



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – THIRD SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, JULY 02, 2019**

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Honourable Speaker
4. **PETITIONS**

(i) The Speaker conveyed the following Petition -

**REGARDING DELAY IN ALLOCATION OF MWEA SETTLEMENT SCHEME  
TO LEGITIMATE BENEFICIARIES**

**“Honourable Members,** Standing Order 225(2) (b) requires the Speaker to report to the House any Petition, other than those presented by a Member. I therefore wish to report to the House that my office has received a Petition, submitted by Mr. Stephen Ngari Njuki on behalf of the beneficiaries of the former **Mwea Settlement Scheme LR NO. 26461 FR NO. 317/30.**

**Honourable Members,** the petitioner claims that the member for Mbeere South Constituency requested for a statement on the allocation of Mwea Settlement Scheme in Mbeere South Constituency in Embu County to the legitimate beneficiaries and in a reply to the statement dated 17<sup>th</sup> September 2018, the Cabinet Secretary for Interior and Coordination of National Government and Cabinet Secretary for Lands and Physical Planning undertook to resume the settlement of legitimate beneficiaries within 90 days. To date the beneficiaries of the Mwea Scheme are yet to be resettled despite the undertaking by the relevant Cabinet Secretaries.

**Honourable Members**, the petitioner is concerned that matters raised in this petition have been brought before the relevant legal and constitutional bodies but remain unresolved.

**Honourable Members**, pursuant to the provisions of Standing Order 227, this Petition therefore stands committed to the Departmental Committee on Lands. The Committee is requested to consider the Petition and report its findings to the House and the petitioner in accordance with Standing Order 227(2).

I thank you!"

- (ii) The Member for Saboti (Hon. Caleb Amisi presented a Petition regarding Compensation of land owners of the Matisi Community along the Kitale-Endebes-Suam Road.

Petition referred to the relevant Departmental Committee pursuant to Standing Order 227.

5. **PAPERS LAID**

The following Papers were laid on the Table –

- (i) The Third Annual Report to the National Assembly on Treaties Ratified by Kenya, from the Ministry of Foreign Affairs.
- (ii) Legal Notice No. 78 relating to the Public Finance Management (Biashara Kenya Fund) Regulations, 2019 and the Explanatory Memorandum from the National Treasury and Planning (*to be referred to the Committee on Delegated Legislation*);
- (iii) Legal Notice No. 79 relating to the Public Finance Management (Uwezo Fund) (Revocation) Regulations, 2019 and the Explanatory Memorandum from the National Treasury and Planning (*to be referred to the Committee on Delegated Legislation*);
- (iv) Legal Notice No. 80 relating to the Public Finance Management (Women Enterprise Fund) (Revocation) Regulations, 2019 and the Explanatory Memorandum from the National Treasury and Planning (*to be referred to the Committee on Delegated Legislation*); and

- (v) Legal Notice No. 81 relating to the Public Finance Management (Youth Enterprise Development Fund) (Revocation) Regulations, 2019 and the Explanatory Memorandum from the National Treasury and Planning (*to be referred to the Committee on Delegated Legislation*).
- (vi) The Reports of the Auditor-General and the Financial Statements in respect of the following **Institutions** for the year ended 30<sup>th</sup> June, 2018 and the certificates therein: -
- a) State Department for Agriculture;
  - b) Ministry of Health;
  - c) Kenya Education Management Institute;
  - d) Kenya Veterinary Board;
  - e) Kenya National Shipping Line Limited;
  - f) Centre for Mathematics, Science and Technology Education in Africa;
  - g) State Department for Irrigation;
  - h) State Department for Petroleum;
  - i) State Department for Water Services; and
  - j) National Irrigation Board.

*(The Majority Whip)*

- (vii) The Report of the Mediation Committee on the Irrigation Bill (National Assembly Bill No. 46 of 2017); and
- (viii) The Report of the Mediation Committee on the Land Value Index Laws (Amendment) Bill (National Assembly Bills No. 3 of 2018).

*(Hon. Aden Duale, Chairperson of the two respective Mediation Committees)*

6. **NOTICES OF MOTION**

The following Notices of Motion were given:-

- (i) **Notice of Motion -The Report of the Mediation Committee on the Irrigation Bill (National Assembly Bill No. 46 of 2017)**

THAT, pursuant to the provisions of Article 113(2) of the Constitution and Standing Order 150, this House adopts the Report of the

Mediation Committee on the Irrigation Bill (National Assembly Bill No. 46 of 2017) *laid on the Table of the House on Tuesday, July 02, 2019*, and approves the Mediated Version of the Irrigation Bill (National Assembly Bill No. 46 of 2017).

*(Hon Aden Duale, Chairperson of the Mediation Committee)*

**(ii) Notice of Motion -The Report of the Mediation Committee on the Land Value Index Laws (Amendment) Bill (National Assembly Bills No. 3 of 2018**

THAT, pursuant to the provisions of Article 113(2) of the Constitution and Standing Order 150, this House adopts the Report of the Mediation Committee on the Land Value Index Laws (Amendment) Bill (National Assembly Bill No. 3 of 2018) *laid on the Table of the House on Tuesday, July 02, 2019*, and approves the Mediated Version of the Land Value Index Laws (Amendment) Bill (National Assembly Bill No. 3 of 2018).

*(Hon Aden Duale, Chairperson of the Mediation Committee)*

7. **QUESTIONS AND STATEMENTS**

**a). Questions**

The following Questions were asked –

- (i) Question No.274/2019 by the Member for Trans Nzoia County (Hon. Janet Nangabo) regarding mistreatment of staff of the Agricultural Development Corporation.

