



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

SUPPLEMENTARY

WEDNESDAY, AUGUST 29, 2018 AT 2.30 P.M.

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statements

- 8*. **MOTION**– **REPORT ON THE EXCISE DUTY ACT (ADJUSTMENT OF RATES FOR INFLATION) SCHEDULE, 2018**
(The Chairperson, Committee on Delegated Legislation)

THAT, this House adopts the Report of the Committee on Delegated Legislation on the Excise Duty Act (Adjustment of Rates for Inflation) Schedule, 2018 laid on the Table of the House on Thursday, August 23, 2018 and pursuant to the provisions of section 15(1) of the Statutory Instruments Act and Standing Order 210 (4)(b) *annuls in entirety* the said Regulation.

9*. **COMMITTEE OF THE WHOLE HOUSE**

- (i) The Finance Bill (National Assembly Bill No. 20 of 2018)
(The Chairperson, Departmental Committee on Finance & National Planning)
- (ii) The Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018)
(The Leader of the Majority Party)

10*. THE HEALTH LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2018)

(The Leader of the Majority Party)

Second Reading

11*. THE URBAN AREAS AND CITIES (AMENDMENT) BILL (SENATE BILL NO. 4 OF 2017)

(The Leader of the Majority Party)

Second Reading

12*. THE WAREHOUSE RECEIPT SYSTEM BILL (SENATE BILL NO. 10 OF 2017)

(The Leader of the Majority Party)

Second Reading

*** Denotes Orders of the Day**

NOTICES

I. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2018)

- 1) Notice is given that the Chairperson of the Departmental Committee on Finance and National Planning intends to move the following amendments to the Finance Bill, 2018 at the Committee Stage—

CLAUSE 6

THAT, clause 6 of the Bill be amended in the proposed new section 12C by deleting the word “all” appearing in subsection (2).

CLAUSE 18

THAT, clause 18 of the Bill be amended in paragraph (a)—

- (a) By deleting sub-paragraph (xi) and substituting therefor the following new subparagraph-

(xi) by adding the following new paragraphs immediately after paragraph 100—

101. Alcoholic or non-alcoholic beverages supplied to the Kenya Defence Forces Canteen Organization.

102. Goods imported or purchased locally for direct and exclusive use in the implementation of projects under a special operating framework arrangements with the government.

103. Hearing aids, excluding parts and accessories, of tariff No. 9021.40.00

- (b) by inserting the following new sub- paragraph immediately after sub-paragraph (xi)—

(xii) by deleting paragraph 98.

CLAUSE 19

THAT, the Bill be amended by deleting clause 19 and substituting therefor the following new clause—

Amendment of Second Schedule to No.35 of 2013. **19.**The Second Schedule to the Value Added Tax Act, 2013 is amended in—

- (a)Part A by inserting the following new paragraph immediately after paragraph 13A—

13B. The supply of maize (corn) flour, cassava flour, wheat or meslin flour and maize flour containing cassava flour by more than ten per cent in weight.

(b) Part C by deleting tariff No. 3004.40.00 and the corresponding description and inserting the following—

<i>Tariff No.</i>	<i>Description</i>
3004.41.00	Containing ephedrine or its salts
3004.42.00	Containing pseudoephedrine (INN) or its salts
3004.43.00	Containing norephedrine or its salts
3004.49.00	Other

CLAUSE 31

THAT, clause 31 of the Bill be amended—

(a) in paragraph (a)(iii) by deleting the proposed new item—

Sugar Confectionery (including white chocolate) of tariff heading 17.04; chocolate in blocks, slabs or bars of tariff Nos. 1808.31.00, 1806.32.00, 1806.90.00 Shs. 20. per Kg

(b) by inserting the following new paragraph immediately after paragraph (b)—

(c) in Part III by inserting the following new definition in proper alphabetical sequence—

“money transferred” means money transferred from one account to another account either within a bank or from one bank to another bank or from a person to another person through a money transfer agency or other financial service providers, but does not include—

- (a) transfer of taxes to or tax refunds from the Kenya Revenue Authority;
- (b) transfers from the Kenya Revenue Authority’s collection accounts to the Central Bank of Kenya;
- (c) transfers by or to the National Government, County Governments or Central Bank of Kenya;
- (d) transfers relating to the purchase and sale of shares and securities on the Nairobi Securities Exchange by banks or financial service providers on behalf of customers;
- (e) transfers between accounts belonging to the same person; or
- (f) any other category money transfer that the Cabinet Secretary may specify through a gazette notice.

CLAUSE 37

THAT, clause 37 of the Bill be amended in the proposed new subsection (3) by inserting the words “within thirty days of receiving the application” immediately after the words “such rejection”.

CLAUSE 39

THAT, Clause 39 of the Bill be deleted.

CLAUSE 45

THAT, Clause 45 of the Bill be in amended in the proposed new section 83A by deleting the word “twenty” and substituting therefor the word “five”.

CLAUSE 50

THAT, the Bill be amended by deleting clause 50.

NEW CLAUSES

THAT, the Bill be amended by inserting the following new clauses immediately after clause 52—

Amendment of section 29 A of Cap. 131.

52A. Section 29A of the Betting, Lotteries and Gaming Act is amended in subsection (1) by deleting the expression “thirty-five” and substituting therefor the expression “fifteen”.

Amendment of section 36 of Cap. 131.

52B. Section 36 of the of the Betting, Lotteries and Gaming Act is amended in—

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

(b) at least five per centum of the gross proceeds of which is to be devoted to the object for which the lottery is promoted:

Provided that the Board may require as a condition that a specified proportion of greater than -five per centum of the proceeds be devoted to the object for which the lottery is promoted, but in no case shall the Board require a proportion greater than twenty-five per centum of the gross proceeds.

(b) subsection (2) by deleting the expression “twenty-five” and substituting the expression “five”.

Amendment of section 44A of Cap. 131.

52C. Section 44A of the Betting, Lotteries and Gaming Act is amended in subsection (1) by deleting the expression “thirty-five” and substituting therefor the expression “fifteen”.

Amendment of section 55A of Cap. 131.

52D. Section 55A of the Betting, Lotteries and Gaming Act is amended in subsection (1) by deleting the expression “thirty-five” and substituting therefor the expression “fifteen”.

Amendment of section 59B of Cap. 131.

52E. Section 59B of the Betting, Lotteries and Gaming Act is amended in subsection (1) by deleting the expression “thirty-five” and substituting therefor the expression “fifteen”.

CLAUSE 53

THAT, Clause 53 of the Bill be in amended in the proposed new section 69B(1)—

- (a) in paragraph (a) by deleting the expression “twenty” and substituting therefor the expression “five”; and
- (b) in paragraph (b) by deleting the expression “two” and substituting therefor the expression “one”.

NEW CLAUSE 56A

THAT, the Bill be amended by inserting the following new clause immediately after clause 56—

Insertion of new section 82A in Cap. 480.

56A. The Stamp Duty Act is amended by inserting the following new section immediately after section 82—

Payment of stamp duty for policy “policy of life insurance” and “policy of insurance against accident”

82A. For purposes of this Act, the stamp duty payable for “policy of life insurance” and “policy of insurance against accident” shall be payable monthly as an aggregate of all policies issued within the month.

NEW CLAUSE 57A

THAT, the Bill be amended by inserting the following new clauses immediately after clause 57—

Insertion of new section 31A in Cap. 488.

57A. The Banking Act is amended by inserting the following new clause immediately after clause 31—

Information on next of kin.

31A. A bank or financial institution licensed under this Act shall, in respect of all accounts operated at the institution, maintain a register containing particulars of the next of kin of all customers operating such accounts, and shall update this register on an annual basis.

CLAUSE 58

THAT, the Bill be amended by deleting clause 58 and substituting therefor the following new clause—

Amendment of section 33B of Cap.488.

58. Section 33B of the Banking Act is amended by—

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

(1) A bank or a financial institution shall set the maximum interest rate chargeable for a credit facility in Kenya at no more than four per cent, the Central Bank Rate set and published by the Central Bank of Kenya.

NEW CLAUSE 58A

THAT, the Bill be amended by inserting the following new clauses immediately after clause 58—

Insertion of new section 33C in Cap. 488.

58A. The Banking Act is amended by inserting the following new clause immediately after clause 33B—

Power of Central Bank to prescribe conditions on deposits or withdrawals.

33B.(1)The Central Bank may prescribe, in regulations, conditions on deposits or withdrawals by customers in banks and financial institution.

(2) The Central Bank shall prescribe the regulations under sub-section (1) within thirty days of coming into force of this section.

(3) For avoidance of doubt no other person shall purport to make regulations required under this section and any existing guidelines or regulations prescribing conditions on deposits or withdrawals by customers shall cease to be operational within fourteen days of the coming into force of the regulations made under this section.

CLAUSE 59

THAT, clause 59 of the Bill be deleted.

CLAUSE 68

THAT, clause 68 of the Bill be amended in the proposed new subsection (2A) in—

- (a) paragraph (a) by deleting the expression “zero point five” and substituting the expression “one point five”; and
- (b) paragraph (b) by deleting the expression “zero point five” and substituting the expression “one point five”.

CLAUSE 69

THAT, clause 69 of the Bill be amended—

- (a) by inserting the following new paragraph immediately after paragraph (a)—

(aa) deleting the definition of the word “accountant” and substituting therefor the following new definition—

“accountant” is a person registered as an accountant under Section 24 of this Act and is a member as defined in section 4 (2) (a) and (b) with expertise achieved through formal education and practical experience, and shall be held to a high professional standard in respect to—

- (a) demonstrating and maintaining competence in accountancy in line with International Accounting standards;
- (b) compliance with the Institute's code of ethics;
- (c) maintaining good standing status; and
- (d) subject to enforcement of the rules and regulations of the Institute;

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

(b) by inserting the following new definitions in proper alphabetical sequence—

“company” has the meaning assigned to it under section 2 of the Companies Act, 2015;

“accountancy” means practice in accounting, financial reporting, control systems, systems auditing, auditing, assurance, forensic accounting and auditing, finance, financial management, public finance management, taxation, financial risk management, management accounting and advisory services related thereto; and

“trainee accountant” means a person registered by the Examinations Board and who has commenced professional accountancy education or training or is practicing accountancy as part of initial professional development required for qualification as an accountant.

NEW CLAUSES

THAT, the Bill be amended by inserting the following new clauses immediately after clause 69—

Amendment of
section 5 of No. 15
of 2008.

69A. Section 5 of the Accountants Act is amended by—

- (a) renumbering section 5 as section 5(1); and
- (b) inserting the following new subsection immediately after subsection (1)—

(2) Despite subsection (1), a trainee accountant, student or a person required by the Institute to be registered as a member prior to attaining the qualifications under section 26 shall not be required to pay any fees or subscriptions.

Amendment of
section 8 of No. 15
of 2008.

69B. Section 8 of the Accountants Act is amended by inserting the following new paragraph immediately after paragraph (f)—

- (fa) prescribe the remuneration order for the accountancy profession with the approval of the Cabinet Secretary responsible for finance.

Amendment of
section 17 of No.
15 of 2008.

69C. Section 17 of the Accountants Act is amended by inserting the following new subsection immediately after subsection (2)—

- (2A) The Examinations Board shall, prior to registering a person to undertake an examination in accounting, require that the person be registered as a member of the Institute.

Amendment of
section 18 of No.
15 of 2008.

