzing and managing the information system on water resources;
- (f) review of the basin area water resources management strategy;
- (g) facilitation of the establishment and operations of water resource user associations;
- (h) flood mitigation activities;
- (i) information sharing between the basin area and the Authority
- (j) the equitable water sharing within the basin area through water allocation plans; and
- (k) any other matter related to the proper management of water resources.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 26 - as amended agreed to

Clauses 27 & 28 - agreed to

Clause 29 - amendment proposed-

**THAT**, clause 29 be amended in sub clause (1) by deleting the word “four” appearing in paragraph (e) and substituting therefor the word “five”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 29 - as amended agreed to

Clause 30 - amendment proposed-

**THAT**, clause 30 be amended in sub clause (1) by—

- (a) inserting the words “and flood control”immediately after the word “storage” appearing in paragraph (a);

- (b) renumbering paragraph (e) as paragraph (f);
- (c) inserting the following new paragraph immediately after paragraph (d)—

(e) undertake on behalf of the national government strategic water emergency interventions during drought; and

- (d) inserting the words “and flood control” immediately after the word “storage” appearing in paragraph (f).

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 30 - as amended agreed to

Clauses 31, 32, 33, 34, 35, 36, 37 38 & 40 - agreed to

Clause 40 - amendment proposed –

**THAT**, clause 40 be amended by inserting the following new sub clause immediately after clause (2) —

“(3) Where there is an agreement between the Authority and a water resources users’ association, the Authority may make available a portion of the water use charges to be used for financing such regulatory activities as the water resources users association has agreed to undertake on behalf of the Authority.”

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 40 - as amended agreed to

Clauses 41, 42, 43, 44, 45, 46, 47,48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60 & 61  
- agreed to

Clause 62 - amendment proposed –

**THAT**, clause 62 be amended by-

- (a) deleting sub clause (1) and substituting therefor the following new sub clause—

(1) The Cabinet Secretary shall, within one year of the commencement of this Act and every five years thereafter, following public participation, formulate a Water Services Strategy.

(b) inserting the following new sub clause immediately after sub clause (5)

(6) The Cabinet Secretary shall review the Water Services Strategy every three years.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 62 - as amended agreed to

Clause 63 - amendment proposed –

**THAT**, clause 63 be amended—

(a) by deleting the word “boards” appearing in the marginal note and substituting therefor the word “agencies”;

(b) by deleting sub clause (1) and substituting therefor the following new sub clause—

“(1) The Cabinet Secretary may, by notice in the Gazette, establish one or more waterworks development agencies and define the geographical area of jurisdiction of each such agency”; and

(c) in sub clause (2) by deleting the words “ water works development boards” and substituting therefor the words “water works development agencies”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 63 - as amended agreed to

Clause 64 - amendment proposed –

**THAT**, clause 64 be amended—

(a) by deleting the word “boards” appearing in the marginal note and substituting therefor the word “agencies”;

- (b) in sub clause (1) by deleting the words “ water works development board” and substituting therefor the words “water works development agency”; and
- (c) in sub clause (2) by deleting the words “ water works development boards” and substituting therefor the words “water works development agencies”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 64 - as amended agreed to

Clause 65 - amendment proposed –

**THAT**, clause 65 be amended—

- (a) by deleting the word “boards” appearing in the marginal note and substituting therefor the word “agencies”; and
- (b) by deleting the words “water works development boards” and substituting therefor the words “water works development agencies”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 65 - as amended agreed to

Clause 66 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 66 and inserting the following new clause 66—

Powers and  
functions of  
the water  
works  
development  
agency.

**66.** The powers and functions of the waterworks development agency shall be to—

- (a) undertake the development, maintenance and management of the national public water works within its area of jurisdiction;
- (b) until such a time as responsibility for the operation and management of the waterworks are handed over to a county government, joint committee, authority of county governments or water services provider within whose area of jurisdiction or supply the waterworks is located, operate the waterworks and provide water services as a water service provider;



- (c) provide reserve capacity for purposes of providing water services where pursuant to section 101, the Regulatory Board orders the transfer of water services functions from a defaulting water services provider to another licensee;
- (d) provide technical services and capacity building to such county governments and water services providers within its area as may be requested; and
- (e) provide to the Cabinet Secretary technical support in the discharge of his or her functions under the Constitution and this Act.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 66 - as amended agreed to

Clause 67 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 67 and inserting the following new clause 67—

Handover  
completed  
works.

of

**67.** (1) As soon as possible, following the commissioning of the waterworks, the waterworks development agency shall enter into an agreement with the county government, the joint committee or authority of the county governments within whose area of jurisdiction the water works is located, jointly with the water service provider within whose area of supply the water works are located for the use by the joint committee, authority or water services provider, as the case may be, of the water works to provide water services.

