



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT (FOURTH SESSION)**

**THE NATIONAL ASSEMBLY**

**MESSAGES**

**MESSAGE FROM THE SENATE**

*\_\_\_\_\_ (No. 5 of 2020) \_\_\_\_\_*

**PASSAGE OF THE COUNTY TOURISM BILL (SENATE BILL NO. 5 OF 2019); THE CARE & PROTECTION OF CHILD PARENTS BILL (SENATE BILL NO. 11 OF 2019); AND THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (AMENDMENT)(No3) BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2019)**

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**Honourable Members,** Pursuant to the provisions of Standing Order 41, I wish to report to the House that I have received Messages from the Senate regarding its decision on the following Bills:-

- (i) The County Tourism Bill (Senate Bill No. 5 of 2019);
- (ii) The Care & Protection of Child Parents Bill (Senate Bill No. 11 of 2019); and
- (iii) The Independent Electoral & Boundaries Commission (Amendment) (No. 3) Bill (National Assembly Bill No. 35 of 2019).

**Honourable Members,** the **First Message** is in respect of the passage of the County Tourism Bill (Senate Bill No. 5 of 2019) by the Senate on July 23, 2020.

The Bill, which was published *vide* the Kenya *Gazette* Supplement No. 50 of 15<sup>th</sup> April 2019, seeks to provide for, *inter alia*, "*the development, management, marketing and promotion of local tourism by county governments; and the regulation of sustainable local tourism and related activities and services.*"

**Honourable Members,** the **Second Message** relates to the Care & Protection of Child Parents Bill (Senate Bill No. 11 of 2019). The Bill was published *vide* Kenya *Gazette* Supplement No. 81 of 11<sup>th</sup> June 2019 to, among other things, "*provide for a framework for the care and protection of child parents within counties and to provide a framework through which an expectant child or child parent may actualize their right to basic education and the care of their children.*"

**Honourable Members,** the **Third** and last Message relates to the passage of the Independent Electoral & Boundaries Commission (Amendment)(No. 3) Bill (National Assembly Bill No. 35 of 2019). You will recall that this was passed by the National Assembly on 19<sup>th</sup> September 2019 and sought to, *inter alia*, establish a Selection Panel to oversee the filling of vacant positions in the Independent Electoral & Boundaries Commission. The Senate has proposed an amendment to Clause 2 of the Bill to, among other things, reduce the composition of the *Selection Panel* from the proposed eleven (11) to seven (7) members and to further provide for the qualification of a member of the *Selection Panel*.

**Honourable Members,** the Messages convey in part "that the Senate considered and passed the said Bills **with amendments** on Thursday, 23<sup>rd</sup> July, 2020 and now seeks the concurrence of the National Assembly in accordance with the provisions of Article 112(1)(b) of the Constitution."

**Honourable Members,** Standing Order 143(1)(a) requires the Speaker to cause a Bill received from the Senate to be read a First Time upon conveyance of its Message. Accordingly, I direct that **the County Tourism Bill (Senate Bill No. 5 of 2019)** and **the Care & Protection of Child Parents Bill (Senate Bill No. 11 of 2019)** be scheduled for a First Reading during the next sitting of the House. Further, paragraph (2) of Standing Order 143 provides that –


143(3) *"Following First Reading, the Speaker shall, within reasonable time, pronounce his or her **opinion** contemplated under Article 114(2) of the Constitution."*

**Honourable Members,** the opinion contemplated under Standing Order 143(2) is a pronouncement, by the Speaker, on whether a Bill originating in the Senate is a 'Money Bill' in terms of Article 114 of the Constitution. In this regard, I direct that, after First Reading, the two (2) Bills be referred to the Parliamentary Budget Office to offer the Speaker the advice envisaged under Standing Order 143(2). Thereafter, I shall guide the House accordingly on how to proceed with the consideration of each of the two Bills.



**Honourable Members,** with regard to the Independent Electoral & Boundaries Commission (Amendment)(No. 3) Bill (National Assembly Bill No. 35 of 2019), I direct the Clerk to circulate the amendments to all Members in accordance with Standing Order 145. Further, the Senate amendments on the Bill are hereby committed to the Departmental Committee on Justice & Legal Affairs for consideration. The Committee is expected to submit its report before the amendments are considered by the House. For the avoidance of doubt, the House is reminded that the National Assembly will only consider the amendments made by the Senate to the Bill and not any other part of the Bill.

**I thank you!**



**THE HON. MOSES K. CHEBOI, CBS, MP**  
**DEPUTY SPEAKER OF THE NATIONAL ASSEMBLY**

Wednesday, August 5, 2020