*(To be replied by the Cabinet Secretary for Agriculture, Livestock and Fisheries before the Departmental Committee on Agriculture and Livestock)*

- (ii) Question No.286/2019 by the Member for Voi (Hon. Mlolwa Jones) regarding proposal for establishing a Train Stop-Over at Voi Railway Station.

*(To be replied by the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development before the Departmental Committee on Transport, Public Works and Housing)*

- (iii) Question No.293/2019 by the Member for North Imenti (Hon. Abdul Rahim Dawood) regarding status and value of unclaimed assets for citizens and foreign nationals.

*(To be replied by the Cabinet Secretary for National Treasury and Planning before the Departmental Committee on Finance and National Planning)*

- (iv) Question No.294/2019 by the Member for Kwanza (Hon. Ferdinard Kevin Wanyonyi) regarding establishment of Technical Training Institutes in each constituency.

*(To be replied by the Cabinet Secretary for Education before the Departmental Committee on Education and Research)*

- (v) Question No.306/2019 by the Member for Lungalunga (Hon. Khatib Mwashetani) regarding construction and repair status of the Ramisi-Lungalunga Road and Mwachande Bridge.

*(To be replied by the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development before the Departmental Committee on Transport, Public Works and Housing)*

**b). Statements**

- (i) Pursuant to the provisions of Standing Order 44(2)(c), the Member for Nairobi County (Hon. Esther Passaris) sought a Statement from the Chairperson of the Departmental Committee on Labour and Social Welfare on current status of legislation relating to children. The Honourable Speaker directed the Committee to provide feedback to the Member within two weeks.
- (ii) The Member for Kilifi North (Hon. Owen Baya Yaa) had raised concerns to the Honourable Speaker with regard to delay by the Departmental Committee on Agriculture and Livestock in responding to the Statement he had issued with regard to fishing ban in the Indian Ocean. The Member was informed that the Response had been tabled by the Committee in his absence on Thursday 27<sup>th</sup> June 2019.

8. **MOTION - REPORT OF THE STATUS OF NATIONAL REFERRAL HOSPITALS**

Motion made and Question proposed –

**THAT**, this House adopts the Report of the Departmental Committee on Health on the Status of National Referral Hospitals, *laid on the Table of the House on Thursday, May 09, 2019.*

*(Chairperson, Departmental Committee on Health -  
26.06.2019)*

Debate on the Motion having been concluded on 26.06.2019

Question put and agreed to.

9. **COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read;

**IN THE COMMITTEE**

The First Chairperson in the Chair

**(i) Consideration of the President's Reservations to the Statute Law  
(Miscellaneous Amendments) Bill (National Assembly Bill No. 21 of  
2019)**

**THE MERCHANT SHIPPING ACT, 2009 (No. 4 of 2009)**

**SCHEDULE-** amendment proposed -

**THAT**, the Schedule to the Bill be amended in the provisions relating to the Merchant Shipping Act, No.4 of 2009, by deleting the new subsection 16(1A) and substituting with the following new provision-

“(1A) The provisions of subsection (1) shall not apply to a shipping line owned or controlled by the Government.”

*(Leader of the Majority Party)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

**SCHEDULE-** - as amended agreed to

Bill to be reported without amendments.

**(ii) Consideration of the Kenya Accreditation Service Bill, 2018**

Clause 3 - amendment proposed –

**THAT**, clause 3 of the Bill be amended in paragraph (b) by inserting the words “in Kenya” immediately after the words “assessment bodies”.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 3 - as amended agreed to

Clause 4 - agreed to

Clause 5 - amendment proposed –

**THAT**, clause 5 of the Bill be amended by deleting the word “Nairobi” and substituting therefor the words “Kenya, at a place designated by the Cabinet Secretary and published in the *Gazette*.”

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 5 - as amended agreed to

Clause 6 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 6 and substituting therefor the following new clause—

Func  
tions  
of the  
Servi  
ce.

- 6.** The functions of the Service shall be to—
- (a) assess and accredit conformity assessment bodies;
  - (b) promote accreditation in Kenya;
  - (c) promote mutual recognition of the competence of accredited bodies and equivalence of accreditation schemes;
  - (d) establish and nurture relations and cooperation with regional and

international accreditation bodies, persons, associations and organizations that the Service may consider necessary for the furtherance of the objectives of this Act;

- (e) participate in the formulation and monitoring of national, regional and international accreditation guidelines and standards;
- (f) create public awareness on accreditation, collect and disseminate information on accreditation and conformity assessment matters through advocacy programmes, publication of reports, pamphlets, books, journals or any other publications;
- (g) provide training, and other related services and promote research on accreditation and conformity assessment matters;
- (h) initiate, negotiate, conclude and maintain international mutual recognition agreements relating to its accreditation schemes;
- (i) support the Government in matters relating to mutual recognition agreements on accreditation;
- (j) co-ordinate and liaise with regulators in respect of any matter relating to accreditation;
- (k) obtain and maintain membership to national, regional or international organizations which the Service considers necessary for purposes of achieving its objectives;
- (l) promote recognition and protect the use of the logo and symbols of the Service;
- (m) promote and protect regional and international mutual recognition arrangements and symbols;
- (n) establish, review, and maintain accreditation schemes for conformity assessment bodies that are consistent with international practices, facilitate trade and address needs of industry, consumers, regulators and other relevant entities;
- (o) formulate and implement national guidelines and standards to facilitate the accreditation;
- (p) advise the Government on designation of conformity assessment bodies;
- (q) ensure that accredited bodies implement appropriate actions related to their conformity assessment activities;
- (r) establish and maintain, in the prescribed manner, a register of the status of accredited bodies;
- (s) design and issue accreditation certificates and symbols to accredited bodies;



