



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT – (FOURTH SESSION)

THE SENATE

ORDER PAPER

TUESDAY, JULY 15, 2025 AT 2.30 PM

PRAYER

1. Administration of Oath
2. Communication from the Chair
3. Messages (as listed in the Appendix)
4. Petitions
5. Papers (as listed in the Appendix)
6. Notices of Motion
7. Questions and Statements (as listed in the Appendix)
8. **MOTION - REPORT OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON A PETITION TO THE SENATE BY MR. LABAN OMUSUNDI CONCERNING THE BRANDING OF PUBLIC PROJECTS WITH IMAGES OF GOVERNORS AND MEMBERS OF COUNTY ASSEMBLIES (MCAs) AND BRANDING OF COUNTY VEHICLES**
(The Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on a Petition to the Senate by Mr. Laban Omusundi concerning the branding of public projects with images of Governors and Members of the County Assemblies (MCAs) and branding of county vehicles, laid on the Table of the Senate on Tuesday, 3rd June, 2025.

***(Resumption of debate interrupted on Thursday 10th July, 2025)
(Question to be put)***

9. *****THE SOCIAL PROTECTION BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2025)**
(The Senate Majority Leader)

(Second Reading)

***(Resumption of debate interrupted on Thursday, 12th June, 2025)
(Division)***

...../Bills

10. **COMMITTEE OF THE WHOLE**
THE CONFLICT OF INTEREST BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2023)

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

(Consideration of His Excellency the President's recommendations)

(Resumption of debate interrupted on Thursday 10th July, 2025)
(Division)

11. **MOTION - CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE START-UP BILL (SENATE BILLS NO. 14 OF 2022)**

(The Chairperson, Standing Committee on Trade, Industrialization and Tourism)

THAT, the National Assembly amendments to the Start-Up Bill (Senate Bills No. 14 of 2022) be now considered.

12. **MOTION - CONSIDERATION OF THE REPORT OF THE STANDING COMMITTEE ON JUSTICE, LEGAL AFFAIRS AND HUMAN RIGHTS ON ITS CONSIDERATION OF A PETITION TO THE SENATE BY MR. BAKARI HALIFAN MUNGE AND THREE (3) OTHER RESIDENTS OF KWALE COUNTY REGARDING THE IMPLEMENTATION OF AN AWARD BY THE ENVIRONMENT AND LAND COURT FOR COMPENSATION TO AND RESETTLEMENT OF THE OWNERS OF RAMISI PHASE 1 BLOCK 5056 IN KWALE COUNTY**

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights on its consideration of a Petition to the Senate by Mr. Bakari Halifan Munge and three (3) other residents of Kwale County regarding the implementation of an Award by the Environment and Land Court for compensation to and resettlement of the owners of Ramisi Phase 1 Block 5056 in Kwale County, laid on the Table of the Senate on Wednesday, 28th May, 2025.

13. **MOTION - CONSIDERATION OF THE REPORT OF THE STANDING COMMITTEE ON JUSTICE, LEGAL AFFAIRS AND HUMAN RIGHTS ON ITS CONSIDERATION OF A PETITION TO THE SENATE BY MR. LABAN OMUSUNDI REGARDING THE INTRODUCTION OF A FRAMEWORK FOR RECALLING NOMINATED MEMBERS OF THE COUNTY ASSEMBLIES (MCAs)**

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights on its consideration of a Petition to the Senate by Mr. Laban Omusundi regarding the introduction of a framework for recalling Nominated Members of the County Assemblies (MCAs), laid on the Table of the Senate on Wednesday, 28th May, 2025.

14. **MOTION - CONSIDERATION OF THE REPORT OF THE STANDING COMMITTEE ON JUSTICE, LEGAL AFFAIRS AND HUMAN RIGHTS ON A PETITION TO THE SENATE BY MS. CHRISTINE NJOKI MWERU REGARDING INCOMPLETE INVESTIGATIONS AND FAILURE TO ARREST AND PROSECUTE SUSPECTS INVOLVED IN THE ABDUCTION AND DISAPPEARANCE OF MR. JOSHUA GICHUKI MWANGI**

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

THAT, the Senate adopts the Report of the Standing Committee on Justice, Legal Affairs and Human Rights on a Petition to the Senate by Ms. Christine Njoki Mweru regarding incomplete investigations and failure to arrest and prosecute suspects involved in the abduction and disappearance of Mr. Joshua Gichuki Mwangi, laid on the Table of the Senate on Thursday, 5th June, 2025.