69D. Section 18 of the Accountants Act is amended in subsection (2) by deleting the words “one hundred thousand” and substituting therefor the words “five hundred thousand”.

Amendment of
section 19 of No.
15 of 2008.

69E. Section 19 of the Accountants Act is amended by inserting the following new subsection immediately after subsection (3) —

(4) An entity in either the private or public sector shall not employ a person to practice accountancy unless the person is a member of the Institute.

Amendment of
section 21 of No.
15 of 2008.

69F. Section 21 of the Accountants Act is amended in subsection (8) by deleting the words “five thousand” and substituting therefor the words “five hundred thousand”.

Amendment of
section 24 of No.
15 of 2008.

69G. Section 24 of the Accountants Act is amended in subsection (5) by deleting the words “fifty thousand” and substituting therefor the words “five hundred thousand”.

Amendment of
section 30 of No.
15 of 2008.

69H. Section 30 of the Accountants Act is amended by inserting the following new subsections immediately after subsection (2)—

(2A) An accountant shall observe the ethical guidelines and applicable standards in the discharge of duty.

(2B) The ethical guidelines and applicable standards of the accountancy profession shall take precedence over any instructions from a client or other person.

(2C) An accountant shall not be liable for taking such actions or decisions or rejecting instructions from a client if such action, decision or rejection is in pursuance of the provisions of subsections (2A) and (2B).

Amendment of
section 41 of No.
15 of 2008.

69I. Section 41 of the principal Act is amended by deleting subsection (4) and substituting therefor the following new subsection—

(4) A person who commits an offence under this section is liable on conviction to a fine not exceeding two million shillings, and, in the case of a continuing offence, a further fine not exceeding two thousand shillings for each day on which the offence continues

Amendment of
Fifth Schedule to
No. 15 of 2008.

69J. The Fifth Schedule to the principal Act is amended in—

(a) paragraph (4) by deleting the words “one hundred thousand” appearing in subparagraph (1)(d) and substituting therefor the words “one million”; and

(b) paragraph (8) by deleting the words “twenty thousand” appearing in subparagraph (3) and substituting therefor the words “five hundred thousand”.

CLAUSE 71

THAT, clause 71 of the Bill be deleted.

NEW CLAUSE 72

THAT, the Bill be amended by inserting the following new clause immediately after clause 71—

Amendment of
section 20 of
Cap.22.

72. Section 20 of the Limitation of Actions Act is amended in subsection (2) by deleting the expression “six years” and substituting therefor the expression “twenty years”.

2) Notice is given that the Leader of the Majority Party (Hon. Aden Duale) intends to move the following amendments to the Finance Bill, 2018 at the Committee Stage—

CLAUSE 7

THAT, clause 7 of the Bill be amended by inserting the following new paragraph immediately after paragraph (ab) —

(ac) contributions to the National Housing Development Fund;

CLAUSE 18

THAT, the Bill be amended in clause 18 by inserting the following new paragraph immediately after paragraph 95—

96. One personal motor vehicle, excluding buses and minibuses of seating capacity of more than 8 seats, imported by an public officer returning from a posting in Kenya’s mission abroad and another motor vehicle by his spouse and which is not exempted from Value Added Tax under the First Schedule:

Provided that the exemption under this item shall not apply-

- (a) unless the officer is returning to Kenya from a posting in Kenya’s mission abroad upon recall;
- (b) unless, in the case of an officer’s spouse, the spouse accompanied the officer in the foreign mission and is returning with the officer;
- (c) if the officer or the spouse has either enjoyed a similar privilege within the previous four years from the date of importation or has imported a motor vehicle free of duty under item 6 of Part A of this Schedule;
- (d) unless the vehicle is imported within ninety days of the date of arrival of the officer or spouse or such longer period, not exceeding three hundred and sixty days from such arrival as the Commissioner may allow; and
- (e) to a State officer.

CLAUSE 65

THAT, the Bill be amended in clause 65 by inserting the following new paragraph immediately after paragraph 14 –

15. The Employment Act, 2007.

NEW CLAUSE 67A

THAT, the Bill be amended by inserting the following new clause immediately after clause 67-

Amendment of section 2 of No. 11 of 2007.

67A. Section 2 of the Employment Act is amended by inserting the following new definition in the proper alphabetical sequence-

"employer contribution" means the employer's contribution payable into the National Housing Development Fund;

"employee contribution" means a contribution payable under this Act for the benefit of the employee;

"employee earnings" means the taxable amount determined under the Income Tax Act for purposes of levying income tax on the employee emoluments.

"National Housing Development Fund" means to the Fund established under section 6 of the Housing Act.

CLAUSE 68

THAT, the Bill be amended by deleting clause 68 and substituting therefor the following new clause-

68. The Employment Act is amended by inserting the following new section immediately after section 31 –

Contributions to the National Housing Development Fund.

31A. (1) An employer shall pay to the National Housing Development Fund in respect of each employee –

- (a) the employer's contribution at one point five per centum of the employee's monthly earnings; and
- (b) the employee's contribution at one point five per centum of the employee's monthly earnings:

Provided that the sum of the employer and employee contributions shall not exceed five thousand shillings a month.

(2) The benefits to an employee shall accrue as follows –

- (a) for employees who qualify for affordable housing, the contributions accrue to the employee and shall be used to finance the purchase of a home under the affordable housing scheme; or

- (b) for employees who are not eligible for affordable housing, upon the expiry of fifteen years from the date of the start of making the contributions, or after the attainment of retirement age, whichever is sooner—
- (i) a transfer of their contributions to a pension scheme registered with the Retirement Benefits Authority;
 - (ii) a transfer their contributions to any person registered and eligible for affordable housing under the National Housing Development Fund; or
 - (iii) a transfer of their contributions to their spouse or dependent children; or
 - (iv) to receive their contributions in cash:

Provided that contributions paid out in cash shall be included in the contributor's taxable income for the year and be subjected to tax at the prevailing rates.

(3) All contributions shall get a return based on the return on the Fund.

(4) The employer shall remit both employee and employer contributions to the National Housing Development Fund before the ninth day of the following month.

(5) If the contributions due under this section are not paid on or before the day on which the payments are due, a penalty of five percent of the contributions shall be payable by the employer for each month or part thereof during which the contributions remains unpaid, and any such penalties shall be recoverable as a sum due and payable to the National Housing Development Fund.

3) Notice is given that the Chairperson of the Departmental Committee on Defence and Foreign Relations intends to move the following amendment to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

CLAUSE 18

THAT, the Bill be amended in clause 18 by inserting the following new paragraph immediately after paragraph 95—

96. One personal motor vehicle, excluding buses and minibuses of seating capacity of more than 8 seats, imported by an public officer returning from a posting in Kenya’s mission abroad and another motor vehicle by his spouse and which is not exempted from Value Added Tax under the First Schedule:

Provided that the exemption under this item shall not apply-

- (a) unless the officer is returning to Kenya from a posting in Kenya’s mission abroad upon recall;
- (b) unless, in the case of an officer’s spouse, the spouse accompanied the officer in the foreign mission and is returning with the officer;
- (c) if the officer or the spouse has either enjoyed a similar privilege within the previous four years from the date of importation or has imported a motor vehicle free of duty under item 6 of Part A of this Schedule;
- (d) unless the vehicle is imported within ninety days of the date of arrival of the officer or spouse or such longer period, not exceeding three hundred and sixty days from such arrival as the Commissioner may allow; and
- (e) to a State officer.

4) Notice is hereby given that the Member for Kikuyu (Hon. Kimani Ichungwah) intends to move the following amendments to the Finance Bill, 2018 at the Committee Stage—

NEW CLAUSE 10A

THAT, the Bill be amended by inserting the following new clause immediately after clause 10—

Insertion of section 36A in Cap. 470

10A. The Income Tax Act is amended by inserting the following new section immediately after section 36—

Deduction of tax from advertising income.

36A. (1) A person shall, upon payment of any amount in respect of advertising fees for any activity related to betting, lottery or gaming, deduct a tax at the rate of thirty percent from the amount:

Provided that the tax shall be final.

(2) Where a person deducts tax under this section he or she shall, on or before the twentieth day of the month following the month in which the deduction was made—

- (a) remit the amount so deducted to the Commissioner together with a return in writing of
 - (i) the amount of the payment;
 - (ii) the amount of tax deducted; and
 - (iii) such other information as the Commissioner may specify; and

(b) furnish the person to whom the payment is made with a certificate stating the amount of the payment and the amount of the tax deducted.

(3) A person who willfully contravenes this section commits an offence and shall be liable, upon conviction to a fine of two million shillings or ten times the value of the tax due, whichever is higher.

5) Notice is given that the Member for Eldas (Hon. Adan Keynan) intends to move the following amendments to the Finance Bill, 2018 at the Committee Stage—

CLAUSE 18

THAT, the Bill be amended in clause 18 by inserting the following new paragraph immediately after paragraph 95—

96. One personal motor vehicle, excluding buses and minibuses of seating capacity of more than 8 seats, imported by an public officer returning from a posting in Kenya's mission abroad and another motor vehicle by his spouse and which is not exempted from Value Added Tax under the First Schedule:

Provided that the exemption under this item shall not apply-

- (f) unless the officer is returning to Kenya from a posting in Kenya's mission abroad upon recall;
- (g) unless, in the case of an officer's spouse, the spouse accompanied the officer in the foreign mission and is returning with the officer;
- (h) if the officer or the spouse has either enjoyed a similar privilege within the previous four years from the date of importation or has imported a motor vehicle free of duty under item 6 of Part A of this Schedule;
- (i) unless the vehicle is imported within ninety days of the date of arrival of the officer or spouse or such longer period, not exceeding three hundred and sixty days from such arrival as the Commissioner may allow; and
- (j) to a State officer.

CLAUSE 32

THAT, the Bill be amended in clause 32 by inserting the following paragraph immediately after paragraph 13-

14. One personal motor vehicle, excluding buses and minibuses of seating capacity of more than 8 seats, imported by a public officer returning from a posting in Kenya's mission abroad and another motor vehicle by his or her spouse and which is not exempted from excise duty under item 6 of Part A of the Second Schedule:

Provided that the exemption under this item shall not apply-

- (a) unless the officer is returning to Kenya from a posting in Kenya's mission abroad upon recall;
- (b) unless, in the case of an officer's spouse, the spouse accompanied the officer in the foreign mission and is returning with the officer;
- (c) if the officer or the spouse has either enjoyed a similar privilege within the previous four years from the date of importation or has imported a motor vehicle free of duty under item 6 of Part A of this Schedule;
- (d) unless the vehicle is imported within ninety days of the date of arrival of the officer or spouse or such longer period, not exceeding three hundred and sixty days from such arrival as the Commissioner may allow; and
- (e) a state officer.

CLAUSE 58

THAT Bill be amended by deleting clause 58.

- 6) **Notice is given that the Member for Bomet Central (Hon. Ronald Tonui) intends to move the following amendments to the Finance Bill, 2018 at the Committee Stage—**

CLAUSE 56

THAT, the Bill be amended by deleting clause 56.

(Subject to provisions of Article 114 of the Constitution)

CLAUSE 58

THAT, the Bill be amended by deleting clause 58.

CLAUSE 68

THAT, the Bill be amended by deleting clause 68.