- (t) publish quarterly in the *Gazette*, and on its website a list of all accredited bodies in the prescribed manner; and
- (u) promote the use of accreditation symbols on certificates or reports issued by conformity assessment bodies;

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 6 - as amended agreed to

Clause 7 - amendment proposed -

**THAT**, clause 7 of the Bill be amended—

(a) in sub clause (1) by deleting paragraph (d), and substituting therefor the following new paragraph—

(d) five other members, appointed by the Cabinet Secretary being—

- (i) two persons with professional qualifications in the fields of science and technology, law, trade, business or industry;
- (ii) two persons, one with professional qualifications in finance, and another person with professional qualifications in law or human resource management; and
- (iii) one person with professional qualifications in consumer protection.

(b) by inserting the following new sub clause immediately after sub clause (1)—

“(1A) The persons appointed under subsection (1) shall be subjected to a competitive recruitment process taking into account the recommendations of the relevant professional bodies, gender and regional balance.”

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed –

**THAT**, clause 7 of the Bill be amended in sub clause (1) in paragraph (d) by—

- (a) deleting the word “six” appearing in the opening statement and substituting therefor the word “seven”;
- (b) deleting the words “expert in laboratory practice” appearing in sub paragraph (iv) and substituting therefor the words “medical laboratory expert registered by the Kenya Medical Laboratory Technicians and Technologists Board.”
- (c) inserting the following new paragraph immediately after paragraph (vi)—  
“(vii) the Registrar of the Kenya Medical Laboratory Technicians and Technologists Board or a designated representative.”

*(Hon. Benjamin Washiali)*

Proposed amendment withdrawn;

Further amendment proposed –

**THAT**, clause 7 of the Bill be amended—

- (a) in sub-clause (1) by deleting paragraph (d) and substituting therefor the following new paragraph—
  - (d) seven other members appointed by the Cabinet Secretary being—
    - (i) one representative of consumer organisations;
    - (ii) one expert in health and safety;
    - (iii) one registered engineer;
    - (iv) one expert in laboratory practice;
    - (v) one expert in environmental science;
    - (vi) one who shall be an expert in trade or manufacturing;  
and
    - (vii) one person who is to be an expert in intellectual property law;

*(Hon. Millie Odhiambo)*

Proposed amendment withdrawn;

Further amendment proposed –

**THAT**, clause 7 of the Bill be amended—

- (a) in sub-clause (3) by deleting the words “the members present shall appoint one from their number to preside at the meeting” and substituting therefor the words “the Vice chairperson shall preside”;

(b) by inserting the following new sub-clauses immediately after sub-clause (3)—

(3A) The vice-chairperson shall be elected by the members at the first sitting of the Board.

(3B) The Board shall ensure that the chairperson and vice-chairperson are of the opposite gender.

*(Hon. Millie Odhiambo)*

Question of the amendment proposed;

Debate arising;

Question put and negatived;

Clause 7 - as amended agreed to

Clause 8 - amendment proposed –

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

“(1) The Board may, from time to time, establish such committees as it may consider appropriate for the better carrying out of its functions.”

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed –

**THAT**, clause 8 of the Bill be amended in sub clause (1) by inserting the words “and appoint specialists registered by the relevant regulatory bodies to the technical committees” immediately after the words “specialist technical committees.”

*(Hon. Benjamin Washiali)*

Proposed amendment withdrawn;

Amendment proposed –

**THAT**, clause 8 of the Bill be amended by deleting sub-clause (2) and substituting therefor the following new sub-clause —

(2) The Board may hire experts or consultants to assist in its work.

*(Hon. Millie Odhiambo)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed –

**THAT**, clause 8 of the Bill be amended in sub clause (2) by inserting the words “whose knowledge and skills are necessary for performance of the functions of the Service” immediately after the words “established by the Board.”

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Proposed amendment withdrawn;

Further amendment proposed –

**THAT**, clause 8 of the Bill be amended in sub clause (2) by inserting the words “with relevant expertise and qualifications and who is registered by the relevant regulatory body” immediately after the words “co-opt any person”.

*(Hon. Benjamin Washiali)*

Amendment withdrawn;

Further amendment proposed –

**THAT**, clause 8 of the Bill be amended by inserting the following new sub clause immediately after sub clause (1)—

“(1A) The persons appointed under subsection (1) shall be subjected to a competitive recruitment process taking into account the recommendations of the relevant professional bodies, gender and regional balance.”

*(Hon. Benjamin Washiali)*

Proposed amendment withdrawn;

Further amendment proposed –

**THAT**, clause 8 of the Bill be amended by inserting the following new sub clause immediately after sub clause (3)—

“(4) A person co-opted under sub section (2) shall have no right to vote at a meeting of the Committee.”

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Amendment withdrawn;

Clause 8 - as amended agreed to

Clause 9 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 9 and substituting therefor the following new clause—

Accreditation  
Advisory  
Committees.

**9.**(1) The Service may, subject to the directions of the Board, constitute Accreditation Advisory Committees to—

- (a) advise the Board on technical and scientific matters relating to the operation of accreditation schemes;
- (b) guide on interpretation of technical requirements of international standards and regulatory requirements of specific accreditation schemes;
- (c) formulate or review the technical criteria or other sector specific application requirements related to accreditation schemes;
- (d) develop or review technical criteria adopted by the Service for specific accreditation activities;
- (e) advise on the competence criteria for accreditation assessors and technical experts including identifying relevant proficiency testing programmes applicable to specific accreditation schemes; and
- (f) offer advisory support activities including accreditation assessment reviews, research and other matters as may be required by Service from time to time.