(2) The agreement shall make provision for the assumption by the county government, the joint committee, authority or water services provider of the responsibility for the repayment of any loans or liabilities of the waterworks and until full repayment of the loans and discharge of any outstanding liabilities, ownership of the waterworks shall remain in the waterworks development agency.

(3) In the event that the county government, the joint committee, the authority or water services provider defaults in the repayment of any outstanding loans arising from the development, rehabilitation or maintenance of the works, the waterworks development agency may petition the Regulatory Board to declare a default and order the transfer of the water services provider's functions to the waterworks development agency, to exercise such functions until full repayment of the loan.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 67 - as amended agreed to

Clause 68 - amendment proposed –

**THAT**, clause 68 be amended by–

- (a) deleting the heading and substituting therefor the following new heading –  
“The Water Services Regulatory Board”;
- (b) deleting the words “Regulatory Authority” appearing in the marginal note and substituting therefor the words “Regulatory Board”;
- (c) deleting the words “Water Services Regulatory Authority” appearing in sub clause (1) and substituting therefor the words “Water Services Regulatory Board”; and
- (d) deleting the words “Regulatory Authority” appearing in sub clause (2) and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 68 - as amended agreed to

Clause 69 - amendment proposed –

**THAT**, clause 69 be amended in sub clause (1) by deleting the words “Regulatory Authority” and substituting therefor with the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 69 - as amended agreed to

Clause 70 - amendment proposed –

**THAT**, clause 70 be amended by—

- (a) deleting the words “Regulatory Authority” appearing in the marginal note and substituting therefor the words “Regulatory Board”;
- (b) deleting the words “Regulatory Authority” appearing in sub clause (1) and substituting therefor the words “Regulatory Board”; and
- (c) deleting the words “Regulatory Authority” appearing in sub clause (2) and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 70 - as amended agreed to

Clause 71 - amendment proposed –

**THAT**, clause 71 be amended by—

- (a) deleting the words “Regulatory Authority” appearing in the marginal note and substituting therefor the words “Regulatory Board”;
- (b) deleting the words “Regulatory Authority” wherever it appears in sub clause (1) and substituting therefor the words “Regulatory Board”;
- (c) deleting the words “Regulatory Authority” wherever it appears in sub clause (2) and substituting therefor the words “Regulatory Board”; and
- (d) deleting the words “Regulatory Authority” appearing in sub clause (3) and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 71 - as amended agreed to

Clause 72 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 72 and inserting the following new clause 72—

Accreditation.

**72.** (1) A person shall not be licensed as a water service provider unless such person makes an application under this section to the Regulatory Board and submits a copy of the application to the county government, within whose area of jurisdiction it intends to provide water services.

(2) Prior to determination of the application, the Regulatory Board shall publicise the application and shall take into consideration the views of stakeholders including the county government, within whose area of jurisdiction the applicant intends to provide water services.

(3) The Regulatory Board shall issue a licence if the applicant meets the accreditation requirements.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 72 - as amended agreed to

Clause 73 - amendment proposed –

**THAT**, clause 73 be amended by—

- (a) deleting the words “Regulatory Authority” appearing in sub clause (1) and substituting therefor the words “Regulatory Board”;
- (b) deleting the words “Regulatory Authority” appearing in sub clause (2) and substituting therefor the words “Regulatory Board”; and
- (c) deleting the words “Regulatory Authority” appearing in sub clause (4) and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 73 - as amended agreed to

Clause 74 - amendment proposed –

**THAT**, clause 74 be amended —

(a) in sub clause (1) by—

- (i) deleting the words “Regulatory Authority may, after notification to the relevant county government executive,” and substituting therefor the words “Regulatory Board may, ”;
- (ii) deleting the words “Regulatory Authority” appearing in paragraph (a) and substituting therefor the words “Regulatory Board” ;

- (iii) deleting the “Regulatory Authority” appearing in paragraph (c) and substituting therefor the words “Regulatory Board” ;
- (b) by deleting the words “Regulatory Authority” appearing in sub clause (2) and substituting therefor the words “Regulatory Board” ; and
- (c) by deleting the words “Regulatory Authority” appearing in sub clause(4) and substituting therefor the words “Regulatory Board” .

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 74 - as amended agreed to

Clause 75 - amendment proposed –

**THAT**, clause 75 be amended by–

- (a) deleting the words “Regulatory Authority” appearing in sub clause (2) and substituting therefor the words “Regulatory Board”;
- (b) deleting the words “Regulatory Authority” appearing in sub clause (3) and substituting therefor the words “Regulatory Board” ;
- (c) deleting subclause (4) and inserting the following new sub clause–

“(4) A company intending to be licensed as a water service provider shall submit to the Regulatory Board its memorandum and articles of association that conform to the guidelines developed and approved by the Regulatory Board.”; and

- (d) inserting the following new sub clause immediately after sub clause (4) –

“(5) The Regulatory Board shall make regulations on the standard of water to be supplied by water service providers licensed under this section.”