(Subject to provisions of Article 114 of the Constitution)

- 7) **Notice is given that the Member for Mandera South (Hon. Adan Haji Ali) intends to move the following amendments to the Finance Bill, 2018 at the Committee Stage—**

CLAUSE 19

THAT, the Bill be amended by deleting clause 19 and substituting therefor the following new clause—

Amendment of
Second Schedule
to No.35 of
2013. **19.** The Second Schedule to the Value Added Tax Act, 2013 is amended in—
(a) Part A by inserting the following new paragraph immediately after paragraph 16—

16A. Agricultural pest control products.

(Subject to provisions of Article 114 of the Constitution)

(b) Part C by deleting tariff No. 3004.40.00 and the corresponding description and inserting the following—

<i>Tariff No.</i>	<i>Description</i>
3004.41.00	Containing ephedrine or its salts
3004.42.00	Containing pseudoephedrine (INN) or its salts
3004.43.00	Containing norephedrine or its salts
3004.49.00	Other

- 8) Notice is given that the Member for Ruaraka (Hon. T.J. Kajwang) intends to move the following amendments to the Finance Bill, 2018 at the Committee Stage—

CLAUSE 31

THAT, clause 31 of the Bill be amended in paragraph (a)(iii) by deleting the proposed new item—

Sugar Confectionery (including white chocolate) of tariff heading 17.04; Shs. 20. per Kg
chocolate in blocks, slabs or bars of
tariff Nos. 1808.31.00, 1806.32.00,
1806.90.00

- 9) Notice is given that the Member for Emuhaya (Hon. Omboko Milemba) intends to move the following amendment to the Finance Bill, 2018 at the Committee Stage—

(Subject to provisions of Article 114 of the Constitution)

CLAUSE 68

THAT, the Bill be amended by deleting clause 68.

- 10) Notice is given that the Member for Suna East (Hon. Junet Mohamed) intends to move the following amendment to the Finance Bill, 2018 at the Committee Stage—

CLAUSE 18

THAT, clause 18 of the Bill be amended by inserting the following new paragraph immediately after paragraph (b)—

“(c) in section B of Part I, by deleting the expression “1st September, 2016” appearing in paragraph (2) and substituting therefor the expression “1st September, 2020.”

- 11) Notice is given that the Member for Dagoretti South (Hon. John Kiarie) intends to move the following amendments to the Finance Bill, 2018 at the Committee Stage—

CLAUSE 31

THAT, clause 31 of the Bill be amended in paragraph (b)(ii), by inserting the words “to be borne by the banks, money transfer agencies or financial service providers, on one hand, and the customer, on the other hand, at the ratio of 70:30” immediately after the expression “excisable value” in the proposed new paragraph 5.

(Subject to provisions of Article 114 of the Constitution)

CLAUSE 58

THAT, the Bill be amended by deleting clause 58.

**II. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL
(NATIONAL ASSEMBLY BILL NO. 12 OF 2018)**

(Amendments appear in the order in which the Statutes appear in the Bill)

A. THE JUDICATURE ACT (Cap 8)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Judicature Act by -

- (a) deleting the words “and includes a judge serving in an acting capacity” appearing in the proposed new definition of the word “Judge” in the proposed amendments to section 2; and
- (b) deleting the proposed amendments to section 3 and substituting therefore the following—
 - s.3(1) Delete the words “the High Court, the Court of Appeal” and substitute therefore the words “the Supreme Court, the Court of Appeal, the High Court, the Environment and Land Court, the Employment and Labour Relations Court”
 - (2) Delete the words “the High Court, the Court of Appeal” and substitute therefore the words “the Supreme Court, the Court of Appeal, the High Court, the Environment and Land Court, the Employment and Labour Relations Court”

B. THE OATHS AND STATUTORY DECLARATIONS ACT (Cap 15)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Oaths and Statutory Declarations Act by deleting the words “and a Deputy Registrar” in the proposed amendment to section 12 and substituting therefor the words “a Deputy Registrar, a Deputy Registrar of the Environment and Land Court and a Deputy Registrar of the Employment and Labour Relations Court.”

C. THE ADVOCATES ACT (Cap 16)

1) Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Advocates Act by -

(a) deleting the proposed amendment to section 23 and substituting therefor the following—

s.23(1) Delete subsection (2A) and substitute therefor the following new subsection 2A—

(2A) Every advocate who draws any legal document that includes pleadings, affidavits, depositions, deeds and other related instruments set out in section 34 and filed in any registry under any law requiring filing by an advocate shall in addition to setting out the firm’s details include the name of the advocate drawing the document, the advocate’s admission number and signature and the stamp of the respective law firm.

(b) deleting all the proposed amendments to section 57(1) and substituting therefor the following—

s.57(1) Insert the words “or his representative” immediately after the expression “Attorney-General” appearing in paragraph (a);

Delete the words “or a person deputed by the Attorney General” appearing in paragraph (b) and substitute therefore the words “or his representative”;

Delete the words “one of whom shall be an advocate who does not” appearing in paragraph (c) and substitute therefor the words “two who shall be advocates who do not”

- (c) in the proposed amendments to section 58 by deleting the proposed new subsection 2A and substituting therefor the following—

“(2A) In the absence of both the Attorney-General and the Solicitor-General, the representative of the Attorney General deputed under section 57(1)(a) shall preside, and in the absence of the representative of the Attorney General, the members present shall elect one from among their number to preside.

- 2) Notice is given that the Leader of the Majority Party intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting all the proposed amendments to the Advocates Act.

- 3) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Advocates Act, Cap. 16 by deleting the proposed amendments to —

- (a) section 23; and
(b) section 46(d).

D. THE PUBLIC ARCHIVES AND DOCUMENTATION SERVICE ACT (Cap 19)

Notice is given that the Chairperson of the Departmental Committee on Sports, Tourism and Culture intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Public Archives and Documentation Service Act (Cap. 19) by deleting the proposed amendment and substituting therefor the following amendment—

s.2 Insert the following new definition in its proper alphabetical sequence—

“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to culture and national heritage”.

E. THE CIVIL PROCEDURE ACT (Cap 21)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to section 81 of the Civil Procedure Act by deleting the proposed new paragraph (vi) and substituting therefor the following—

“(vi) eight advocates nominated by the Law Society of Kenya to represent each of the branches of the Society established under section 24 of the Law Society of Kenya Act, 2014.”

F. THE LAW OF CONTRACT ACT (Cap 23)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting the proposed amendment to section 3 of the Law of Contract Act.

- 2) **Notice is given that the Leader of the Majority Party intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting the proposed amendments to the Law of Contract Act.

- 3) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting the proposed amendment to section 3 of the Law of Contract Act, Cap.23.

G. THE PROBATION OF OFFENDERS ACT (Cap 64)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Probation of Offenders Act by –

- (a) in the proposed amendment to section 2 by deleting the word “social” and substituting therefor the word “pre-sentence” in the proposed new definition of the term “social inquiry report”;
- (b) by inserting the following new amendments to section 4 —
 - s.4(1) Delete the word “youth” and substitute therefor the word “age”
 - s. 4(2) Delete the word “youth” and substitute therefor the word “age”
- (c) by inserting the following new amendments to section 5 —
 - s.5(1) Delete the word “district” and substitute therefor the word “County”
- (d) by inserting the following new amendments—
 - s.11(1) Delete the words “principal probation officer” and substitute therefor the word “Director”
 - (3) Delete—
 - (a) the word “district” wherever it appears and substitute therefor the word “County”; and
 - (b) the words “principal probation officer” and substitute therefor the word “Director”.
 - (4) Delete the word “district” wherever it appears and substitute therefor the word “County”.

s. 13 Delete the words “principal probation officer” wherever they appear and substitute therefor the word “Director”.

s. 14 Delete the words “principal probation officer” wherever they appear and substitute therefor the word “Director”.

s.16(a) Delete the words “principal probation officer” and substitute therefor the word “Director”.

s. 17 Delete the words “principal probation officer” and substitute therefor the word “Director”.

Delete the words “principal probation officer” and substitute therefor the word “Director”.

(e) by deleting the proposed amendment to section 17(f); and

(f) by inserting the following new amendment immediately after the proposed amendment to section 17—

s.18 Delete the words “principal probation officer” and substitute therefor the word “Director”

H. THE CRIMINAL PROCEDURE CODE (Cap 75)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Criminal Procedure Code by inserting the following new amendments immediately after the proposed amendments to section 2—

s.26
(1) Delete the words “Commissioner of Police” and substitute therefor the word “Inspector-General of the National Police Service”

s.
386(
1) Delete the words “Commissioner of Police” and substitute therefor the word “Inspector-General of the National Police Service”

I. THE REGISTRATION OF PERSONS ACT (Cap 107)

- 1) Notice is given that the Chairperson of the Departmental Committee on Administration and National Security intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Registration of Persons Act (Cap. 107) by -

- (i) inserting the following new amendments in their proper numerical sequence

—
s.2 Insert the following new definition in its proper alphabetical sequence —

“**Principal Secretary**” means the Principal Secretary in the ministry responsible for matters relating to registration of persons”

- (ii) deleting the proposed amendment to section 5(1)(g) and substituting therefor the following new amendment—

s.5(1)(g) Delete paragraph (g) and substitute therefor the following new paragraph—

“(g) place of residence and postal address, Global Positioning System coordinates, Land Reference Number, Plot Number or House Number, if any;”

- (iii) deleting the proposed amendment to section 9(1);

- (iv) inserting the following new subsection immediately after subsection (2) in the proposed section 9A—

New subsection. “(3) The Principal Secretary shall be responsible for the administration, coordination and management of the system.”

- 2) Notice is given that the Member for Lagdera (Hon. Mohamed Hire Garane) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Bill be amended in the Schedule in the proposed amendments to the Registration of Persons Act, Cap 107—

- (a) in the proposed section 9A(2)(d) by deleting the words “centrally print and distribute” and substituting therefor the words “support the printing and distribution”;

- (b) in the proposed section 9A by inserting a new paragraph immediately after paragraph (h)—

“(ha) to correct errors in registration details, if so requested by a person or on its own initiative to ensure that the information is accurate, complete, up to date and not misleading”;

- (c) in the proposed section 9A by inserting a new subsection(3) immediately after subsection (2)—

“(3) Upon commencement of this section, a person who provided erroneous information upon registration of documents under subsection(2)(d) shall, within two years of establishment of the National Integrated Management System correct such details upon prove of facts”;

NEW

By inserting the following new amendment in its proper numerical sequence—

- s.16 Insert the word “all” immediately after the words “vetting of” appearing in paragraph (ba).

- 3) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting the proposed amendment to section 9(1) of the Registration of Persons Act, Cap.107.

J. THE HOUSING ACT (Cap 117)

Notice is given that the Chairperson of the Departmental Committee on Transport, Public Works and Housing intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the section 3 of the Housing Act, Cap 117 by -

- (a) by deleting the words “not less than five nor more than seven” appearing in paragraph (d) and substituting therefor the word “six”; and
- (b) by inserting the following new item immediately after the proposed new subsection (2) —
Insert the following new subsection immediately after subsection (2) —
(2A) In appointing the persons under subsection 2(d), the Cabinet Secretary shall ensure that the marginalized groups are represented.

K. THE LAW OF SUCCESSION ACT (Cap 160)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage-**

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting the proposed amendment to the Law of Succession Act.

- 2) **Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting the proposed amendment to section 49 of the Law of Succession Act, Cap.160.

L. THE NATIONAL YOUTH SERVICE ACT (Cap.208)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Labour and Social Welfare intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the National Youth Service Act, (Cap 208) by deleting the proposed amendment to section 16.