(2) An Accreditation Advisory Committee shall consist of not less than three members, and not more than nine members.

(3) The members of an Accreditation Advisory Committee shall possess academic, scientific or technical expertise and relevant experience in the specific areas of interest required by Service.

(4) A member of an Accreditation Advisory Committee shall be appointed in writing on such terms and conditions as the Board may determine.

(5) The Accreditation Advisory Committee shall be objective, independent and impartial in the performance of its functions.

(6) The conduct of the business and affairs of an Accreditation Advisory Committee shall be as set out in the Second Schedule to this

Act.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed –

**THAT**, the Bill be amended in clause 9 by inserting the following new clause immediately after sub clause (2)—

“(2A) The members appointed under sub section (2) shall be registered members of the relevant regulatory body.”

*(Hon. Benjamin Washiali)*

Proposed amendment withdrawn;

Clause 9 - as amended agreed to

Clause 10 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 10 and substituting therefor the following new clause—

Accre ditati on Sche mes. **10.** (1) The Service may establish and maintain such accreditation schemes consistent with international and regional practices taking into account the needs of manufacturers, consumers, regulators and any other relevant stakeholders.

(2) The Service shall maintain on its website, information relevant to each accreditation scheme including applicable requirements or conditions of accreditation.

(3) The Service may make regulations specifying standards and other guidelines necessary for the proper administration of this Act, including the—

- (a) requirements of an accreditation scheme;
- (b) fees applicable to each accreditation scheme;
- (c) fees applicable to accreditation related training, and any other activities undertaken by the Service;

(d) conditions on the use of the logo and accreditation symbols of the Service, including symbols of regional or international accreditation bodies; and

(e) any other matter which the Service may consider necessary.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed –

**THAT**, clause 10 of the Bill be amended—

(a) by deleting sub-clause (3);

(b) by deleting sub-clause (4) and substituting therefor the following new sub-clause —

(4) The Accreditation Committee may suspend an accreditation from a conformity assessment body for a period not exceeding six months where there has been a breach of any of the provisions of this Act.

(c) by inserting the following new sub-clauses immediately after sub-clause (4)—

“(5) No suspension or withdrawal shall be effected before the notification in writing to the conformity assessment body, giving reasons for the suspension or withdrawal of the accreditation.

(6) A body whose accreditation or suspension has been effected shall be given a chance to respond to the allegations levied against it before an award is made”.

*(Hon. Millie Odhiambo)*

Proposed amendment withdrawn;

Clause 10 - as amended agreed to

Clause 11 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 11 and substituting therefor the following new clause—

Accre  
ditatio

**11.** (1) There is established a Tribunal to be known as the

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Appea  
ls  
Tribu  
nal.  
Accreditation Appeals Tribunal, which shall hear and determine appeals emanating from the decisions of the Service.

(2) The Accreditation Appeals Tribunal shall consist of five members being—

(a) a Chairperson appointed competitively by the Cabinet Secretary from amongst persons qualified to be judges of the High Court; and

(b) four other persons who possess expertise and knowledge in matters relating to accreditation, conformity assessment, standardization or regulatory activities.

(3) The members under subsection (2) (b) shall be appointed competitively by the Cabinet Secretary from amongst persons who—

(a) hold a university degree in law or science and technology; and

(b) possess at least seven years relevant experience in their areas of expertise.

(4) Except as provided in the Third Schedule, the Accreditation Appeals Tribunal shall regulate its own procedure.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed –

**THAT**, clause 11 of the Bill be amended by inserting the words “registered by the relevant regulatory body as” immediately after the words “Committee shall be” appearing in sub clause (3).

*(Hon. Benjamin Washiali)*

Proposed amendment withdrawn;

Clause 11 - as amended agreed to

Clause 12 - amendment proposed –

**THAT**, clause 12 of the Bill be amended in sub clause (1) by deleting the words “an Appeals Committee” and substituting therefore the words “the Accreditation Appeals Tribunal”; and

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*



Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Amendment proposed –

**THAT**, clause 12 of the Bill be amended in sub clause (2) by deleting the words “an Appeals Committee” and substituting therefore the words “the Accreditation Appeals Tribunal”.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Proposed amendment withdrawn;

Clause 12 - as amended agreed to

Clause 13 - amendment proposed –

**THAT**, clause 13 of the Bill be amended in sub clause (2) by inserting the following new paragraph immediately after paragraph (b)—

“(bb) is registered by the relevant regulatory body;”

*(Hon. Benjamin Washiali)*

Proposed amendment withdrawn;

Further amendment proposed –

**THAT**, clause 13 of the Bill be amended in sub-clause (2) (a) by inserting the following new sub-paragraph immediately after sub-paragraph (iii)—

“(iv) law”.

*(Hon. Millie Odhiambo)*

Proposed amendment withdrawn;

Further amendment proposed –

**THAT**, clause 13 of the Bill be amended in sub-clause (5) by deleting the words “and for reasonable cause” and substituting therefor the words “and on the grounds stipulated under subsection (5A)”;

*(Hon. Millie Odhiambo)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to

Clause 13 - as amended agreed to

*(Change of Chair from First Chairperson to Fourth Chairperson)*

Clauses 14, 15 and 16 - agreed to

Clause 17 - amendment proposed –

**THAT**, clause 17 of the Bill be amended —

(a) in sub clause (1) by deleting the words “Chief Executive Officer” and substituting therefor the words “Corporation Secretary”; and

(b) in sub clause (2) by inserting the words “or any other person authorized in that behalf by a resolution of the Board”.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 17 - as amended agreed to

Clause 18 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 18.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed –

**THAT**, clause 18 of the Bill be amended in sub clause (2) by inserting the words “by persons who are qualified and registered by the relevant regulatory body” immediately after the words “approved application to assessment” appearing in paragraph (b).