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 75 - as amended agreed to

Clause 77 - amendment proposed –

**THAT**, clause 77 be amended in sub clause (2) by deleting the word “Regulatory Authority” and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed-

**THAT** clause 77 be amended by inserting the following new sub-clauses immediately after sub-clause (1) —

“(2A) Subject to subsection (1), at least one member of the board of a water services provider shall be nominated by the Member of Parliament of the constituency in which the water services provider is located and appointed by the board in accordance with the Company’s Act.

(2B) A person nominated under subsection (2A) shall serve in the Board for a period of two years, renewable for one further term.”

*(The Hon. Irungu Kangata)*

Question of the further amendment proposed;

Debate arising;

Question put and agreed to;

Clause 77 - as amended agreed to

Clause 78 - amendment proposed –

**THAT**, clause 78 be amended by deleting paragraph (b) and renumbering the existing paragraphs.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 78 - as amended agreed to

Clause 79 - agreed to

Clause 80 - amendment proposed –

**THAT**, clause 80 be amended by –

- (a) deleting the words “Regulatory Authority” appearing in the marginal note and substituting therefor the words “Regulatory Board”;
- (b) deleting the words “Regulatory Authority” appearing in sub clause (1) and substituting therefor the words “Regulatory Board” ; and
- (c) deleting the words “Regulatory Authority” wherever it appears in sub clause(2) and substituting therefor the words “Regulatory Board” .

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 80 - as amended agreed to

Clauses 81 & 82 - agreed to

Clause 83 - amendment proposed –

**THAT**, clause 83 be amended by–

- (a) deleting sub-clause (1) and substituting therefor the following new sub-clause–

“(1) A person shall not provide water services except under a license issued by the Regulatory Board, upon submission of an application and such supporting documents as the Board may require”; and

- (a) deleting the words “Regulatory Authority” appearing in sub clause(3) (c) and substituting therefor the words “Regulatory Board” .

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 83 - as amended agreed to

Clause 84 - amendment proposed –

**THAT**, clause 84 be amended–

(a) by deleting sub clause (1) and substituting therefor the following new sub clause–

(1) an application for the licence, under section 83 (1) shall be made in the prescribed form to the Regulatory Board;

(b) in sub clause (2) by –

(i) deleting the words “county government executive or the Regulatory Authority as the case may be” substituting therefor the words

(ii) deleting the words “Regulatory Authority” appearing in paragraph (a) and substituting therefor the words “Regulatory Board”;

(iii) deleting paragraph (g) and substituting therefor the following new paragraph–  
“(g) any other information required by the Regulatory Board.”;

(c) by deleting sub clause (4) and substituting therefor the following new sub clause–

“(4) The Regulatory Board shall have discretion to grant or refuse to grant an application for a licence submitted under subsection (1).”;

(d) in sub clause (5) –

(i) by deleting the words “a county government executive or Regulatory Authority ” and substituting therefor the words “Regulatory Board”;and

(ii) by deleting paragraph (g) and substituting therefor the following new paragraph–

“(g) the applicant has met any other requirements which the Regulatory Board may consider necessary for the efficient provision of the services to be provided under the licence.”;

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 84 - as amended agreed to



Clause 85 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 85 and inserting the following new clause 85—

Application for a licence subject to public consultation.

**85.** (1) An application for a licence shall be subject to public participation.

(2) Any person opposed to the grant of a licence may object in writing to the Regulatory Board.

(3) The Regulatory Board shall make a determination on an application for a licence within six months after the applicant lodges the application.

(4) The Regulatory Board shall notify the applicant and the objector of its decision and, in the event of the rejection of an application or objection, of the reasons for the decision.

(5) An applicant or objector may, if aggrieved by the decision of the Regulatory Board, appeal to the Tribunal within thirty days of the date of the notification of the decision.

(6) Where the Regulatory Board does not determine the application within six months of receipt of the application, any fee charged by the Regulatory Board under section 84(3) shall be refunded to the applicant.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 85 - as amended agreed to

Clause 86 - amendment proposed –

**THAT**, clause 86 be amended –

(a) in sub clause (2) by deleting the words “ A county government or the Regulatory Authority” and substituting therefor the words “The Regulatory Board”; and

(b) by deleting sub clause (3) substituting therefor the following new sub clause—

“(3) As a condition of the licence, a licensee shall, within twelve months of receipt of the licence, or such other longer period as the Regulatory Board may determine, formulate and present to the Regulatory Board, a development plan for extending services to persons not receiving water services within such licensee’s area of operation, a time frame for the implementation of the plan and a resource mobilization strategy.”