- 2) **Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting the proposed amendment to section 16 of the National Youth Service Act, Cap.208.

M. THE TRAFFIC ACT (Cap 403)

- 1) Notice is given that the Chairperson of the Departmental Committee on Transport, Public Works and Housing intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Traffic Act, Cap 403 by -

- (a) by inserting the following new item immediately after the proposed amendment to section 2—

Delete the definition of the term “driving test examiner”;

- (b) in the proposed amendment to section 3 by deleting the word “offices” appearing in the proposed new subsection (4) and substituting therefor the word “officer”;

- (c) by deleting the proposed amendment to section 8;

- (d) by deleting the proposed amendment to section 57;

- (e) by inserting the words “wherever it appears” immediately after the expression “section 55 or section 56” in the proposed amendments to section 58.

- (f) by inserting the following new item immediately after the proposed amendment to section 58—

Insert the words “or in accordance with the East African Community Vehicle Load Control Act, 2013” before the words “shall be guilty” appearing in subsection (1);

- (g) by deleting the proposed amendment to section 70 (5B);

- (h) by deleting the proposed amendment to section 85; and

- (i) by deleting the words “under” appearing immediately before the word “there under” in the proposed amendment to Section 106 (8).

- 2) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Traffic Act Cap. 403 by deleting the proposed amendments to —

- (a) section 2;
- (b) section 3;
- (c) section 8;
- (d) section 39(1);
- (e) section 45(1);
- (f) section 56(1);
- (g) section 57;
- (h) section 58;
- (i) section 70(5B);
- (j) section 85;
- (k) section 91(1);
- (l) section 94;
- (m) section 104;
- (n) section 106(1); and
- (o) section 106(8).

N. THE KENYA POST OFFICE SAVINGS BANK ACCOUNT ACT (Cap 493)

Notice is given that the Chairperson of the Departmental Committee on Finance and National Planning intends to move the following amendment to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to section 14 of the Kenya Post Office Savings Bank Act by inserting the words “in consultation with the Cabinet Secretary” immediately after the word “Registrar”.

O. THE EXPORT PROCESSING ZONES ACT, 1990 (Cap517)

Notice is given that the Chairperson of the Departmental Committee on Trade, Industry and Cooperatives intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendment to section 2 of the Export Processing Zones Act (Cap. 517) by—

- (a) deleting the proposed definition of the term “eligible activities” and substituting therefor the following new definition—

Insert the following definition in proper alphabetical sequence—

s. 2 "eligible activities" include activities to enable agricultural activities preceding processing and value addition directly related to value addition conducted in Kenya within a gazetted export processing zone in aquaculture, horticulture, tea, coffee, floriculture, dairy and ranching and silviculture.

(b) deleting the proposed amendment to section 21 of the Export Processing Zones Act (Cap. 517) and substituting therefor the following—

s. 21 Delete the words “for a minimum period of thirty years within the export processing zone” and substitute therefor the words “or building or part thereof for a minimum period of ten years for land and buildings or part thereof”.

P. THE NATIONAL COUNCIL FOR LAW REPORTING ACT, NO. 11 OF 1994

1) **Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments be amended by deleting the proposed amendment to section 2 of the National Council for Law Reporting Act.

2) **Notice is given that the Leader of the Majority Party Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting the proposed amendments to the National Council for Law Reporting Act, 1994.

3) **Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting the proposed amendment to section 2 of the National Council for Law Reporting Act, No. 11 of 1994.

Q. KENYA REVENUE AUTHORITY ACT NO. 2 OF 1995

[Note: The proposal to amend this Statute withdrawn from the Bill by the Mover]

- 1) Notice is given that the Chairperson of the Departmental Committee on Finance and National Planning intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Kenya Revenue Authority Act by -

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

(1A) The Commissioner-General shall be recruited through a competitive process by the Board and appointed by the President, with the approval of the National Assembly.

- (b) inserting the word “preferably” in paragraph (d) of the proposed subsection (1D) and by deleting the words “in relevant course as the Board may determine”;

- (c) deleting the proposed paragraph (f) of the proposed subsection (1D) and substituting therefor the following new paragraph-

(f) is not directly or indirectly or through representatives engaged as a director, employee, officer or shareholder of a clearing and forwarding company, insurance, brokerage or insurance agency or in any other sector of public revenue as relates to the Authority;

- (d) inserting the following new subsection (1E) immediately after the proposed subsection (1D)-

(1E) A person may be disqualified from appointment as a Commissioner-General, if the person’s spouse or dependent child is or becomes a Director, employee, officer or shareholder of a company or business which does business related to the functions of the Authority or with the Authority.

- 2) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Kenya Revenue Authority Act, No.2 of 1995 by deleting —

- (a) the proposed amendments to section 6(2)(b);
- (b) all the proposed amendments to section 11; and
- (c) the proposed amendments to the Second Schedule.

R. THE HIGHER EDUCATION LOANS BOARD, 1995 (No.3 of 1995)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Education and Research intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Higher Education Loans Board Act, 1995 by -

- (a) deleting the proposed amendments to section 4(1);
 - (b) deleting the proposed amendments to section 4(3);
 - (c) deleting the proposed amendments to section 5; and
 - (d) deleting the proposed amendments to section 22.
- 2) **Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Higher Education Loans Board Act, No.3 of 1995 by deleting—

- (a) the proposed amendments to section 4;
- (b) the proposed amendments to section 5; and
- (c) the proposed amendments to section 22.

S. THE KENYA INFORMATION AND COMMUNICATIONS ACT, 1998 (No. 2 of 1998)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Communication, Information and Innovation intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Kenya Information Communications Act, 1998 (No.2 of 1998) by -

- (i) inserting the following new amendments in their proper chronological sequence—

s. 6(1) (e) Delete the expression “in accordance with section 6B”.

s. 6 Insert the following new subsection immediately after subsection (1)—

“(2) In appointing the members of the Board under subsection (1) (e) the Cabinet Secretary shall ensure—

- (a) that the appointees to the Board reflect the interests of all sections of society;
- (b) equal opportunities for persons with disabilities and other marginalized groups; and
- (c) that not more than two-thirds of the members are of the same gender.”

- (ii) deleting the proposed amendments to section 6B and substituting therefor the following new amendment—

s. 6B Delete.

- 2) **Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Kenya Information and Communications Act, No.2 of 1998 by deleting—

- (a) the proposed amendments to section 6; and
- (b) all the proposed amendments to section 6B.

T. THE COMMUNITY SERVICE ORDER ACT 1998 (No.10 of 1998)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Administration and National Security intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to section 3 of the Community Service Orders Act (No. 10 of 1998) by inserting the following new subsection immediately after the new subsection (9)—

- s.3 “(10) Subsection (1) of this Act shall not apply to a person convicted under the following legislation—
- (a) the Anti-Corruption and Economic Crimes Act, No. 3 of 2003;
 - (b) the Sexual Offences Act, No. 3 of 2006;
 - (c) the Prohibition of Female Genital Mutilation, No. 32 of 2011;
 - (d) the Prevention of Terrorism Act, No. 30 of 2012;
 - (e) the Proceeds of Crime and Anti-Money Laundering Act, No. 9 of 2009; or
 - (f) the Bribery Act, No. 47 of 2016.”

- 2) **Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting the proposed amendment to section 3(3) of the Community Service Orders Act, No. 10 of 1998.

U. THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION ACT, 1999 (No. 8 of 1999)

- 1) **Notice is given that the Leader of the Majority Party (Hon. Aden Duale) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Environmental Management and Co-ordination Act, 1999 by inserting the following new amendments in proper numerical order—

Written law

The Environmental
Management and
Co-ordination Act,
1999
(No.8 of 1999)

**Provisi
on Amendment**

- s.2 Delete the definition of the word “Public Department”.
- s.2 Insert the following new definition in proper alphabetical sequence—
- “Complaints Committee” means the National Environmental Complaints Committee established under section 31.
- s.31 Delete the word “Department” appearing on the marginal note and substitute therefor the words “Complaints Committee”.
- s.31 (1) Delete the expression “National Environmental Department (hereinafter referred to as “the Department”) and substitute therefor the words “Complaints Committee”.
- s.31 (1) Delete the word “Department” and substitute therefor (d) the words “Complaints Committee”.
- s.31 (2) Delete the word “Department” and substitute therefor the words “Complaints Committee”.
- s.31 (3) Delete the word “Department” appearing in the opening statement and substitute therefor the words “Complaints Committee”.
- s.31 (4) Delete the word “Department” and substitute therefor the words “Complaints Committee”.
- s.31 (5) Delete the word “Department” and substitute therefor the words “Complaints Committee”.
- s.31 (6) Delete the word “Department” and substitute therefor the words “Complaints Committee”.
- s.32 Delete the words “National Environmental Department” appearing in the marginal note and substitute therefor the words “Complaints Committee”.

- s.32 Delete the expression “National Environmental Department (hereinafter referred to as “the Department”) and substitute therefor the words “Complaints Committee”.
- s.33 Delete the words “National Environmental Department” appearing in the marginal note and substitute therefor the words “Complaints Committee”.
- s.33 (1) Delete the expression “National Environmental Department (hereinafter referred to as “the Department”) appearing in the opening statement and substitute therefor the words “Complaints Committee”.
- s.33 (1) Delete the word “Department” and substitute therefor (a) the words “Complaints Committee”.
- s.33 (1) Delete the word “Department” and substitute therefor (b) the words “Complaints Committee”.
- s.33 (2) Delete the word “Department” and substitute therefor (a) the words “Complaints Committee”.
- s.33 (2) Delete the word “Department” and substitute therefor (c) the words “Complaints Committee”.
- s.33 (2) Delete the word “Department” and substitute therefor (d) the words “Complaints Committee”.
- s.34 Delete the words “National Environmental Department” appearing in the marginal note and substitute therefor the words “Complaints Committee”.
- s.34 Delete the word “Department” and substitute therefor the words “Complaints Committee”.
- s.35 (1) Delete the word “Department” wherever it appears and substitute therefor the words “Complaints Committee”.
- s.36 Delete the words “National Environmental Department” appearing in the marginal note and substitute therefor the words “Complaints Committee”.
- s.36 (1) Delete the word “Department” and substitute therefor the words “Complaints Committee”.
- s.36 (2) Delete the word “Department” and substitute therefor the words “Complaints Committee”.

- 2) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Environmental Management and Coordination Act No. 8 of 1999 by deleting the proposed amendments to —

- (a) section 29(4);
- (b) section 32;and
- (c) section 36(1).

V. THE KENYA ROADS BOARD ACT 1999 (No. 7 of 1999)

Notice is given that the Chairperson of the Departmental Committee on Transport, Public Works and Housing intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill(National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendment to section 12 (2) of the Kenya Roads Board Act, No. 7 of 1999 by deleting the word “Master’s” appearing in paragraph (a).

W. THE INDUSTRIAL PROPERTY ACT (No. 3 of 2001)

- 1) Notice is given that the Chairperson of the Departmental Committee on Trade, Industry and Cooperatives intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendment to the Industrial Property Act, No.3 of 2001 by—

- (a) deleting the proposed amendment to section 12 subsection (2);
- (b) deleting the proposed amendment to section 113 subsection (6) and substituting therefor the following—

Insert the following new subsection immediately after subsection (5)—

- s. 113(6) The Cabinet Secretary shall through a competitive process, appoint a person who has experience of not less than seven years in matters relating to industrial property being qualified and entitled to practice as an advocate in Kenya to be the Secretary to the Tribunal.