*(Hon. Benjamin Washiali)*

Proposed amendment withdrawn;

Further amendment proposed –

**THAT**, clause 18 of the Bill be amended—

(a) in sub-clause (2) —

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

“(b) after assessing the application, approve or deny the application”; and

(ii) by deleting paragraph (c).

(b) by inserting the following new sub-clauses immediately after sub-clause (4)—

“(4A) A request for renewal or retention of a certificate may be made in a similar manner as an application for accreditation.

(4B) The committee may approve, deny, suspend or revoke a certificate of accreditation where an application is made under subsection (4A).

(4C) The committee may only deny, suspend, or revoke an accreditation certificate for failure to comply with the provisions of section 21 (2) of this Act and in such a case, shall give written reasons for the denial, suspension, or revocation of the accreditation certificate.

(4D) The applicant shall be notified of the decision made under subsection (4B) within fourteen days of the making of the decision.

(4E) Where an applicant is aggrieved with the decision of the Accreditation Committee, the applicant may appeal to the Appeals Committee within fourteen days of the notification.

*(Hon. Millie Odhiambo)*

Proposed amendment withdrawn;

Clause 18 - deleted.

Clause 19 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 19.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed –

**THAT**, clause 19 of the Bill be amended in sub-clause (3) by deleting the words “whenever required to do so by the service” and substituting therefor the words “in accordance with the provisions of this Act.”

*(Hon. Millie Odhiambo)*

Question of the amendment proposed;

Debate arising;

Amendment withdrawn;

Clause 19 - deleted.

Clause 20 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 20.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 20 - deleted.

Clause 21 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 21.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed –

**THAT**, clause 21 of the Bill be amended in sub clause (2) by deleting paragraph (d).

*(Hon. Millie Odhiambo)*

Proposed amendment withdrawn;

Clause 21 - deleted.

Clause 22 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 22 and substituting therefor the following new clause—

Remuneration of  
members of the  
Board,  
Committees, and  
the Accreditation  
Appeals Tribunal.

**22.** The Service shall pay such remuneration and allowances to the members of the Board, Committees, and the members of the Accreditation Appeals Tribunal as approved by the Cabinet Secretary upon the recommendation of the Salaries and Remuneration Commission.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 22 - as amended agreed to

Clause 23 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 23.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 23 - deleted

Clause 24 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 24.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 24 - deleted.

Clause 25 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 25.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 25 - deleted

Clauses 26, 27 and 28 - agreed to

Clause 29 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 29 and substituting therefor the following new clause—

Accounts and  
audit.

29. (1) The Board of the Service shall cause to be kept all proper books and records of account of the income, expenditure, assets and liabilities of the Service in accordance with the Public Finance Management Act.

(2) The accounts of the Service shall be audited and reported on in accordance with the provisions of Article 226 and 229 of the Constitution and the Public Audit Act.

No. 18 of 2012.

No. 34 of 2015.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 29 - as amended agreed to

Clause 30 - agreed to

Clause 31 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 31 and substituting therefor the following new clause—

Offence and

**31.** (1) A conformity assessment body not being

general penalty. accredited by the Service which makes any claim or uses any accreditation symbol in relation to any goods, processes, services, or facilities which may imply that the conformity assessment body is accredited when not being so accredited, commits an offence under this Act and shall be liable, upon conviction, to a fine not exceeding five hundred thousand shillings.

(2) A person who is convicted of an offence under this Act for which no other penalty is prescribed shall be liable, upon conviction, to imprisonment for a term not exceeding six months or a fine not exceeding five hundred thousand shillings or both.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 31 - as amended agreed to

Clause 32 - agreed to

Clause 33 - amendment proposed –

**THAT**, clause 33 of the Bill be amended in sub clause (1) by—

- (a) inserting the words “who qualify under this Act” immediately after the expression “former Service”; and
- (b) deleting the words “under this Act” appearing immediately after the words “members of the Board”.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 33 - as amended agreed to

Clause 34 - agreed to

**NEW CLAUSES**

NEW CLAUSE 10A- amendment proposed –

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

Application for accreditation.

**10A.** (1) A conformity assessment body that seeks to be accredited shall apply to the Service for accreditation in the prescribed manner.

(2) The Service shall process an application submitted under subsection (1) within sixty days from the date of receipt of the application.

(3) Where the Service approves the application for accreditation, the Service shall inform the applicant in writing, and undertake an accreditation assessment in accordance with the requirements of the relevant accreditation scheme.

(4) Where the Service declines an application submitted under subsection (1), the Service shall notify the applicant in writing upon conclusion of the evaluation exercise setting out the reasons for the decision.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Motion made and Question proposed –

**THAT**, NEW CLAUSE 10A be read a Second Time;

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

**THAT**, NEW CLAUSE 10A be part of the Bill;



Debate arising;

Question put and agreed to;

New Clause 10A - agreed to

NEW CLAUSE 10B- amendment proposed -

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

Accreditation  
decisions of  
the Service.

**10B.** (1) The Service may, subject to the directions of the Board, set rules and guidelines for granting, renewing, maintaining, reducing, extending, suspending or withdrawing accreditation.