15. **MOTION - REPORT OF THE STANDING COMMITTEE ON LABOUR AND SOCIAL WELFARE ON A PETITION TO THE SENATE BY MR. LAWRENCE NDUTU ON BEHALF OF ONE HUNDRED AND TWENTY-FIVE (125) OTHER FORMER EMPLOYEES OF KENYA BREWERIES LIMITED CONCERNING FAILURE BY THE KENYA BREWERIES LIMITED, KAPLAN & STRATTON ADVOCATES AND HARRISON KINYANJUI ADVOCATES TO PAY COMPENSATION AWARDED TO THE PETITIONERS**

(The Chairperson, Standing Committee on Labour and Social Welfare)

THAT, the Senate adopts the Report of the Standing Committee on Labour and Social Welfare on a Petition to the Senate by Mr. Lawrence Ndutu on behalf of one hundred and twenty-five (125) other former employees of Kenya Breweries Limited concerning failure by the Kenya Breweries Limited, Kaplan & Stratton Advocates and Harrison Kinyanjui Advocates to pay compensation awarded to the Petitioners, laid on the Table of the Senate on Wednesday, 9th July, 2025.

16. **MOTION - REPORT OF THE STANDING COMMITTEE ON JUSTICE, LEGAL AFFAIRS AND HUMAN RIGHTS ON ITS CONSIDERATION OF THE SESSIONAL PAPER NO. 3 OF 2023 ON THE KENYA POLICY ON PUBLIC PARTICIPATION**

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

THAT, the Senate **adopts** the Report of the Standing Committee on Justice, Legal Affairs and Human Rights on its consideration of the Sessional Paper No. 3 of 2023 on the Kenya Policy on Public Participation, laid on the table of the Senate on Wednesday, 14th May, 2025 and **approves** Sessional Paper No. 3 of 2023 on the Kenya Policy on Public Participation.

17. **MOTION - REPORT OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON ITS INQUIRY INTO THE STATE OF GOVERNANCE IN THE COUNTY GOVERNMENT OF GARISSA ARISING FROM A STATEMENT SOUGHT BY SEN. HAJI ABDUL MOHAMMED, MP**

(The Chairperson, Standing Committee on Devolution and Intergovernmental Relations)

...../Motions

THAT, the Senate adopts the Report of the Standing Committee on Devolution and Intergovernmental Relations on its inquiry into the state of governance in the County Government of Garissa arising from a Statement sought by Sen. Abdul Haji, MP, laid on the Table of the Senate on Wednesday, 28th May, 2025.

18. *****THE TECHNOLIS BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2024)**

(The Senate Majority Leader)

(Second Reading)

19. ***THE COUNTY HALL OF FAME BILL (SENATE BILLS NO. 18 OF 2023)**

(Sen. Miraj Abdillahi Abdulrahman, MP)

(Second Reading)

20. ***THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 46 OF 2023)**

(Sen. Johnes Mwaruma, MP)

(Second Reading)

21. ***THE WILDLIFE CONSERVATION AND MANAGEMENT (AMENDMENT) BILL (SENATE BILLS NO. 49 OF 2023)**

(Sen. Lenku Ole Kanar Seki, MP)

(Second Reading)

22. ***THE NARCOTIC DRUGS AND PSYCHOTROPIC SUBSTANCES (CONTROL) (AMENDMENT) BILL (SENATE BILLS NO. 1 OF 2024)**

(Sen. Kathuri Murungi, MP)

(Second Reading)

23. ***THE COUNTY OVERSIGHT AND ACCOUNTABILITY BILL (SENATE BILLS NO. 3 OF 2024)**

(Sen. Ledama Olekina, MP and Sen. William Kisang, MP)

(Second Reading)

24. ***THE COUNTY WARDS (EQUITABLE DEVELOPMENT) BILL (SENATE BILLS NO. 20 OF 2024)**

(Sen. Karungo Thangwa, MP and Sen. Godfrey Osotsi, MP)

(Second Reading)

KEY

******- Denotes a Majority /Minority Party Bill**

*****- Denotes a National Assembly Bill**

**** - Denotes a Committee Bill**

***- Denotes any other Bill**

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NOTICE OF AMENDMENTS**A. **THE CONFLICT-OF-INTEREST BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2023)**

(The Chairperson, Standing Committee on Justice, Legal Affairs and Human Rights)

(Consideration of His Excellency the President's Memorandum)

His Excellency the President's recommendations

CLAUSE 2

THAT, Clause 2 of the Bill be amended by inserting the following new definitions in proper alphabetical sequence—

“family” means—

- (a) the spouse, dependent child or parent of a public officer;
- (b) a dependent child of the spouse of a public officer; or
- (c) a parent of the spouse of a public officer;

“relative” means a person who is related to a public officer by birth, marriage, adoption or affinity;

“undeclared asset” means any asset that is not disclosed in the prescribed manner in any declaration year.

CLAUSE 5

THAT, Clause 5 of the Bill be amended by deleting the words “a reporting authority and” appearing immediately before the words “the Ethics”.

CLAUSE 6

THAT, Clause 6 of the Bill be amended by inserting the following new paragraph after paragraph (h)—

“(ha) institute proceedings for forfeiture of undeclared or unexplained assets;”

CLAUSE 8

THAT, the Bill be amended by deleting Clause 8 and substituting therefor the following new Clause—

...../Notice of Amendments

Conflict of
interest.

