



REPUBLIC OF KENYA
TWELFTH PARLIAMENT- (FIFTH SESSION)

THE NATIONAL ASSEMBLY

COMMUNICATION FROM THE CHAIR

(No. 52 of 2021)

ON THE GAMING BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2019)

Honourable Members,

Yesterday, Wednesday, 1st December 2021, I received a request from the Chairperson of the Departmental Committee on Sports, Culture and Tourism to consider scheduling the Gaming Bill (National Assembly Bill No. 35 of 2019) in today's Order Paper for consideration by the House in the Committee of the Whole House. My office did confer with the Leader of the Majority Party with respect to having the Bill included in the Supplementary Order paper for this Afternoon Sitting.

Ordinarily, the function of scheduling business is one of the mandate of the House Business Committee as envisaged in Standing Order 171(4)(e), however, in view of the imminent long recess, my intervention as your Speaker in concurrence with the Leader of the Majority Party would have sufficed in order to facilitate the business of the House today.

Honourable Members, you will recall that the Gaming Bill, 2019 was published on 27th May, 2019 and read a First Time on 11th June, 2019 and thereafter committed to the Departmental Committee on Sports, Culture and Tourism for consideration pursuant to Standing Order 127. Subsequently, the Committee *tabled* its report in the House on 14th November, 2020. In the said report, the Committee proposed a number of amendments to the Bill.

Honourable Members, sometimes last year, 2020, the Ministry of Interior and Coordination of National Government further submitted to the Office of the Clerk, proposed amendments to the Bill that included the functions of the proposed National Gaming Authority, the functions and powers of Gaming Inspectors, gaming advertisement, application for licenses and issuance, and offence provisions. In addition, the Ministry proposed amendments for the protection of children and young persons. Consequently, the Committee considered the proposed amendments and tabled an addendum to its Report in the House on 8th October, 2020.

Honourable Members, my office did approve a request for the Committee to hold a sitting on Wednesday, 1st December, 2021 at 10.00a.m. to harmonize further proposed amendments to the Gaming Bill following submission of additional amendments both from the Ministry of Interior and Coordination of National Government and the Ministry of Sports, Culture and Heritage.

Consequent to this process, the Committee has come up with additional proposed Committee Stage amendments. Indeed, Honourable Members, at Quarter past Ten O'clock, today Thursday, 2nd December, 2021, the Office of the Clerk received a raft of amendments from the Chairperson of the Committee.

Honourable Members, Standing Order 133(2), reads in part as follows-

"No amendment shall be moved to any part of a Bill by any member, other than the member in charge of the Bill, unless written notification shall have been given to the Clerk twenty-four hours before commencement of the sitting at which that part of the Bill is to be considered".

Honourable Members, a close scrutiny of the proposed amendments disclosed that the Committee is proposing to amend over 110 clauses of the 162 Clauses of the Bill. The Committee is also proposing amendments to 5 of the 6 Schedules to the Bill. The Committee is also proposing to include a further thirteen (13) new Clauses to the Bill. You will agree with me that the final Bill will therefore be fundamentally different from the published one.

Honourable Members, given that the Bill in Question is a “repeal and enactment Bill”, and that practice of the House requires that where the Sponsor of a Bill is proposing amendments whose effect is to replace almost the entire text of a Bill, then, the Bill ought to be republished afresh so as to accord an opportunity to the Members and the public to familiarize themselves with the content of the new Bill.

In this regard, **Honourable Members**, it is for this reason that, this afternoon, I declined to the request to include the Bill in the Supplementary Order Paper for the Afternoon Sitting. Having said that, I direct that the Bill be republished in the name of the Committee incorporating all the proposed amendments, for expeditious consideration at the next opportunity, pursuant to the provisions of the Standing Orders of the House.

The House is accordingly guided.

I thank you!



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

Thursday, 2nd December, 2021