(2) Where the Service is satisfied with the outcome of an accreditation assessment, and upon payment of the prescribed fees, the Service may grant, renew, maintain, reduce or extend accreditation to a conformity assessment body.

(3) Where the Service grants, renews, maintains, reduces or extends the accreditation of a conformity assessment body, the Service shall notify the conformity assessment body and issue an accreditation certificate within fourteen days.

(4) A certificate issued under subsection (3) shall be accompanied by—

- (a) a schedule specifying the scope of accreditation;
- (b) an outline of prescribed conditions on the use of accreditation symbols and related claims; and
- (c) any other terms as may be determined by the Service.

(5) Where the Service declines, suspends or withdraws accreditation to a conformity assessment body, the Service shall, within fourteen days, notify the conformity assessment body in writing setting out the reasons for its decisions.

(6) The Service may withdraw an accreditation from a conformity assessment body without having first suspended

the accreditation, where the—

- (a) accreditation was obtained by fraud;
- (b) conformity assessment body—
  - (i) becomes insolvent;
  - (ii) goes into liquidation; or
  - (iii) is ordered to be wound up by a court of competent jurisdiction;
- (c) management systems of the conformity assessment body have failed.

(7) The Service may suspend or withdraw the accreditation of a conformity assessment body where there is a breach of the administrative procedures or guidelines issued by the Service.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Motion made and Question proposed –

**THAT**, NEW CLAUSE 10B be read a Second Time;

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

**THAT**, NEW CLAUSE 10B be part of the Bill;

Debate arising;

Question put and agreed to;

New Clause 10B - agreed to

NEW CLAUSE 10C- amendment proposed –

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

Accreditation status, certificates, symbols and claims.

**10C.** (1) The accreditation status of a conformity assessment body, or claims made or representational statements made, shall be confirmed only through the—

- (a) accreditation certificate and the accompanying schedule issued by the Service;
- (b) register of accredited bodies published in the *Gazette* and maintained on the website of the Service; and
- (c) accreditation symbol issued by the Service and displayed on certificates or reports issued by an accredited body.

(2) An accreditation certificate issued under this Act shall be valid only for the period prescribed in the certificate.

(3) The seal of the Service shall be affixed on an accreditation certificate and shall be authenticated by the signature of the Chief Executive Officer or a person authorized in that behalf by a resolution of the Board.

(4) The accreditation certificate and rights to use an accreditation symbol shall be the property of the Service and shall be surrendered to the Service whenever it is required to do so

(5) The Service may impose such conditions, as it considers necessary, on the use of an accreditation certificate, accreditation symbol, and a claim of accreditation status by an accredited body.

(6) The accredited body may use the accreditation symbol in relation to the scope of accreditation specified in the relevant schedule, provided that the accreditation granted under this Act shall be in force.

(7) An accredited body commits an offence under this Act, where the accredited body—

- (a) misuses its accreditation status;
- (b) misrepresents its accreditation entry date or expiry date;
- (c) makes a claim that is outside the scope for which the body is accredited;

- (d) gives false information on the location of the accredited facility; or
- (e) makes other misrepresentation relating to its status of accreditation.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Motion made and Question proposed –

**THAT**, NEW CLAUSE 10C be read a Second Time;

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

**THAT**, NEW CLAUSE 10C be part of the Bill;

Debate arising;

Question put and agreed to;

New Clause 10C - agreed to

NEW CLAUSE 10D- amendment proposed –

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

Maintenance of accreditation. **10D.** (1)An accredited body shall comply with the provisions of this Act, and any other conditions prescribed by the Service from time to time.

(2) An accredited body shall inform the Service promptly of any changes that may affect its accreditation status or the operations of the accredited body.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Motion made and Question proposed –

**THAT**, NEW CLAUSE 10D be read a Second Time;

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

**THAT**, NEW CLAUSE 10D be part of the Bill;

Debate arising;

Question put and agreed to;

New Clause 10D - agreed to

NEW CLAUSE 10E- amendment proposed –

**THAT**, the Bill be amended by inserting the following new clauses immediately after clause 10 D

Suspension or withdrawal of accreditation.

**10E.** (1) The Service may suspend an accredited body from offering accreditation services for the period specified in the notice of suspension or until such earlier time as the Service may determine.

Provided that a suspension shall not last for a period exceeding six months.

(2) The Service may suspend an accreditation body where the accredited body—

- (a) contravenes the conditions imposed by the Service;
- (b) provides false or misleading information to the Service;
- (c) is no longer fit to hold an accreditation;
- (d) fails to comply with the directions of the Service;
- (e) contravenes any provisions of this Act; or

(f) fails to pay any fees prescribed under this Act.

(3) Where an accreditation is suspended on account of non-payment of the prescribed fees, the suspension shall be lifted where the fee is paid within thirty days from the date of the notice of suspension.

(4) The Service may withdraw the accreditation of a conformity assessment body where the accredited body is suspended for non-payment of the prescribed fee and it fails to pay the fees within the period specified under sub-section (3).

(5) The Service may suspend or withdraw an accreditation upon the request of an accredited body.

(6) Where the Service has suspended or withdrawn an accreditation, it shall, within fourteen days of the suspension or withdrawal publish the fact of the changed accreditation status on its website.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Motion made and Question proposed –

**THAT**, NEW CLAUSE 10E be read a Second Time;

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

**THAT**, NEW CLAUSE 10E be part of the Bill;

Debate arising;

Question put and agreed to;

New Clause 10E - agreed to

NEW CLAUSE 11A- amendment proposed –

**THAT**, the Bill be amended by inserting the following new clause immediately after clause 11—

Appeals to  
the  
Accreditation  
Appeals  
Tribunal.