- 2) **Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Industrial Property Act No. 3 of 2001 by deleting—

- (a) all the proposed amendments to section 34;
- (b) the proposed amendment section 53(2)(a);
- (c) the proposed amendment to section 59;
- (d) the proposed amendment to section 62;
- (e) the proposed amendment to section 63;
- (f) the proposed amendment to section 77;
- (g) the proposed amendment to section 80;
- (h) all the proposed amendments to section 84;
- (i) all the proposed amendments to section 87;
- (j) all the proposed amendments to section 90;
- (k) the proposed amendment to section 91;
- (l) the proposed new section 91A;
- (m) the proposed amendment to section 92(4);
- (n) the proposed amendment to section 93(2);
- (o) all the proposed amendments to section 113;
- (p) the proposed amendment to section 117;
- (q) the proposed amendment to section 119;
- (r) the proposed amendment to section 120; and
- (s) the proposed amendment to the Second Schedule.

X. THE CHILDREN ACT, 2001 (No. 8 of 2001)

- 1) **Notice is given that the Member for Homa Bay County (Hon. Gladys Wanga) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Children Act, No. 8 of 2001 by –

(i) by inserting the following new amendments in their proper numerical sequence—

PROVISION AMENDMENT

New. Insert the following new section immediately after section 20—

Application of
No 8 of 2010.

20A (1) The provisions of section 4 of the Counter-Trafficking in Persons Act, 2010, shall apply with regard to offences involving trafficking in children.

(2) Any person convicted of an offence of trafficking in children shall be liable for punishment in accordance with the penalties imposed under section 4 of the Counter-Trafficking in Persons Act, 2010.

s.156

Insert the following new subsection immediately after subsection 4-

“(4A) Notwithstanding any other provision of this Part, the moratorium issued before the enactment of subsection (4) shall be deemed to have been issued under this section.”

New. National
Adoption
Society.

Insert the following new section immediately after section 176—

177A. (1) Notwithstanding any other provision of this Act, the Child Welfare Society of Kenya established under Legal Notice No. 58 of 2014 shall be –

(a) the national adoption society whose function shall be to provide adoption services on behalf of the Government of Kenya;

(b) the approved society for purpose of care, protection and control of children;

(c) exempted from the provisions of section 177 of this Act with regard to registration;

(2) The exemption granted to the Child Welfare Society of Kenya under the Societies Act immediately before the commencement of this section shall upon such commencement, be deemed to have been granted under this Act.

s.179(1)(b)

Delete the “proviso “and substitute therefore the following new proviso—

“commits an offence and is liable on conviction to imprisonment for a term not exceeding twenty years or to a fine not exceeding twenty million shillings or to both.”

- 2) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Children Act No. 8 of 2001 by deleting—

- (a) the proposed amendment to section 2;
- (b) the proposed amendment to section 59;
- (c) the proposed new section 72A;
- (d) the proposed new section 72B;
- (e) the proposed amendment to section 147;
- (f) the proposed amendment to section 155;
- (g) the proposed amendment to section 156(1);
- (h) the proposed amendment to section 157(1);
- (i) the proposed amendment to section 163(1)(f);
- (j) the proposed amendment to section 177(1);
- (k) the proposed amendment to section 179(2);
- (l) the proposed new section 183A; and
- (m) the proposed new section 197A.

- 3) Notice is given that the Member for Seme (Hon. James Nyikal) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT the Schedule to the Bill be amended—

- (a) in the proposed amendments to the Children Act, 2007 (No. 8 of 2001)—
 - (i) by deleting the proposed amendment to section 147;
 - (ii) by deleting the proposed amendment to section 156;
 - (iii) by deleting the proposed proviso in section 157;
 - (iv) by deleting the proposed amendment to section 163;
 - (v) by deleting the proposed amendment to section 177;

- 4) Notice is given that the Member for Bondo (Hon. Gideon Ochanda) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT the Schedule to the Bill be amended—

- (a) in the proposed amendments to the Children Act, 2007 (No. 8 of 2001)—
- (i) by deleting the proposed amendment to section 2;
 - (ii) by deleting the proposed amendment to section 72B and substituting therefor the following—
- s.72B. “Delete the proposed amendment to section 72B and substitute therefor the following—
- “(72B) The Cabinet Secretary shall require the Area Advisory Committee provided for under section 67 of this Act.”

Y. THE COPYRIGHT ACT, 2001 (No.12 of 2001)

- 1) Notice is given that the Chairperson of the Departmental Committee on Communication, Information and Innovation intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Copyright Act, 2001 (No. 12 of 2001) by -

- (i) inserting the following new paragraph immediately after the proposed new paragraph 6(1)(c)—
 - “(ca) the principal Secretary in the Ministry responsible for matters relating to information and communications technology or a designated representative”;
- (ii) deleting the proposed new paragraph (6)(1)(f);
- (iii) deleting the expression “paragraphs (1)(e) and (f)” appearing in the proposed new section 6(2) and substituting therefor the expression “paragraph (1)(e)”.

- 2) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting the proposed amendment to section 6 of the Copyright Act, No. 12 of 2001.

Z. THE PRIVATIZATION ACT, 2005 (No.2 of 2005)

Notice is given that the Chairperson of the Departmental Committee on Finance and National Planning intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Privatization Act, 2005 by -

- (a) deleting the proposed amendment to section 23 (3);
- (b) deleting the proposed amendment to subsection (4) and substituting therefor the following new subsection-
 - (5) The Cabinet Secretary shall compile and submit to the National Assembly, not later than four months after the end of each financial year, a consolidated report summarizing the status of implementation of each proposal approved under subsection (2) in that year.
 - (6) Upon laying before the National Assembly, the report under subsection (5) shall be referred to the relevant committee.

AA. THE WITNESS PROTECTION, 2006 (No.16 of 2006)

- 1) Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Witness Protection Act by –

- (a) in the proposed amendment to section 3F(6) by deleting the words “responsible for finance”; and
- (b) by deleting the proposed amendment to section 3F(7).

- 2) Notice is given that the Leader of the Majority Party intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Witness Protection Act, 2006—

- (a) by inserting the following new provision in proper numerical order—

The Witness Protection Act, s.3E (12)	Delete.
2006 (No. 16 of 2006)	

- (b) in the proposed amendment to section 3F (1), by deleting the words “Cabinet Secretary responsible for Finance” and substituting therefor the expression “the Attorney-General”; and

- (c) by deleting the proposed amendment to section 3F (7).

BB. THE EMPLOYMENT ACT, 2007 (No.11of 2007)

Notice is given that the Chairperson of the Departmental Committee on Labour and Social Welfare intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Employment Act, 2007 (No. 11 of 2007) by deleting the proposed amendment to section 10(3).

CC. THE LABOUR INSTITUTIONS ACT, 2007 (No.12 of 2007)

Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting the proposed amendment to section 43(1) of the Labour Institutions Act, No. 12 of 2007.

DD. THE LABOUR RELATIONS ACT, 2007 (No.14 of 2007)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Labour and Social Welfare intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Labour Relations Act, 2007 (No. 14 of 2007) by -

- (i) by deleting the proposed amendment to section 2;
 - (ii) by deleting the proposed amendment to section 48;
 - (iii) by deleting the proposed amendment to section 49;
 - (iv) by deleting the proposed amendment to section 50(2);
 - (v) by deleting the proposed amendment to section 50 2(b);
 - (vi) by deleting the proposed amendment to section 50(5);
 - (vii) by deleting the proposed amendment to section 50(9);
 - (viii) by deleting the proposed amendment to section 76;
 - (ix) by deleting the proposed amendment to section 78(1)(f);
 - (x) by deleting the proposed amendment to section 81;
 - (xi) by deleting the proposed new section 81A;
 - (xii) by deleting the proposed new section 81B;
 - (xiii) by deleting the proposed new section 81C;
 - (xiv) by deleting the proposed new section 81D;
 - (xv) by deleting the proposed new section 81E;
 - (xvi) by deleting the proposed amendment to the Fourth Schedule.
- 2) **Notice is given that the Member for Bomet Central (Hon. Ronald Tonui) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Labour Relations Act, 2007 (No. 14 of 2007) by -

- (i) deleting the proposed amendment to section 48(2);
- (ii) deleting the proposed amendment to section 49;
- (iii) deleting the proposed proviso in section 76;
- (iv) deleting the proposed amendment to section 81A(2);
- (v) deleting the proposed amendment to section 81B;
- (vi) deleting the proposed amendment to section 81E.

- 3) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Labour Relations Act No. 14 of 2007 by deleting—

- (a) the proposed amendment to section 48;
- (b) the proposed amendment to section 49;
- (c) all the proposed amendments to section 50;
- (d) the proposed amendment to section 76;
- (e) the proposed amendment to section 78(1);
- (f) the proposed amendment to section 81;
- (g) the proposed new Part XA; and
- (h) the proposed amendment to the Fourth Schedule.

EE. THE ANTI-COUNTERFEIT AGENCY ACT, 2008 (No. 13 of 2008)

- 1) Notice is given that the Chairperson of the Departmental Committee on Trade, Industry and Cooperatives intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended by inserting the following new proposed amendment to section 2 of the Anti-Counterfeit Agency Act, No. 13 of 2008 —

- s. 2 Insert the words “or outside Kenya” immediately after the words “subsisting in Kenya” appearing in the definition of the word “counterfeiting”.

- 2) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Anti-Counterfeit Agency Act, No. 13 of 2008 by deleting—

- (a) the proposed amendment to the Long title;
- (b) the proposed amendment to section 2;
- (c) all the proposed amendments to section 3;
- (d) all the proposed amendments to section 5;
- (e) the proposed amendment to section 6;
- (f) all the proposed amendments to section 7;
- (g) all the proposed amendments to section 10;
- (h) the proposed amendment to section 11;
- (i) all the proposed amendments to section 12;
- (j) all the proposed amendments to section 14;
- (k) the proposed amendment to section 15;
- (l) all the proposed amendments to section 16;
- (m) all the proposed amendments to section 17;
- (n) all the proposed amendments to section 19;
- (o) all the proposed amendments to section 20;
- (p) all the proposed amendments to section 21;
- (q) all the proposed amendments to section 23;
- (r) the proposed amendment to section 26;
- (s) the proposed amendment to section 32;
- (t) all the proposed amendments to section 33;
- (u) all the proposed amendments to section 34;
- (v) the proposed new section 34A;
- (w) the proposed new section 34B;
- (x) the proposed amendment to section 35;and
- (y) the proposed amendment to section 36.

FF. THE BIOSAFETY ACT, 2009 (No.2 of 2009)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Agriculture and Livestock intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendment to the Biosafety Act, (*No 2 of 2009*) by inserting the following new paragraph immediately after the proposed new paragraph 6(1)(d) —

“(da) the Principal Secretary in the ministry for the time being responsible for matters relating to health”

- 2) Notice is given that the Member for Suba North (Hon. Milli Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Biosafety Act No. 2 of 2009 by deleting—

- (a) the proposed amendment to section 6(1);
- (b) the proposed amendment to section 12(2); and
- (c) the proposed amendment to section 14;

GG. THE PROCEEDS OF CRIME AND ANTI-MONEY LAUNDERING ACT, 2009 (No.9 of 2009)

- 1) Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Proceeds of Crime and Anti-Money Laundering Act -

- (a) by deleting the proposed new paragraph (fa) in section 2; and
- (b) by deleting the words “advocates, notaries, other independent legal professionals and” appearing in the proposed new subsection 8 (a) in section 48.