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 86 - as amended agreed to

Clause 87 - amendment proposed –

**THAT**, clause 87 be amended by–

(a) deleting sub clause (1) and substituting therefor the following new sub clause–

“(1) A licensee shall pay to the Regulatory Authority, as the case may be, on issue of the licence and at prescribed intervals thereafter, such licence fees as the Regulatory Board may determine”; and

(b) deleting the words “Regulatory Authority” appearing in sub clause (2) and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 87 - as amended agreed to

Clause 88 - amendment proposed –

**THAT**, clause 88 be amended in sub clause (1)by –

(a) deleting the words “or any county legislation” appearing in paragraph (a); and

(b) deleting the words “county government or the Regulatory Authority” appearing in paragraph(b) and substituting therefor the words “the Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 88 - as amended agreed to

Clause 90 - amendment proposed –

**THAT**, clause 90 be amended by deleting the words “Regulatory Authority” and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 90 - as amended agreed to

Clause 91 - amendment proposed –

**THAT**, clause 91 be amended—

(a) in sub clause (1) by inserting the words “or public partnerships” immediately after the words “public private partnerships”; and

(b) in sub clause (2) by deleting the words “ the respective county government or the Regulatory Authority” and substituting therefor the words “the Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 91 - as amended agreed to

Clause 92 - amendment proposed –

**THAT**, clause 92 be amended by—

(a) deleting the words “Regulatory Authority” appearing in sub clause (3) and substituting therefor the words “Regulatory Board” ; and

(b) deleting the words “Regulatory Authority” appearing in sub clause (4) and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 92 - as amended agreed to

Clause 93 - amendment proposed –

**THAT**, clause 93 be amended in sub clause (1) by deleting the words “ A county government executive or the Regulatory Authority” and substituting therefor the words “The Regulatory Board”

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 93 - as amended agreed to

Clause 95 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 95 and inserting the following new clause 95—

Clustering of  
areas of water  
service provision

**95.** (1) The Regulatory Board may, on the application of the licensees —

(a) permit the joint provision, by two or more licensees, of water services on such terms as it may approve; or

(b) permit the transfer of a water service, or a part thereof, from one licensee to another licensee.

(2) Where it appears necessary to the Regulatory Board, for the purpose of securing a commercially viable water service, it may, by notice in the Gazette, order a joint provision of water services or a transfer of water service and vary the relevant licenses accordingly.

(3) An order made under this section may make such incidental, consequential and supplementary provision as the Regulatory Board considers necessary for the purpose of carrying out the order.

(4) The Cabinet Secretary in consultation with the Regulatory Board shall make rules setting out circumstances under which the provision of joint water services may be ordered.

(5) A licensee aggrieved by the provisions of the order may appeal to the Tribunal.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 95 - as amended agreed to

Clause 96 - amendment proposed –

**THAT**, clause 96 be amended by—

- (a) deleting the words “Acounty government executive or the Regulatory Authority, as the case may be,” wherever it appears in sub clause (1) and substituting therefor the words “The Regulatory Board” ;
- (b) deleting the words “a county government executive or the Regulatory Authority, as the case may be,” appearing in sub clause (2) and substituting therefor the words “the Regulatory Board” ; and
- (c) deleting the words “a county government executive or the Regulatory Authority” appearing in sub clause (3) and substituting therefor the words “Regulatory Board”

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 96 - as amended agreed to

Clause 97 - amendment proposed –

**THAT**, clause 97 be amended by—

- (a) deleting sub clause (1) and substituting therefor the following new sub clause—

“(1) Subject to any regulations made under this Act, the Regulatory Board may direct a licensee to provide water services, outside its area of water services jurisdiction.”; and

- (b) deleting the words “Regulatory Authority” appearing in paragraph (b) of sub clause (6) and substituting therefor the words “Regulatory Board” .

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 97 - as amended agreed to

Clause 98 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 98 and inserting the following new clause 98—

Supply of **98.** (1) A person shall not supply water in bulk to a water services provider  
bulk water. without a licence issued by the Regulatory Board.

(2) A water service provider may enter into an agreement with any other licensee or water services provider on terms and conditions to be approved by the Regulatory Board—

(a) for the supply of water in bulk for a specific period; or

(b) where the supply is to be given by a water services provider, either within or outside the area of service of that water services provider.

(3) Where it appears to the Regulatory Board that—

(a) it is expedient for—

(i) any licensee or water services provider to give the supply of water in bulk to another licensee or water service provider;

(ii) the other licensee or water services provider to take such supply; and

(b) giving and taking of such a supply cannot be secured by agreement,

the Regulatory Board may, by order served on the parties, require the licensees concerned to give and take the supply of water in bulk for such a period and on such terms as the Regulatory Board may specify.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 98 - as amended agreed to

Clause 99 - amendment proposed –

**THAT**, clause 99 be amended by—

(a) deleting the words “a county government executive or the Regulatory Authority” wherever it appears in sub clause (1) and substituting therefor the words “the Regulatory Board” ;

(b) deleting sub clause (2) and substituting therefor the following new sub clause —

