



REPUBLIC OF KENYA

TWELFTH PARLIAMENT - (FOURTH SESSION)
THE NATIONAL ASSEMBLY
COMMUNICATIONS FROM THE CHAIR

_____ (No. 26 of 2020) _____

**BILLS PUBLISHED DURING THE RECESS PERIOD AND WITHDRAWAL OF
THE INCOME TAX (AMENDMENT) BILL, 2020**

Honourable Members, you will recall that on 6th May, 2020, the House resolved as follows-

"That, should a Bill be published during the period of the May/June recess, or a published Bill becomes due for First Reading during the period, the Speaker shall, upon lapse of seven days following the publication of the Bill, forthwith refer such Bill to the relevant Committee for consideration pursuant to the provisions of Standing Order 127 (Committal of Bills to Committees and public participation) and, upon resumption of the House, cause the Bill to be read a First Time and the Second Reading may be taken forthwith, or on such other day as the House Business Committee may determine."

In this regard, **Hon. Members** I wish to report to the House that, **The Referendum Bill, (National Assembly Bill No. 11 of 2020)** was published on 8th May 2020. The Bill, which is sponsored by the Constitutional Implementation Oversight Committee (CIOC), proposes to provide for the procedure of approval of an amendment to the Constitution through a referendum, the conduct of a referendum, referendum petitions and for connected purposes. In accordance with the resolution of the House of 6th May, 2020, I have since referred the Bill to the CIOC for consideration, including undertaking the necessary public participation on the Bill. You will also note that the Bill is scheduled to be read *a First Time* today.

Hon. Members, similarly, I wish to report to the House that **The Income Tax Bill, (National Assembly Bill No. 12 of 2020)** was also published during the recess period, precisely on 22nd May, 2020. In accordance with the resolution of the House on 6th May, 2020, the Bill is now due for committal to the relevant Departmental Committee. However, Hon. Members, I have since received a letter from the Leader of the Majority Party requesting to withdraw the Bill for fresh publication. In his letter, the Leader of the Majority Party explains that the Bill was published in the form in which it was received from the National Treasury in early March, 2020 and part of its proposals have since been overtaken by events, following the enactment of the Tax Laws (Amendment) Act, 2020.

The Leader of the Majority Party for instance cites the reduction of the Corporate Tax as well as the top rate of Pay-As-You-Earn (PAYE) from 30% to 20% and 25%, respectively, which were contained in the Tax Laws (Amendment) Act, 2020 and which the newly published Income Tax Bill, 2020 seem to be inadvertently reversing.

Hon. Members, Standing Order 140 provides, (and I quote) –

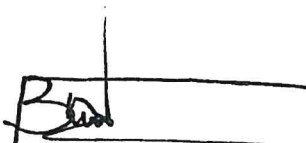
- (1) Either before the commencement of business or on the Order of the Day for any stage of the Bill being read, the Member in charge of a Bill may, without notice, claim to withdraw a Bill.*
- (2) If the Speaker is of the opinion that the claim is not an abuse of the proceedings of the House, the Speaker shall direct that the Bill shall be withdrawn.*

In this regard, Hon. Members, **The Income Tax Bill, (National Assembly Bill No. 12 of 2020)** hereby stands **withdrawn**.

Honourable Members, The Leader of the Majority Party indicates that he wishes to reintroduce the Bill within the Session after addressing the issues he has cited, a request that I have acceded to. Noting that there are further amendments proposed to be made to the Income Tax Act in the Finance Bill, 2020, which is scheduled to be passed by the end of this month, it would be only prudent to undertake the republication of The Income Tax Bill, 2020 **after the enactment of the Finance Bill, 2020.**

The House is accordingly guided.

I thank you!



A handwritten signature in black ink, appearing to read 'Justin B.N. Muturi', is written over a horizontal line. A vertical line extends downwards from the signature, crossing the text below.

THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Tuesday, 2nd June, 2020