- 2) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Proceeds of Crime and Anti-Money Laundering Act No. 9 of 2009 by deleting—

- (a) all the proposed amendments to section 2; and
- (b) the proposed amendment to section 48.

HH. THE NATIONAL YOUTH COUNCIL ACT, 2009 (No.10 of 2009)

- 1) Notice is given that the Chairperson of the Departmental Committee on Labour and Social Welfare intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the National Youth Council Act, 2009 (No. 10 of 2009) by –

- (i) deleting the proposed amendment to section 2;
- (ii) deleting the proposed amendment to section 4;
- (iii) deleting the proposed amendment to section 5(1);
- (iv) deleting the proposed amendment to section 5 (3);
- (v) deleting the proposed amendment to section 9;
- (vi) deleting the proposed amendment 10(2);
- (vii) deleting the proposed amendment to section 23;
- (viii) deleting the proposed amendment to the First Schedule.

- 2) Notice is given that the Leader of the Majority Party intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

THAT, the Schedule to the Bill be amended by deleting all the proposed amendments to the National Youth Council Act, 2009.

- 3) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the National Youth Council Act, No. 10 of 2009 by deleting—

- (a) the proposed amendments to section 2;
- (b) the proposed amendment to section 4;
- (c) all the proposed amendments to section 5;
- (d) the proposed amendment to section 9;
- (e) the proposed amendment to section 10;
- (f) the proposed amendment to section 23; and
- (g) the proposed amendment to the First Schedule.

II. THE JUDICIAL SERVICE ACT, 2011 (No.1 of 2011)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Judicial Service Act by inserting the following new amendment to section 15 -

- s.15(1)(a) Delete the words “until after the first elections under the Constitution, the President shall, subject to the National Accord and Reconciliation Act, and after consultation with the Prime Minister, within seven days after the commencement of this Act” and substitute therefor the words “the President shall”

- 2) **Notice is given that the Leader of the Majority Party intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

THAT, the Schedule to the Bill be amended by deleting all the proposed amendments to the Judicial Service Act, 2011.

- 3) **Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Judicial Service Act No. 1 of 2011 by deleting the proposed amendments to—

- (a) section 15(1)(b); and
(b) section 15(2).

JJ. THE TOURISM ACT, 2011 (No.28 of 2011)

- 1) Notice is given that the Chairperson of the Departmental Committee on Sports, Tourism and Culture intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Tourism Act, (No. 28 of 2011) by -

- (a) deleting the proposed amendment to section 7(1)(a) and substituting therefor the following new amendment —

s.7(1)(a) Delete paragraph (a) and substitute therefor the following new paragraph—

“formulate guidelines and prescribe measures for sustainable establishments and operations to realize sustainable tourism development throughout the country”

- (b) deleting the proposed amendments to section 7(1)(b).

- 2) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Tourism Act No. 28 of 2011 by deleting—

- (a) all the proposed amendments to section 7;
(b) the proposed amendment to section 31(a); and
(c) the proposed amendment to section 42(b).

KK. THE INDEPENDENT POLICE OVERSIGHT AUTHORITY ACT, 2011 (No. 35 of 2011)

Notice is given that the Leader of the Majority Party intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

THAT, the Schedule to the Bill be amended by deleting all the proposed amendments to Independent Police Oversight Authority Act, 2011.

LL. THE LAND ACT, 2012 (No.6 of 2012)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Lands intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Lands Act, 2012 by -

- (a) by deleting the proposed amendment to section 2;
 - (b) by deleting the proposed amendment to section 23 and substituting therefor the following new amendment —
- s. 23 Delete sub-section (2) and substitute therefor the following new sub-section—
- (2) A lease or licence for private land within the meaning of Article 64(b) of the Constitution shall be issued by the Cabinet Secretary and registered by the Chief Land Registrar.
- (c) by inserting the following new proposed amendments immediately after the proposed amendment to section 30 of the Land Act—
- s.31 Delete the word “Commission” wherever it appears and substitute therefor the word “Chief Land Registrar”.
- s.32(1) Delete the word “Commission” and substitute therefor the word “Chief Land Registrar”.
- s. 33 Delete the word “Commission” and substitute therefor the word “Chief Land Registrar”.
- s.34 Delete the word “Commission” wherever it appears and substitute therefor the word “Chief Land Registrar”.
- Delete the word “public” wherever it appears.
- s. 35 Delete the word “Commission” wherever it appears and substitute therefor the word “Chief Land Registrar”.
- Delete the word “public” wherever it appears.
- s.36 Delete the word “public” wherever it appears.

2) Notice is given that the Leader of the Majority Party intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

THAT, the Schedule to the Bill be amended by deleting all the proposed amendments to the Land Act, 2012 and substituting therefor the following—

The Land Act,
2012 (No. 6 of
2012)

s. 2 Insert the following new definition in its proper alphabetical sequence—

“Alienation of public land” means alienation of land by either the National Government or the County Government as the case may be, by way of issuance of a letter of allotment by the National Land Commission to any person to hold the land either under leasehold or freehold tenure.

Heading of Part
II

Delete the heading of Part II and substitute therefor the words “General Conditions Relating to Leases, Licenses and Agreements for Leasehold Land.”

s. 23

Delete sub-section (2) and substitute therefor the following new sub-section—

(2) A lease or licence for private land within the meaning of Article 64(b) of the Constitution shall be issued by the Cabinet Secretary and registered by the Chief Land Registrar.

s. 25

Delete the word “leased” appearing in the marginal note.

s. 28 (1)

Delete and substitute therefor the following new subsection—

(1) The rent, royalties and payments reserved under any lease or licence shall be a debt owed to the national or county government, as the case may be, and shall be paid by the lessee or licensee at the office of the respective government or at such place as such government may prescribe.

s. 29

Delete the word “Commission” wherever it appears and substitute therefor the words “national government or county government, as the case may be”.

s. 30

Delete the words “Commission’s right to recover a debt in any other way, the Commission may sue” and substitute therefor the words “the right of the respective government

to recover a debt in any other way, such government may sue”.

(No. 81) **WEDNESDAY, AUGUST 29, 2018** (1066)

s. 31 Delete the word “Commission” wherever it appears and substitute therefor the words “national government or county government, as the case may be”.

s. 32 Delete the word “Commission” wherever it appears and substitute therefor the words “national government or county government, as the case may be”.

s. 33 Delete the word “Commission” wherever it appears and substitute therefor the words “national government or county government, as the case may be”.

s. 34 Delete the words “Public Land” appearing in the marginal note and substitute therefor the words “leasehold land”.

Delete the word “Commission” wherever it appears and substitute therefor the words “national government or county government, as the case may be”.

Delete the words “leasehold public land” wherever they appear and substitute therefor the words “land held under leasehold tenure”.

s. 35 Delete the word “Commission” wherever it appears and substitute therefor the words “national government or county government, as the case may be”.

3) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Land Act No. 6 of 2012 by deleting—

- (a) the proposed amendment to section 2;
- (b) the proposed amendment to section 23;
- (c) the proposed amendment to section 28;
- (d) the proposed amendment to section 29; and
- (e) the proposed amendment to section 30.

MM. THE LAND REGISTRATION ACT, 2012(No.3 of 2012)

- 1) Notice is given that the Chairperson of the Departmental Committee on Lands intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Lands Registration Act, 2012 by deleting the proposed amendment to section 2.

- 2) Notice is given that the Leader of the Majority Party intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting the proposed amendment to section 2 of the Land Registration Act, 2012.

NN. THE NATIONAL AUTHORITY FOR THE CAMPAIGN AGAINST ALCOHOL AND DRUG ABUSE (No. 14 of 2012)

Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting proposed amendments to section 6(1)(a) of the National Authority for the Campaign Against Alcohol and Drug Abuse No. 14 of 2012.

OO. THE KENYA DEFENCE FORCES ACT, 2012(No.25 of 2012)

- 1) Notice is given that the Chairperson of the Departmental Committee on Defence and Foreign Relations intends to move the following amendment to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Kenya Defence Forces Act (No. 25 of 2012) by -

- (a) deleting the word “on” and substituting therefor the word “or” in the proposed amendment to Section 133 (1); and

(b) deleting the word “board” wherever it appears and substituting therefor the word “committee” in the proposed amendment to Section 304 (1).

(No. 81)

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(1068)

- 2) **Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Kenya Defence Forces Act No. 25 of 2012 by deleting—

- (a) the proposed amendment to section 61(2);
- (b) the proposed amendment to section 133(1);
- (c) the proposed amendment to section 245(11);
- (d) the proposed amendment to section 249(5)(a);
- (e) the proposed amendment to section 252; and
- (f) the proposed amendment to section 304(1).

PP. THE KENYA SCHOOL OF LAW ACT, 2012 (No.26 of 2012)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law(Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Kenya School of Law Act by –

- (a) deleting all the proposed amendments to section 4(2);
- (b) deleting the proposed amendments to section 16; and
- (c) deleting the proposed amendments to the Second Schedule.

- 2) **Notice is given that the Leader of the Majority Party intends to move the following amendments to the Statute Law(Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting all the proposed amendments to the Kenya School of Law Act, 2012.

- 3) **Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to

the Kenya School of Law Act No. 26 of 2012 by deleting—

(No. 81)

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(1069)

- (a) the proposed amendment to section 4(2);
- (b) the proposed amendment to section 16; and
- (c) the proposed amendment to the Second Schedule

QQ. THE LEGAL EDUCATION ACT, 2012 (No.27 of 2012)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Legal Education Act, by –

- (a) deleting the proposed amendments to section 8(1);
- (b) deleting the proposed amendments to section 8(2); and
- (c) deleting the proposed amendments to section 8(3).

- 2) **Notice is given that the Leader of the Majority Party intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting all the proposed amendments to the Legal Education Act, 2012.

- 3) **Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Legal Education Act No. 27 of 2012 by deleting the proposed amendments to—

- (a) section 8(1);
- (b) section 8(2); and
- (c) section 8(3).

RR. THE NATIONAL TRANSPORT AND SAFETY AUTHORITY ACT, 2012 (No.33 of 2012)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Transport, Public Works and Housing intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the National Transport and Safety Authority Act, (No. 33 of 2012) by –

- (a) deleting the proposed amendment to section 2;
 - (b) deleting the proposed amendment to section 3(2);
 - (c) deleting the proposed amendment to section 5;
 - (d) deleting the proposed amendment to section 15(1); and
 - (e) deleting the proposed amendment to section 15(3).
- 2) **Notice is given that the Leader of the Majority Party intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting all the proposed amendments to the National Transport and Safety Authority Act, 2012.

- 3) **Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the National Transport and Safety Authority Act No. 33 of 2012 by deleting—

- (a) the proposed amendment to section 2;
- (b) the proposed amendment to section 3(2);
- (c) the proposed amendment to section 5 and
- (d) all the proposed amendments to section 15.

SS.THE UNIVERSITIES ACT, 2012 (No.42 of 2012)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Education and Research intends to move the following amendment to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Universities Act, 2012 by -

- (a) deleting the words “in consultation with the Cabinet Secretary, after a competitive process conducted by the Public Service Commission” appearing immediately after the word “Colleges” in the proposed amendments to section 35 (1) (a)(v) and substituting therefor the words “in the manner provided in the Fourth Schedule”;
- (b) deleting the proposed amendment to section 39 (3) and substituting therefor the following proposed new subsections –

“(3) The Vice-Chancellor of a public university shall hold office for a term of three years and shall be eligible for reappointment for one more term, upon satisfactory performance, as evaluated by the Council.