“(2) If, after inquiry, the Regulatory Board is satisfied that there has been failure on the part of the licensee, the Regulatory Board may impose a special regulatory regime on the water services provider for the purpose of remedying the default”; and

- (c) deleting the words “Regulatory Authority” appearing in sub clause (3) and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 99 - as amended agreed to

Clause 100 - amendment proposed –

**THAT**, clause 100 (1) be amended by—

- (a) deleting the words “Regulatory Authority” appearing in sub clause (1) and substituting therefor the words “Regulatory Board”;
- (b) deleting the words “Regulatory Authority” appearing in sub clause (2) and substituting therefor the words “Regulatory Board”;
- (c) deleting the words “Regulatory Authority” appearing in sub clause (3) and substituting therefor the words “Regulatory Board”; and
- (d) deleting the words “Regulatory Authority” appearing in sub clause (4) and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 100 - as amended agreed to

Clause 101 - amendment proposed –

**THAT**, clause 101 be amended by—

- (a) deleting the words “If the Regulatory Authority is satisfied that, notwithstanding the imposition of measures under a special regulatory regime, the default has not been remedied and is not likely to be remedied by the licensee, it shall subject to the Public Finance Management Act with the consent of the” appearing in sub clause (1) and substituting therefor the words “If the Regulatory Board is satisfied that, notwithstanding the imposition of measures under a special regulatory regime, the default has not been remedied and is not likely to be remedied by the licensee, it shall subject to the Public Finance Management Act in consultation with”; and

- (b) deleting the words “Regulatory Authority” appearing in sub clause (2) and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 101 - as amended agreed to

Clause 103 - amendment proposed –

**THAT**, clause 103 be amended by—

- (a) deleting the words “ of a County Government Executive or the Regulatory Authority, as the case may be,” appearing in sub clause (1)and substituting therefor the words “the Regulatory Board”; and
- (b) deleting the words “a county government executive or the Regulatory Authority” and substituting therefor the words “the Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 103 - as amended agreed to

Clause 104 - amendment proposed –

**THAT**, clause 104 be amended by—

- (a) deleting the words “Regulatory Authority” appearing in sub clause (1)and substituting therefor the words “Regulatory Board”;and
- (b) deleting the words “Regulatory Authority” appearing in sub clause (2)and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 104 - as amended agreed to



Clause 105 - amendment proposed –

**THAT**, clause 105 be amended in sub clause (2) by deleting the words “Regulatory Authority” and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 105 - as amended agreed to

Clause 106 - amendment proposed –

**THAT**, clause 106 be amended –

(a) in sub clause (1) by deleting the words “Regulatory Authority” appearing in (d) and substituting therefor the words “Regulatory Board”;and

(b) by deleting the words “Regulatory Authority” appearing in sub clause (5)and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 106 - as amended agreed to

Clause 107 - amendment proposed –

**THAT**, clause 107 be amended by –

(a) deleting the words “A county government executive or the Regulatory Authority” appearing in sub clause (1)and substituting therefor the words “The Regulatory Board”;and

(b) deleting the words “a county government executive or the Regulatory Authority” appearing in sub clause (2)and substituting therefor the words “the Regulatory Board”

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 107 - as amended agreed to

Clause 109 - agreed to

Clause 109 - amendment proposed –

**THAT**, clause 109 be amended by –

- (a) deleting the words “Regulatory Authority” appearing in the marginal note and substituting therefor the words “Regulatory Board”;
- (b) deleting the words “Regulatory Authority” appearing in sub clause (1)and substituting therefor the words “Regulatory Board”;
- (c) deleting the words “Regulatory Authority” appearing in sub clause (2)and substituting therefor the words “Regulatory Board”;and
- (d) deleting the words “Regulatory Authority” appearing in sub clause (4)and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 109 - as amended agreed to

Clause 110 - amendment proposed –

**THAT**, clause 110 be amended by –

- (a) renumbering clause 110 (1) as clause 110; and
- (b) deleting the words “Regulatory Authority” and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 110 - as amended agreed to

Clause 111 - amendment proposed –

**THAT**, clause 111 be amended in sub clause (1) by deleting the word “mechanism” and substituting therefor the word “institution”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 111 - as amended agreed to

Clause 112 - amendment proposed –

**THAT**, clause 112 be amended by inserting the following new paragraph immediately after paragraph (c) –

“(d) research activities in the area of water resources management and water services, sewerage and sanitation.”

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 112 - as amended agreed to

Clause 113 - agreed to

Clause 114 - amendment proposed –

**THAT**, clause 114 be amended –

(a) by renumbering clause 114 as clause 114 (1);

(b) in sub clause (1) –

(i) by inserting the words “the national government and” immediately after the word “in consultation with” appearing in paragraph (c); and

(ii) inserting the following new paragraphs immediately after paragraph (f) –

receive grants for onward lending to water services providers, counties ,  
and communities towards water services and water resources  
management projects for the underserved areas and urban poor,

- (g) establish and manage subsidiary funds as may be necessary for sustainable financing towards water services and water resource management; and
- (h) in collaboration with relevant institutions develop incentive programmes for water resources management including disaster management, climate change adaptation and mitigation.