**11A.** (1) An accredited body that is aggrieved by a decision of the Service may, by notice in writing to the Chief Executive Officer and upon payment of the prescribe fees, appeal against the decision within twenty-one days of being notified of the decision.

(2) A notice of appeal under this section shall set out the grounds of the appeal.

(3) The Chief Executive Officer shall, within seven days of receipt of the notice under sub clause (2), forward the notice to the Accreditation Appeals Tribunal.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Motion made and Question proposed –

**THAT,** NEW CLAUSE 11A be read a Second Time;

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

**THAT,** NEW CLAUSE 11A be part of the Bill;

Debate arising;

Question put and agreed to;

New Clause 11A - agreed to

NEW CLAUSE 11B- amendment proposed –

**THAT,** the Bill be amended by inserting the following new clause immediately after clause 11 A—

Awards of  
the  
Accreditation  
Appeals  
Tribunal.

**11B.** (1) The Accreditation Appeals Tribunal shall consider the notice of appeal and the response of the Service before making an award.

(2) An award of the Accreditation Appeals Tribunal may—

- (a) confirm the decision of the Service;
- (b) vary the decision of the Service;
- (c) direct the Service to carry out a fresh evaluation of the

application or undertake a fresh assessment of the conformity assessment body; or

(d) issue other orders it may consider necessary including an order as to costs.

(3) Where an appeal has been filed against a decision of the Service, the decision of the Service shall stand suspended until the appeal has been heard and determined by the Accreditation Appeals Tribunal.

(4) The Accreditation Appeals Tribunal may direct the taxing of costs as may be prescribed under this Act.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Motion made and Question proposed –

**THAT**, NEW CLAUSE 11B be read a Second Time;

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

**THAT**, NEW CLAUSE 11B be part of the Bill;

Debate arising;

Question put and agreed to;

New Clause 11B - agreed to

NEW CLAUSE 11C- amendment proposed –

**THAT**, the Bill be amended by inserting the following new clause immediately after clause 11 B—

Appeals  
against the  
awards of  
the  
Accreditation  
Appeals

**11C.** (1) A party who is aggrieved by an award of the Accreditation Appeals Tribunal may appeal against the award to the High Court.

(2) An award of the Accreditation Appeals Tribunal shall stand



Tribunal. suspended where an appeal against the award has been made to the High Court.

(3) After hearing an appeal under this section, the High Court may—

- (a) confirm the award of the Accreditation Appeals Tribunal;
- (b) review the award of the Accreditation Appeals Tribunal;
- (c) remit the proceedings of the appeal to the Accreditation Appeals Tribunal and direct the Tribunal to review the award; or
- (d) make any other order as it may consider necessary, including an order as to costs.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Motion made and Question proposed –

**THAT,** NEW CLAUSE 11C be read a Second Time;

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

**THAT,** NEW CLAUSE 11C be part of the Bill;

Debate arising;

Question put and agreed to;

New Clause 11C - agreed to

NEW CLAUSE 13A- amendment proposed –

**THAT,** the Bill be amended by inserting the following new clause immediately after clause 13—

The  
Corporatio  
n  
Secretary.

**13A.** (1) There shall be a Corporation Secretary who shall be appointed by the Board on such terms and conditions as the Board may determine.

(2) A person shall be qualified for appointment as a

Corporation Secretary, if the person holds a degree in law from a university recognized in Kenya and is a registered Certified Public Secretary with at least seven years relevant experience.

(3) The Corporation Secretary shall—

- (a) be the Secretary to the Board;
- (b) record and keep minutes and other records of the Board;
- (c) have custody of the seal of the Board; and
- (d) carry out such other functions as may be assigned by the Board or the Chief Executive Officer, from time to time.

(4) The Corporation Secretary shall be responsible to the Chief Executive Officer.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Motion made and Question proposed –

**THAT**, NEW CLAUSE 13A be read a Second Time;

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

**THAT**, NEW CLAUSE 13A be part of the Bill;

Debate arising;

Question put and agreed to;

New Clause 13A - agreed to

Further amendment proposed –

**THAT**, the Bill be amended by inserting the following new sub-clause immediately after sub-clause (5)—

“(5A) The appointment of the Chief Executive Officer may be revoked on the grounds of—

- (a) gross misconduct;
- (b) insubordination;
- (c) violation of any of the terms of the contract of employment;
- (d) breach of Chapter 6 of the Constitution;
- (e) failure to comply with the provisions of this Act; or
- (f) conviction of an offence under any of the Laws of Kenya.

*(Hon. Millie Odhiambo)*

Motion made and Question proposed –

**THAT**, NEW SUB CLAUSE 13(5A) be read a Second Time;

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

**THAT**, NEW SUB CLAUSE 13(5A) be part of the Bill;

Debate arising;

Question put and agreed to;

New SUB CLAUSE 13(5A) - agreed to

NEW SUB CLAUSE 14(3)- amendment proposed –

**THAT**, clause 14 of the Bill be amended by inserting the following new sub clause immediately after sub clause (2)—

“(3) The Service shall ensure that the appointment of its staff reflects the ethnic, gender and regional diversity of the people of Kenya.”