(3A) A person who immediately before the commencement of this Act, is a Vice-Chancellor of a public university, shall remain in office for the remaining period of his or her five year term, in accordance with the terms and conditions of their appointment”.

- (c) in the proposed amendments to the Second Schedule-
 - (i) by deleting the words “key stake holders” appearing immediately after the words “consultation with” in paragraph (1) and substituting therefor the words “the following organisations”;
 - (ii) by inserting the following new sub-paragraphs immediately after the word “appointment” in paragraph (1) –
 - (a) the alumni association;
 - (b) the staff union;
 - (c) the students’ association; and
 - (d) the industry represented by the Kenya Private Sector Alliance, National Chamber of Commerce and the Association of Professional Societies of East Africa.
 - (iii) by deleting the words “Five names shall be proposed to the Senate and submitted to the Public Service Commission” appearing immediately before the words “for short listing” in paragraph (2) and substituting therefor the words “The Senate shall submit five names to the Council”;

- (iv) by deleting the words “The Public Service Commission” appearing at the beginning of paragraph (3) and substituting therefor the words “The Council”.
- (d) by inserting the following new paragraph immediately after the proposed amendments to the Second Schedule –
 - “by inserting the following new Schedule immediately after the Third Schedule”

Fourth Schedule.

FOURTH SCHEDULE

(Section 35 (a) (v))

1. (a) Where a vacancy occurs in the office of the Vice Chancellor or Deputy Vice Chancellor of a public university or Principal or Deputy Principal of a constituent college, the Council of that university shall constitute a selection panel consisting of –
 - (a) a representative of the Council;
 - (b) a representative of the Public Service Commission;
 - (c) the Principal Secretary, Ministry of Education;
 - (d) the Principal Secretary in the Ministry for the time being responsible for finance;
 - (e) two representatives, being one man and one woman, nominated by the Senate;
 - (f) a representative of the Universities Academic Staff Union;
 - (g) a representative of the alumni association; and
 - (h) a representative of the Students’ Association.
- (b) The Vice Chancellor or a person acting as the Vice-Chancellor shall not be a member of the selection panel.
2. The Council shall—
 - (a) convene the first meeting of the selection panel, at which the members of the selection panel shall elect a chairperson from among themselves; and
 - (b) provide the selection panel with such facilities and other support as it may require for the discharge of its functions.
3. Subject to this Act, the selection panel shall, within seven days of convening, by advertisement in the media, invite applications from persons who qualify for nomination and appointment for the position of Vice Chancellor, Deputy Vice Chancellor, Principal or Deputy Principal.

4. The selection panel shall—
 - (a) consider the applications received under paragraph (3) to determine their compliance with the provisions of the Constitution and this Act;
 - (b) short list the applicants;
 - (c) publish the names of the qualified applicants and short-listed applicants in the media;
 - (d) conduct interviews of the short-listed persons;
 - (e) shortlist three qualified applicants for each vacant position; and
 - (g) forward the names of the qualified persons to the Council.
- (5) The Council shall, within fourteen days of receipt of the names forwarded under paragraph (4)(e), in consultation with the Cabinet Secretary appoint the Vice Chancellor, Deputy Vice Chancellor, Principal or Deputy Principal from among the three qualified applicants.
- (6) The selection panel may, subject to this section, determine its own procedure for the conduct of business and affairs.
- (7) The selection panel shall stand dissolved upon the appointment of the Vice Chancellor, Deputy Vice Chancellor, Principal or Deputy Principal under paragraph (5).
- (8) Despite the foregoing provisions, the Cabinet Secretary may, by notice in the Gazette, extend the period specified in respect of any matter under this schedule by a period not exceeding twenty-one days.

2) **Notice is given that the Member for Kikuyu Constituency (Hon. Kimani Ichung’wah) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Bill be amended in the Schedule by inserting the following new item in its proper alphabetical sequence-

The
Universities
Act, 2012.

s.2

Delete the words “to which a Charter has been grant under this Act” appearing in the definition of “University” and substitute therefor the words “establish in accordance with section 13 of this Act”;

Delete the words “established” appearing in the definition “foreign university” and substitute therefor the words “legally established in a country”;

- s.6 (1) Insert a new paragraph (i) as follows-
 (i) the Attorney-General or his representative who shall be an ex-officio member.
- s.6 (2) Delete
- s.6 (3) Delete
- s.6 (4) Delete
- s.6 (5) Delete
- s.6 (6) Delete
- s.6 (7) Delete
- s.6 (8) Delete
- s.6 (9) Delete
- s.6(10) Delete
- s.15(2) Insert a new paragraph immediately after paragraph (e) as follows-
 (ee) exercise any of the functions specified in section 20(1)(e).

3) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Universities Act No. 42 of 2012 by deleting the proposed amendments to—

- (a) section 35(1)(a)(v);
- (b) section 39(1)(a);
- (c) section 39(3); and
- (d) the Second Schedule.

TT. THE TREATY MAKING AND RATIFICATION ACT, 2012
(No.45 of 2012)

1) Notice is given that the Chairperson of the Departmental Committee on Defence and Foreign Relations intends to move the following amendment to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Treaty Making and Ratification Act, (No. 45 of 2012) by deleting the proposed new Section 8A.

- 2) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Treaty Making and Ratification Act No. 45 of 2012 by deleting—

- (a) the proposed amendments to section 3(3); and
- (b) the proposed new section 8A.

UU. THE OFFICE OF THE DIRECTOR OF PUBLIC PROSECUTIONS ACT, 2013 (No.2 of 2013)

[Note: The proposal to amend this Statute withdrawn from the Bill by the Mover]

- 1) Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Office of the Director of Public Prosecutions Act by deleting the proposed amendment to section 2(1) of the Office of the Director of Public Prosecutions Act.

- 2) Notice is given that the Leader of the Majority Party intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting the proposed amendments to section 2 of the Office of the Director of Public Prosecutions Act, 2013.

- 3) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting proposed amendments to section 2(1) of the Office of the Director of Public Prosecutions Act No. 2 of 2013.

VV. THE KENYA INSTITUTE OF CURRICULUM DEVELOPMENT ACT, 2013(No.4 of 2013)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Education and Research intends to move the following amendment to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to section 5(2) of the Kenya Institute of Curriculum Development Act, 2013 by deleting the proposed amendments to paragraph (f)(ii) and substituting the following new paragraph –

“(f)(ii) one person to represent the Kenya Private Schools Association;”

- 2) **Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Kenya Institute of Curriculum Development Act, No. 4 of 2013 by deleting—

- (a) all the proposed amendments to section 5;
- (b) all the proposed amendments to section 7;
- (c) the proposed amendment to section 8;and
- (d) the proposed amendment to the First schedule.

WW. THE KENYA LAW REFORM COMMISSION ACT (No. 19 of 2013)

Notice is given that the Leader of the Majority Party (Hon. Aden Duale) intends to move the following amendment to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Kenya Law Reform Commission Act, 2013—

- (a) by deleting the proposed new subsection 8(4) and substituting therefor the following new subsection—
 - (4) The members referred to in paragraphs (1) (c), (d) and (e) shall be officers of the Office of the Attorney-General, the Office of the Director of Public Prosecutions and the Judiciary, as the case may be, and a representative from the Law Society of Kenya.

(b) by inserting the following new amendments in proper numerical sequence—

s.8 (1) (c) Delete and substitute therefor the following new paragraph—

(c) two persons appointed by the Attorney-General to represent the Office of the Attorney-General and the Law Society of Kenya respectively.

s.8 (2) Insert the words “specified under paragraph (1) (b)” immediately after the word “Commission”

s.8 (3) Delete and substitute therefor the following new subsection—

(3) The representatives of the Attorney-General, the Judiciary and the Office of the Director of Public Prosecutions shall be ex officio members of the Commission.

XX. THE NAIROBI CENTRE FOR INTERNATIONAL ARBITRATION ACT, 2013 (No.26 of 2013)

1) **Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Nairobi Centre for International Arbitration Act by -

(a) deleting the proposed amendments to section 6(1) and substituting therefor the following—

s.6(1) Delete the word “justice” appearing in paragraph (c) and substitute therefor the word “finance”.
Insert the words “Kenya Branch” immediately after the word “Arbitrators” appearing in subparagraph (iv) of paragraph (f).

(b) in the proposed amendments to section 21—

(i) by deleting the proposed amendments to sub-section (4) and substituting therefor the following—

- (4) Delete subsection (4) and substitute therefor the following—
- (4) The President and his deputy shall be appointed by the Board and shall —
- (a) hold office for a term of five years;
 - (b) be eligible for re-appointment for one further term of five years;
 - (c) serve on a part-time basis.
- (ii) Deleting the proposed amendment to sub-section (5).
- 2) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Nairobi Center For International Arbitration Act, No. 26 of 2013 by deleting—

- (a) all the proposed amendments to section 6(1);
- (b) all the proposed amendments to section 9;
- (c) all the proposed amendments to section 21;
- (d) the proposed amendment to section 22(1);
- (e) the proposed amendment to section 23;
- (f) the proposed amendment to section 24;
- (g) the proposed amendment to section 25;
- (h) the proposed amendment to the Schedule; and
- (i) the proposed new Second Schedule.

YY. THE SCIENCE, TECHNOLOGY AND INNOVATIONS ACT, 2013 **(No.28 of 2013)**

Notice is given that the Chairperson of the Departmental Committee on Education and Research intends to move the following amendment to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Science, Technology and Innovation Act, 2013 by -

- (a) deleting the proposed amendments to section 5(1);
- (b) deleting the proposed amendments to section 8(1);
- (c) deleting the proposed amendments to section 8(4); and
- (d) deleting the proposed amendments to section 8(5).

ZZ. THE NATIONAL SOCIAL SECURITY FUND ACT, 2013 (No.45 of 2013)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Labour and Social Welfare intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the National Social Security Fund Act, 2013 (No. 45 of 2013) by -

- (a) deleting the proposed amendment to section 6(a);
- (b) deleting the proposed amendment to section 6(d);
- (c) deleting the proposed amendment to section 9;
- (d) deleting the proposed amendment to section 11(2).

- 2) **Notice is given that the Member for Bomet Central (Hon. Ronald Tonui) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the National Social Security Fund Act, 2013 (No. 45 of 2013) by deleting the proposed amendment to section 6(d).

- 3) **Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the National Social Security Fund Act No. 45 of 2013 by deleting—

- (a) all the proposed amendments to section 6;
- (b) the proposed amendment to section 9; and
- (c) all the proposed amendments to section 11(2).

AAA. THE WILDLIFE CONSERVATION AND MANAGEMENT ACT (No.47 of 2013)

- 1) **Notice is given that the Chairperson of the Departmental Committee of Environment and Natural Resources intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Wildlife Conservation and Management Act by -

- (a) in the proposed amendments to section 3 in the definition of the term “subsistence hunting” by deleting the words “and/or his” appearing immediately after the words “consumption by individual” and substituting therefor the words “or their”;
- (b) in the proposed amendments to section 3 by inserting the following new definition in proper alphabetical sequence—
“Community Wildlife Compensation Committee” means the committee established under section 18;”
- (c) in the proposed amendment to section 8(2) (f) by—
 - (i) deleting the word “four” and substituting therefor the word “five”;
 - (ii) inserting the words “one of whom shall be from local community wildlife areas” at the end of the paragraph;
- (d) in the proposed amendment to section 18 by deleting the proposed new section 18 and substituting therefor the following new section—

Community
Wildlife
Conservation
Committees.