(c) inserting the following new sub clauses immediately after sub clause (1) –

“(2)The provisions of subsection (1) (g) shall only apply to water service providers, counties and communities, who can afford the repayment of the funds advanced, and profits thereof used to finance water services and water resources management projects for the underserved areas and urban poor.

(3) The Board of Trustees of the fund shall, following public consultation, Gazette the criteria for qualification for funding from the Fund taking account of considerations of equity and may from time to time following public consultation review the criteria.”

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 114 - as amended agreed to

Clause 115 - amendment proposed –

**THAT**, clause 115 be amended by –

- (a) renumbering clause 115 as clause 115 (1);
- (b) renumbering paragraph (e) as paragraph (f);
- (c) inserting the following new paragraph immediately after paragraph (d) –

“(e) the proceeds of the levy imposed under subsection (2)”; and

- (d) inserting a new sub clause immediately after sub clause (1) –

“(2) The Cabinet Secretary may, by regulations following public consultation prescribe a levy to be paid by consumers of piped water supplied by licensed water service providers, the proceeds of which shall be paid into the Fund established under section 111.”

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 115 - as amended agreed to

Clauses 116, 117 & 118 - agreed to

Clause 119 - amendment proposed –

**THAT**, clause 119 be amended by deleting the words “Regulatory Authority” wherever it appears in sub clause (1) and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 119 - as amended agreed to

Clauses 120, 121 & 122 - agreed to

Clause 123 - amendment proposed –

**THAT**, clause 123 be amended by deleting the words “Regulatory Authority” and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 123 - as amended agreed to

Clause 124 - amendment proposed –

**THAT**, clause 124 be amended by—

- (a) deleting the marginal and substituting therefor the following new marginal note—  
“Funds of the Authority, Regulatory Board, Water Harvesting and Storage Authority and Water Works Development Agencies”; and
- (b) deleting the words “Regulatory Authority, Water Storage Authority, Water Fund and water works development boards” and substituting therefor the words “Regulatory Board, Water Storage Authority, Water Sector Trust Fund, and water works development agencies”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 124 - as amended agreed to

Clauses 125, 126 & 127 - agreed to

Clause 128 - amendment proposed –

**THAT**, clause 128 be amended by deleting the words “the Regulatory Authority” and substituting therefor the words “the Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 128 - as amended agreed to

Clause 129 - amendment proposed –

**THAT**, clause 129 be amended by deleting the words “Regulatory Authority” appearing in sub clause (1) and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 129 - as amended agreed to

Clauses 130 & 131 - agreed to

Clause 132 - amendment proposed –

**THAT**, clause 132 be amended by deleting the words “Regulatory Authority” and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 132 - as amended agreed to

Clause 133 - amendment proposed –

**THAT**, clause 133 be amended by –

- (a) deleting the words “Regulatory Authority” appearing in sub clause (1) and substituting therefor the words “the Regulatory Board”; and
- (b) deleting the words “Regulatory Authority” appearing in the proviso to sub clause (2) and substituting therefor the words “the Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 134 - as amended agreed to

Clause 134 - amendment proposed –

**THAT**, clause 134 be amended by—

- (a) deleting the words “Regulatory Authority” appearing in paragraph (b) and substituting therefor the words “Regulatory Board”; and
- (b) deleting the words “Regulatory Authority” appearing in paragraph (c) and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 134 - as amended agreed to

Clause 135 - amendment proposed –

**THAT**, clause 135 be amended by –

- (a) deleting the words “Regulatory Authority” appearing in paragraph (a) and substituting therefor the words “Regulatory Board”; and
- (b) deleting the words “Regulatory Authority” appearing in paragraph (c) and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 135 - as amended agreed to

Clause 139 - amendment proposed –

**THAT**, clause 139 be amended by deleting the words “Regulatory Authority” and substituting therefor the words “Regulatory Board”.

*(Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 139 - as amended agreed to

Clause 140 - amendment proposed –

**THAT**, clause 140 be amended in sub clause (2) by—

- (a) renumbering paragraph (j) as paragraph (k); and
- (b) inserting the following new paragraph immediately after paragraph (i)—  
“(j) rain water harvesting and household water storage.”

