



REPUBLIC OF KENYA
THIRTEENTH PARLIAMENT - (SECOND SESSION)
THE NATIONAL ASSEMBLY
COMMUNICATION FROM THE CHAIR

_____ *(No. 51 of 2023)* _____

GUIDANCE ON THE CONSIDERATION OF THE ANTI-MONEY LAUNDERING AND COMBATING OF TERRORISM FINANCING LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2023)

Honourable Members,

1. As you are aware, the Anti-Money Laundering and Combating of Terrorism Financing Laws (Amendment) Bill (National Assembly Bill No. 35 of 2023) was read a First Time on 26th July 2023. The Bill was thereafter committed to the relevant Committees for publication participation in accordance with the requirements of Article 118 of the Constitution and Standing Order 127. Subsequently, the Clerk of the National Assembly placed an advertisement in print media inviting the public and stakeholders to submit memoranda on the Bill in accordance with the requirements for public participation.

2. **Honourable Members,** the Anti-Money Laundering and Combating of Terrorism Financing Laws (Amendment) Bill, 2023 seeks to amend various Acts of Parliament relating to anti-money laundering and combating of terrorism financing and financing of proliferation of weapons.

3. Honourable Members, in particular, the Bill seeks to amend **seventeen (17) Acts of Parliament.** In this regard, I wish to notify the House that the proposed amendments to the following Acts of Parliament as contained in the Bill have since been referred to the **Departmental Committee on Justice and Legal Affairs** for consideration—

- (1) The Extradition (Contiguous and Foreign Countries) Act (Cap 76);**
- (2) The Extradition (Commonwealth Countries) Act (Cap. 77);**
- (3) The State Corporations Act (Cap. 446);**
- (4) The Anti-Corruption and Economic Crimes Act (No. 3 of 2003);**
- (5) The Proceeds of Crime and Anti-Money Laundering Act, 2009 (No. 9 of 2009);**
- (6) The National Police Service Act, 2011 (No.11A of 2011);**
- (7) The Ethics and Anti-Corruption Commission Act, 2011 (No. 22 of 2011);**
- (8) The Mutual Legal Assistance Act, 2011 (No. 36 of 2011);**
- (9) The Prevention of Terrorism Act, 2012 (No. 30 of 2012); and**
- (10) The Companies Act, 2015 (No. 17 of 2015).**

4. Further, the proposed amendments to the following Acts of Parliament as contained in the Bill have also since been referred to the **Departmental Committee on Finance and National Planning** for consideration—

- (1) The Capital Markets Act (Cap. 485A);**
- (2) The Insurance Act (Cap 487);**
- (3) The Banking Act (Cap. 488);**

- (4) **The Central Bank of Kenya Act (Cap. 491);**
- (5) **The Microfinance Act, 2006 (No. 19 of 2006);**
- (6) **The National Payment System Act, 2011 (No. 39 of 2011); and**
- (7) **The Limited Liability Partnership Act (No.42 of 2011).**

5. **Honourable Members,** from the foregoing, the Departmental Committee on Justice and Legal Affairs shall be the lead Committee for purposes of conducting public participation. In this regard, the Departmental Committee on Finance and National Planning is required to conduct public participation process and submit its Report to the Departmental Committee on Justice and Legal Affairs, for consolidation.

6. **Honourable Members,** as you are aware, the Anti-Money Laundering and Combating of Terrorism Financing Laws (Amendment) Bill, 2023 contains proposed amendments seeking to provide for disclosure of information to help in combating money laundering, terrorism financing and financing of proliferation of weapons activities. In considering the Bill, the Committees bear in mind the requirements of Article 24 of the Constitution on the limitation of rights and the various court decisions that have outlined the manner of application of the Bill of Rights.

7. Honourable Members, may I implore the two Committees to prioritize consideration of the Bill and report to the House, soonest. Given that the Bill is also informed by various international obligations, which require the country to have in place a robust legal framework to combat money laundering, financing of terrorism and proliferation of weapons.

The House is accordingly guided.

I thank you!



THE RT. HON. (DR.) MOSES M. WETANG'ULA, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Wednesday, 2nd August, 2023