18. (1) Each county shall have a Community Wildlife Conservation Committee, consisting of—

- (a) a Chairperson appointed by the Cabinet Secretary being the County Commissioner;
- (b) an officer of the Service for the county who shall be the Secretary;
- (c) an agricultural officer based in the respective administrative Conservation Area established by the Service;
- (d) a medical officer based in the respective administrative Conservation Area established by the Service;
- (e) a livestock officer based in the respective administrative Conservation Area established by the Service and nominated by the Director;
- (f) four persons not being public officers knowledgeable in wildlife matters nominated by the community wildlife associations within the administrative Conservation Area established by the Service and appointed by the Cabinet Secretary.

(2) The Community Wildlife Conservation Committees may hold a maximum of four meetings every financial year.

(3) Despite subsection (2), additional meetings may beheld with the prior consent of the Cabinet Secretary.

- (e) in the proposed amendment to section 19 by deleting the proposed new section 19 and substituting therefor the following new section—

Functions
of
Community
Wildlife
Conservation
Committees

- 19.** (1) The functions of the Community Wildlife Conservation Committees shall be to—
- (a) review and recommend payment of compensation on claims resulting from loss or damage caused by wildlife;
 - (b) develop and implement, in collaboration with the Service and Community Wildlife Associations, mechanisms for mitigation of human wildlife conflict;
 - (c) bring together relevant stakeholders to harness participation in conservation and management programmes of wildlife; and
 - (d) perform such other functions as the Service may require or delegate to it.
- (f) in the proposed amendments to section 92—
- (i) in subsection (1), by deleting the word “three” appearing immediately after the words “not less than” and substituting therefor the word “five”;
 - (ii) in subsection (2), by deleting the word “five” appearing immediately after the words “not less than” and substituting therefor word “seven”;
 - (iii) in subsection (3) by—
 - (a) deleting the word “sin” appearing immediately after the words “endangered species as specified” and substituting therefor the word “in”;
 - (b) deleting the word “three” appearing immediately after the words “not less than” and substituting therefor the words “five”;
 - (iv) in subsection (4) by deleting the word “three” appearing immediately after the words “a term of imprisonment of not less than” and substituting therefor the words “five”.
- (g) in the proposed amendments to section 98 in subsection (3) by deleting the words “subsection (1)” appearing immediately after the words “contravenes the” and substituting therefor the words “subsection (2)”.
- (h) in the proposed amendments to section 102(1) (a) by inserting the following new item immediately after the proposed new paragraph (a)—
- s. 102(1) (d) Insert the following new paragraph immediate paragraph (d)—
- “(da) burns charcoal in any protected area;”
- (i) in the proposed amendments to section 102(1) (g) by deleting the proposed amendments appearing after the proposed new paragraph (g) and substituting therefor the following—
- s. 102(2) Delete subsection (2) and substitute with the following—
- “(2A) A person shall not enter any protected area with livestock without a permit or written permission from the authority responsible as the case may be.”

- (j) by deleting the proposed new section 116A; and
 - (k) by deleting the proposed amendment to the heading of Part B of the Third Schedule.
- 2) **Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Wildlife Conservation and Management Act No. 47 of 2013 by deleting—

- (a) all the proposed amendments to section 3;
- (b) the proposed amendment to section 6(1);
- (c) the proposed amendment to section 7(e);
- (d) the proposed amendment to section 8(2)(f);
- (e) the proposed amendment to section 11(4);
- (f) the proposed amendment to section 18;
- (g) the proposed amendment to section 19;
- (h) the proposed amendment to section 23;
- (i) the proposed amendment to section 92;
- (j) the proposed amendment to section 95;
- (k) the proposed new section 95A;
- (l) the proposed amendment to section 97;
- (m) the proposed amendment to section 98;
- (n) all the proposed amendments to section 99;
- (o) all the proposed amendments to section 102;
- (p) the proposed amendment to section 103;
- (q) the proposed new section 116A; and
- (r) all the proposed amendments to the Third Schedule.

BBB. THE COMPANIES ACT, 2015 (No.17 of 2015)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Companies Act by -

- (a) deleting the proposed new section 275A;
- (b) deleting the proposed amendments to section 329(1);
- (c) deleting the proposed amendments to section 329(2)

- 2) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Companies Act No. 17 of 2015 by deleting—

- (a) the proposed amendments to section 151(3);
- (b) the proposed amendment to section 258;
- (c) the proposed new section 275A;
- (d) the proposed amendment to section 281(2);
- (e) all the proposed amendments to section 329; and
- (f) all the proposed amendments to section 721.

CCC. THE PROTECTION OF TRADITIONAL KNOWLEDGE AND CULTURAL EXPRESSIONS ACT, 2016 (No. 33 of 2016)

Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended by deleting proposed amendments to section 2 of the Protection of Traditional Knowledge and Cultural Expressions Act, No. 33 of 2016.

DDD. THE NATIONAL DROUGHT MANAGEMENT AUTHORITY ACT, 2016 (No.4 of 2016)

- 1) Notice is given that the Chairperson of the Departmental Committee of Environment and Natural Resources intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to section 13 of the National Drought Management Authority Act by inserting the following new subsection immediately after the proposed new subsection (2)—

- “(3) The Board shall ensure that in the appointment of its staff—
- (a) not more than two-thirds of the staff shall be of the same gender;
 - (b) the regional and other diversity of the people of Kenya is taken into account; and
 - (c) persons with disabilities are afforded adequate and equal opportunities.”

- 2) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the National Drought Management Authority Act, No. 4 of 2016 by deleting—

- (a) all the proposed amendments to section 8(1);and
- (b) the proposed amendment to section 13.

EEE. THE FOREST CONSERVATION AND MANAGEMENT ACT, 2016
(No. 34 of 2016)

- 1) Notice is given that the Chairperson of the Departmental Committee of Environment and Natural Resources intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Forest Conservation and Management Act by deleting the proposed amendment to section 34 and substituting therefor the following—

- s. 34(1) delete the words “or the Senate,” appearing immediately after the words “National Assembly”.
- s. 34(3) delete the words “relevant House” appearing immediately after the words “Standing Orders of” and substituting therefor the words “National Assembly”.
- s. 34(5) (b) delete the words “or the Senate” appearing immediately after the words “National Assembly”.
- s. 34(6) delete the words “or the Senate” appearing immediately after the words “National Assembly”.

- 2) Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Forest Conservation and Management Authority Act No. 34 of 2016 by deleting—

- (a) all the proposed amendments to section 9;
- (b) the proposed amendment to section 34;
- (c) the proposed amendment to section 35(2);
- (d) the proposed amendment to section 40;
- (e) the proposed amendment to section 50(1);
- (f) the proposed amendment to section 57(1);
- (g) the proposed new section 63A;
- (h) the proposed amendment to section 64(3);
- (i) the proposed amendment to section 73(2); and
- (j) the proposed amendment to section 74.

FFF. THE BRIBERY ACT, 2016 (No. 47 of 2016)

- 1) **Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Bribery Act by deleting the proposed amendment to section 27(2) and substituting therefor the following—

s. 27(2) Delete and substitute therefor the following new subsection—

No.3 of 2003 (2) Any investigation, prosecution or court proceedings instituted before the commencement of this Act based on an offence committed under the Anti-Corruption and Economic Crimes Act shall be continued under the Anti-Corruption and Economic Crimes Act.

- 2) **Notice is given that the Member for Suba North (Hon. Millie Odhiambo) intends to move the following amendments to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) at the Committee Stage—**

SCHEDULE

THAT, the Schedule to the Bill be amended in the proposed amendments to the Bribery Act No. 47 of 2016 by deleting—

- (a) the proposed amendment to section 13(1)(c);
- (b) the proposed amendment to section 16; and
- (c) the proposed amendment to section 27(2).

The House resolved on Wednesday, February 14, 2018 as follows-

- III. THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a **debate** on any **Motion**, including a **Special motion** be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.
- IV. THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on **Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** shall be limited as follows:- A maximum of forty five (45) minutes for the Mover, in moving and fifteen minutes (15) in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee), and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each (if the Bill is not sponsored by either of them); and that priority in speaking shall be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.
- V. THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on a **Report of a Committee**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House, be limited as follows:- A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

NOTICE PAPER I

Tentative business for

Thursday (Morning), August 30, 2018

(Published pursuant to Standing Order 38(1))

It is **notified** that the House Business Committee, at their last meeting, approved the following **tentative** business to appear in the Order Paper for Thursday (Morning), August 30, 2018:-

A. MOTION – APPROVAL OF NOMINEES FOR APPOINTMENT AS CHAIRPERSON AND MEMBERS OF THE SALARIES AND REMUNERATION COMMISSION

(The Chairperson, Departmental Committee on Finance & National Planning)

B. MOTION– REPORT ON THE AIR PASSENGER SERVICE CHARGE ACT (APPORTIONMENT) ORDER, 2018

(The Chairperson, Committee on Delegated Legislation)

C. COMMITTEE OF THE WHOLE HOUSE

(i) The Division of Revenue (Amendment) Bill (Senate Bill No.14 of 2018)
(The Chairperson, Budget & Appropriations Committee)

(ii) The Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018)
(The Leader of the Majority Party)

(If not concluded on Wednesday, August 29, 2018 – Afternoon sitting)

D. THE HEALTH LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2018)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, August 29, 2018 – Afternoon sitting)

E. THE URBAN AREAS AND CITIES (AMENDMENT) BILL (SENATE BILL NO. 4 OF 2017)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, August 29, 2018 – Afternoon sitting)

F. THE WAREHOUSE RECEIPT SYSTEM BILL (SENATE BILL NO. 10 OF 2017)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, August 29, 2018 – Afternoon sitting)

...../Notice Paper II

NOTICE PAPER II

Tentative business for

Thursday (Afternoon), August 30, 2018

(Published pursuant to Standing Order 38(1))

It is **notified** that the House Business Committee, at their last meeting, approved the following **tentative** business to appear in the Order Paper for Thursday (Afternoon), August 30, 2018:-

A. **MOTION-** **ALTERATION OF THE CALENDAR OF THE HOUSE**
(The Leader of the Majority Party)

B. **MOTION-** **CHANGES IN COMMITTEE MEMBERSHIP**
(The Chairperson, Committee on Selection)

C. **MOTION-** **REPORT ON THE TAX PROCEDURES (TAX AGENTS)
REGULATIONS, 2018**
(The Chairperson, Committee on Delegated Legislation)

D. **COMMITTEE OF THE WHOLE HOUSE**

The Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018)
(The Leader of the Majority Party)

(If not concluded on Thursday, August 30, 2018 – Morning sitting)

E. **THE HEALTH LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY
BILL NO. 14 OF 2018)**
(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, August 30, 2018 – Morning sitting)

F. **THE URBAN AREAS AND CITIES (AMENDMENT) BILL (SENATE
BILL NO. 4 OF 2017)**
(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, August 30, 2018 – Morning sitting)

G. THE WAREHOUSE RECEIPT SYSTEM BILL (SENATE BILL NO. 10 OF 2017)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, August 30, 2018 – Morning sitting)

H. ADJOURNMENT OF THE HOUSE IN ACCORDANCE WITH ITS CALENDAR