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 140 - as amended agreed to

Clause 142 - amendment proposed –

**THAT**, clause 142 be amended by—

- (a) deleting the words “Regulatory Authority” appearing in sub clause (1) and substituting therefor the words “Regulatory Board”; and
- (b) deleting the words “Regulatory Authority” wherever it appears in sub clause (2) and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*



Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 142 - as amended agreed to

Clause 143 - amendment proposed –

**THAT**, clause 143 be amended by –

- (a) deleting the words “Regulatory Authority” appearing in paragraph (a) and substituting therefor the words “Regulatory Board”; and
- (b) deleting the words “Regulatory Authority” wherever it appears in paragraph (b) and substituting therefor the words “Regulatory Board

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 143 - as amended agreed to

Clause 144 - amendment proposed –

**THAT**, clause 144 be amended by deleting the words “Regulatory Authority” and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 144 - as amended agreed to

Clause 145 - as amended agreed to

Clause 146 - amendment proposed –

**THAT**, clause 146 be amended by –

- (a) deleting the words “Water Act, 2001” appearing in sub clause (1) and substituting therefor the words “Water Act, 2002”; and
- (b) deleting the words “Water Act, 2001” appearing in sub clause (2) and substituting therefor the words “Water Act, 2002”; and

- (c) deleting the words “Water Act, 2001” appearing in sub clause (3) and substituting therefor the words “Water Act, 2002”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 146 - as amended agreed to

Clause 147 - agreed to

Clause 148 - amendment proposed –

**THAT**, clause 148 be amended by—

- (a) deleting the words “Regulatory Authority” appearing in the marginal note and substituting therefor the words “Regulatory Board”;
- (b) deleting the words “Regulatory Authority” appearing in sub clause (1) and substituting therefor the words “Regulatory Board”;
- (c) deleting the words “Regulatory Authority” appearing in sub clause (2) and substituting therefor the words “Regulatory Board”; and
- (d) deleting the words “Regulatory Authority” appearing in sub clause (3) and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 148 - as amended agreed to

Clause 150 - amendment proposed –

**THAT**, clause 150 be amended by—

- (a) deleting the words “water works development boards” appearing in sub clause (1) and substituting therefor the words “water works development agencies”; and
- (b) deleting the words “water works development boards” appearing in sub clause (2) and substituting therefor the words “water works development agencies”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 150 - as amended agreed to

Clauses 151, 152 & 153 - agreed to

Clause 154 - amendment proposed –

**THAT**, clause 154 be amended by inserting the following new sub clause immediately after sub clause (4) –

“(5) The provisions of the Environmental Management and Coordination Act, 1999 relating to water resources conservation and protection and water pollution control shall be exercised subject to the relevant provision of this Act and only in the event that the Board has failed or neglected to take appropriate action to exercise its powers and functions under this Act.”

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 154 - as amended agreed to

**New Clauses 8A & B proposed -**

**THAT**, the Bill be amended by inserting the following new clauses immediately after clause 8 –

Administration of National Water Resources. **8A.** Every person has the right to access water resources, whose administration is the function of the national government as stipulated in the Fourth Schedule to the Constitution.

*(Chairperson, Departmental Committee on Environment & Natural Resources)*

Motion made and Question proposed-

THAT, the New Clause 8A be now read a Second Time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the New Clause 8A be part of the Bill

Question put and agreed to.

National Water  
Resource Strategy.

**8B.** (1) The Cabinet Secretary shall, within one year of the commencement of this Act and every five years thereafter, following public participation, formulate a national water resource strategy.

(2) The object of the Water Resource Strategy shall be to provide the Government's plans and programs for the protection, conservation, control and management of water resources.

(3) The Water Resources Strategy shall contain, among other things, details of –

- (a) existing water resources and their defined riparian areas;
- (b) measures for the protection, conservation, control and management of water resources and approved land use for the riparian area;
- (c) minimum water reserve levels at national and county levels;
- (d) institutional capacity for water research and technological development;
- (e) functional responsibility for national and county governments in relation to water resources management and
- (f) any other matters the Cabinet Secretary considers necessary.

(4) The Cabinet Secretary shall–

- (a) prepare and issue an annual report on the state of national water resource strategies in Kenya; and
- (b) may direct any lead agency to prepare and submit to it a report on the state of national water resources under the administration of that lead agency.

(5) The Cabinet Secretary shall review the Water Resource Strategy every three years.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Motion made and Question proposed–

THAT, the New Clause 8B be now read a Second Time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the New Clause 8B be part of the Bill

Question put and agreed to.

**New Clause 61A proposed –****THAT** the following new clause be inserted immediately after clause 61-

Water for  
Public Primary  
Schools.

**61A(1)** A water service provider shall supply clean and safe water in adequate quantities to every public primary school located in the area where it is licensed.

(2) Subject to subsection (1), a water service provider shall not require a public primary school to pay a charge for water supplied to the school.

(3) It shall be an offence for a water service provider to discontinue the supply of water to a public primary school.

(4) Where an employee or agent of the water service provider, or a person acting or purporting to act on behalf of the water service provider commits an offence under subsection (3), the water service provider and every director or officer of the water service provider who had knowledge of the commission of the offence shall be liable.