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Motion made and Question proposed –

**THAT**, NEW SUB CLAUSE 14(3) be read a Second Time;

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

**THAT**, NEW SUB CLAUSE 14(3) be part of the Bill;

Debate arising;

Question put and agreed to;

New SUB CLAUSE 14(3)- agreed to

### **SCHEDULES**

First Schedule: agreed to

Second Schedule: amendment proposed –

**THAT**, the Bill be amended by deleting the Second Schedule and substituting therefor the following new schedule—

#### **SECOND SCHEDULE**

##### **PROCEEDINGS BEFORE THE ACCREDITATION ADVISORY COMMITTEE.**

##### **[S.9 (6)]**

1. The Accreditation Advisory Committee shall meet at least four times in every year.

2. The Service shall, at the commencement of each year, publish a calendar of events setting out the dates and times of the meetings and related activities of the Accreditation Advisory Committee.

Provided that the Secretary shall give all members a five days' notice incorporating the agenda of the Accreditation Advisory Committee meeting.

3. A special meeting of the Accreditation Advisory Committee may be held on a date and at a time determined by the Accreditation Advisory Committee or as the Secretary in consultation with the members of the Accreditation Advisory Committee may determine.

4. The Members of the Accreditation Advisory Committee shall at their first meeting elect a Chairperson and Vice Chairperson from amongst their number

5. A decision on any matter before the Accreditation Advisory Committee shall be by consensus

Provided that where there is no consensus, the members present shall decide the matter by a majority vote, in the case of a tie, the chairperson shall have a casting vote.

**6.** Each Accreditation Advisory Committee shall maintain written minutes of its meetings and the minutes shall be kept in the custody of the Secretary.

**7.** The Secretary of the Accreditation Advisory Committee may, through written consultation with the members of the Accreditation Committee, take action on any urgent matter, which cannot wait to be considered at a meeting of the Accreditation Committee and report at the next meeting of the Accreditation Advisory Committee.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Second Schedule - as amended agreed to

Third Schedule: amendment proposed –

**THAT**, the Bill be amended by deleting the Third Schedule and substituting therefor the following new schedule—

### **THIRD SCHEDULE**

#### **PROCEEDINGS BEFORE THE ACCREDITATION APPEALS TRIBUNAL.**

##### **[S.11 (4)]**

**1.** The Accreditation Appeals Tribunal may, to avoid delay or unnecessary expense or for any other justifiable reason, receive evidence by affidavit and may specify the period within which it may hear evidence in person from witnesses.

**2.** The Accreditation Appeals Tribunal may when making an award under this Act, consider any evidence that it considers relevant to the matter before it:

Provided that the evidence shall not be inadmissible under the Evidence Act, Cap. 80.

**3.** A party to an appeal before the Accreditation Appeals Tribunal may be

represented by an Advocate or any other person as may be prescribed by the Tribunal.

4. All summonses, notices or other documents issued under the hand of the chairperson of the Accreditation Appeals Tribunal shall be considered to have been issued by the Tribunal.

5. The Accreditation Appeals Tribunal shall appoint the place and time for its sitting.

6. The proceedings of the Accreditation Appeals Tribunal shall be open to the public except where the Tribunal, with reasonable cause, directs otherwise.

7. The quorum of an Accreditation Appeals Tribunal shall be the chairperson and two other members.

8. (1) Where a member has a direct or indirect interest in any appeal or other matter before the Accreditation Appeals Tribunal, and is present at a meeting of the Tribunal at which the appeal shall be determined, the member shall, as soon as is practicable after the meeting has commenced, but before any deliberations have occurred, disclose that fact and shall be excluded from that meeting.

(2) A disclosure of interest under this section shall be recorded in the minutes of the meeting at which the disclosure is made.

9. Where the Accreditation Appeals Tribunal has made an award, it shall, within seven days notify the parties of the making of the award.

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Third Schedule - as amended agreed to

Clause 2 - amendment proposed -

**THAT**, clause 2 of the Bill be amended by—

(a) inserting the following new definitions in their proper alphabetical sequence—

“Accreditation Advisory Committee” means an Accreditation Advisory Committee established under section 9;

“accreditation scheme” means the rules, processes or any other requirements established by the Service relating to specific conformity assessment activities to which a similar accreditation standard applies;

“accreditation symbol” means the symbol issued by the Service for use by a conformity assessment body to demonstrate its status of accreditation;

(b) deleting the definition of “accreditation committee”;

(c) deleting the definition of “conformity assessment body” and substituting therefor the following new definition—

“conformity assessment body” means a body that carries out compliance assessment services including testing, calibration, inspection, verification, certification of management systems, certification of persons, certification of products, processes or services, proficiency testing and production of reference materials;

(d) Inserting the following definition in proper alphabetical sequence—

“Tribunal” means the Accreditation Appeals Tribunal established under section 11;

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to

Further amendment proposed—

**THAT**, clause 2 of the Bill be amended in the definition of the term “conformity assessment body” by inserting the words “proficiency testing providers” immediately after the word “calibration”.

*(Hon. Benjamin Washiali)*

Proposed amendment withdrawn;

Clause 2 - as amended agreed to

Title - agreed to

Clause 1 - agreed to

Bill to be reported with amendments;

10. **HOUSE RESUMED** - the First Chairperson in the Chair

**(i) Consideration of the President's Reservations to the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 21 of 2019)**

Bill reported without amendments;

Motion made and Question proposed –

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

*(The Leader of the Majority Party)*

Question deferred to another day.

**(ii) Consideration of the Kenya Accreditation Service Bill, 2018**

Bill reported with amendments;

Motion made and Question proposed –

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

*(Chairperson, Departmental Committee on Trade, Industry and Co-operatives)*

Question deferred to another day.

And the time being Seven o'clock, the First Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

11. **HOUSE ROSE** - at Seven O'clock

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**MEMORANDUM**

The Speaker will take the Chair on  
Wednesday, July 3, 2019 at 9.30 a.m.

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