(5) A person who commits an offence under subsection (3) shall, upon conviction, be liable to imprisonment for a term of not exceeding twelve months, or a fine not exceeding five hundred thousand shillings or both.

*(Hon. Irungu Kangata)*

Motion made and Question proposed-

THAT, the New Clause 61A be now read a Second Time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the New Clause 61A be part of the Bill

Question put and agreed to

**New Clause 156 proposed -**

**THAT**, the Bill be amended by inserting the following new clauses immediately after clause 155–

Responsibility  
of a county  
government.

**156.** A county government shall subject to sections 70(1) (a) and (b), 117 and 120 of the County Governments Act, 2012–

(a) give effect to national water services standards and conditions set by the Regulatory Board for purposes of ensuring consumer protection; and

(b) take into consideration the requirement relating to tariffs gazetted by the Regulatory Board while imposing tariff.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Motion made and Question proposed-

THAT, the New Clause 61A be now read a Second Time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the New Clause 61A be part of the Bill

Question put and agreed to

**New Clause 157 proposed -**

Consequential  
amendments.

**157.** The County Governments Act, 2012—

(a) be amended in section 117 (1) by inserting the following new paragraph immediately after paragraph (a) –

“(aa) comply with the respective policy and standards provided by the National Government”;

(b) be amended in section 120 by inserting the following new sub clause immediately after sub clause (1) –

“(1A) Notwithstanding subsection (1), a county government or any agency delivering services in the county shall adopt and implement tariffs and pricing policy subject to the existing National Government laws and policies.”

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Motion made and Question proposed-

THAT, the New Clause 61A be now read a Second Time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the New Clause 61A be part of the Bill

Question put and agreed to

**First Schedule - amendment proposed –**

**THAT,** the First Schedule be amended –

(a) in clause 1 by deleting the words “Regulatory Authority” appearing in paragraph (b) of sub clause (1) and substituting therefor the words “Regulatory Board”; and

(b) by deleting the words “Regulatory Authority” appearing in clause 14 and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question put and agreed to;

Question of the amendment proposed;

Debate arising;

Clause 2 - as amended agreed to

Second Schedule - amendment proposed -

**THAT**, the Second Schedule be amended by—

- (a) deleting the words “Regulatory Authority” appearing in clause2 and substituting therefor the words “Regulatory Board”;
- (b) deleting the words “Regulatory Authority” wherever it appears in clause3 and substituting therefor the words “Regulatory Board”;
- (c) deleting the words “Regulatory Authority” wherever it appears in clause 5and substituting therefor the words “Regulatory Board”;
- (d) deleting the words “Regulatory Authority” appearing in clause 6 and substituting therefor the words “Regulatory Board”; and
- (e) deleting the words “Regulatory Authority” appearing in clause 7(1) and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 2 - as amended agreed to

First Schedule - amendment proposed -

**THAT**, the third schedule be amended by—

- (a) deleting the words “Regulatory Authority” appearing in clause2 (1) and substituting therefor the words “Regulatory Board”;
- (b) deleting the words “Regulatory Authority” wherever it appears in clause5and substituting therefor the words “Regulatory Board”; and
- (c) deleting the words “Regulatory Authority” appearing in clause6(2) and substituting therefor the words “Regulatory Board”.

*(The Chairperson, Departmental Committee on Environment & Natural Resources)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 2 - as amended agreed to

Fourth Schedule – amendment proposed -

**THAT** the Fourth Schedule be amended in clause (2) by inserting the following new sub-clauses immediately after sub-clause (2) –

“(3) An applicant under sub-section 2 shall pay such fees for abstraction as may be prescribed by the Authority.

(4) The abstraction fees collected shall be distributed as follows—

(a) fifty percent to the National Government; and

(b) fifty percent to the County Government”

*(Hon. Irungu Kangata)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Fourth Schedule - as amended agreed to

Title - agreed to

Clause 1 - agreed to

Bill to be reported with amendments;

15. **HOUSE RESUMED** - Second Chairperson in the Chair

(i) **The Securities and Investment Analysts Bill (National Assembly Bill No. 21 of 2014)**

Bill reported with amendments;

Motion made and Question proposed -

THAT, the House do agree with the Committee in the said Report

*(The Chairperson, Departmental Committee on Finance, Planning & Trade)*

Question put and agreed to.



Question of the Third Reading deferred to another day.

(ii) **The Water Bill (National Assembly Bill No.8 of 2014)**

Bill reported with amendments;

Motion made and Question proposed -

THAT, the House do agree with the Committee in the said Report

*(The Chairperson, Departmental Environment and Natural Resources)*

Question put and agreed to.

Question of the Third Reading deferred to another day.

And the time being thirty minutes past Six O'clock, the Second Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

16. **HOUSE ROSE** - at thirty minutes past Six O'clock

**M E M O R A N D U M**

The Speaker will take the Chair on  
Tuesday, July 7, 2015 at 2.30 p.m.

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