8. A public officer is in conflict of interest if—
- (a) the public officer exercises an official power, duty or function to further his or her private interests or the private interests of another person;
 - (b) the private interests of the public officer can reasonably be perceived to impair or influence the public officer's ability to act objectively in the performance of an official duty; or
 - (c) the public officer has private interests that could conflict with the duties of the public officer in future.

CLAUSE 12

THAT, Clause 12 of the Bill be amended by deleting subclause (3).

CLAUSE 16

THAT, Clause 16 of the Bill be amended by—

- (a) inserting the following new subclause after subclause (3)—

“(3A) Where a public officer has knowledge that a family member or a relative has accepted a gift or favour under subsection (1), the public officer shall, within forty-eight hours of such knowledge, or, if not on duty, within forty-eight hours of resumption of duty, make a declaration of the acceptance, giving sufficient details of the nature of the gift or favour accepted, the donor and the circumstances under which it was accepted for purposes of assessment of potential conflict of interest.”

- (b) deleting subclause (4) and substituting therefor the following new subclause— “(4) A person who contravenes this section commits an offence.”

CLAUSE 17

THAT, Clause 17 of the Bill be amended—

- (a) in paragraph (a) by deleting the words “public officers” and substituting therefor the words “any person”;
- (b) in paragraph (b) by deleting the words “public officers” and substituting therefor the words “any person”;
- (c) by deleting paragraph (c).

CLAUSE 18

THAT, Clause 18 of the Bill be amended by—

- (a) inserting the following new subclause after subclause (2)—

“(2A) Where a public officer has knowledge that a family member or a relative has accepted a complimentary treatment in the exceptional circumstances contemplated under subsection (1), the public officer shall, within forty-eight hours of such knowledge, or, if not on duty, within forty-eight hours of resumption of duty, make a declaration of the acceptance, giving sufficient details of the nature of the complimentary treatment accepted, the donor and the circumstances under which it was accepted for purposes of assessment of potential conflict of interest.”

- (b) deleting subclause (3) and substituting therefor the following new subclause— “(3) A person who contravenes this section commits an offence.”

CLAUSE 20

THAT, Clause 20 of the Bill be amended by deleting subclause (1) and substituting therefor the following new subclause—

“(1) A public officer shall not acquire an interest in a partnership, private company or any other legal entity that is a party to a contract with any reporting entity under which the partnership, private company or legal entity receives a benefit.”

CLAUSE 30

THAT, Clause 30 of the Bill be amended by deleting subclause (2).

CLAUSE 31

THAT, Clause 31 of the Bill be amended by inserting the following new subclause after subclause (3)—

“(4) For purposes of this section, “material change” means—

- (a) at least twenty five percent increase or decrease in the value of an income, asset or liability;
- (b) the disposal or acquisition of an asset or liability;
- (c) changes in marital status;
- (d) appointment to or changes in directorships;
- (e) changes in membership in companies or partnerships and other legal entities howsoever established; or
- (f) changes in membership in social associations, societies, clubs, foundations or trusts.”

CLAUSE 35

THAT, Clause 35 of the Bill be amended in subclause (1) by inserting the following new paragraph immediately after paragraph (b)—

“(c) its completeness and correctness.”

B. *THE START-UP BILL (SENATE BILLS NO. 14 OF 2022)

(Sen. Crystal Asige, MP)

NATIONAL ASSEMBLY AMENDMENTS

NOTICE is given that the National Assembly made the following amendments to the Start-Up Bill (Senate Bills No. 14 of 2022).

LONG TITLE

THAT, the Bill be amended by deleting the long title and substituting therefor the following new long title—

“AN ACT of Parliament to provide a framework to support growth and sustainable technological development and transfer, innovative entrepreneurial culture; to create an environment for innovation; to attract talent and capital from Kenya; to recognise and to support startups, incubators, accelerators; and for connected purposes”

CLAUSE 2

THAT, clause 2 of the Bill be amended by —

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

“accelerator” means a company, partnership, an establishment within an institution of higher learning or a formal or informal sector business association whose principal object is to offer short, time bound, and cohort-based programmes, to support the development of startups, innovation, and other activities related to the transfer of skills, research, development, and innovation processes and has been labelled as such under this Act;

“commercialization phase” means a startup process which includes production, marketing, financing and scaling up;

“conception phase” includes idea generation, evaluation, requirement analysis, project planning, prototyping, testing, piloting and proof of concept;

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“Estate” means the Kenya Industrial Estates established under the Companies Act;

“incubation programme” means the provision of systematic support to applicants such as access to training, mentorship, and other support services such as the establishment and transformation of enterprises that may be developed by either public or private institutions and executed by an accelerator or incubator;

“investor” means any individual or entity that contributes its resources or technical know-how to the development of startups for a reasonable return;

“label” means a certificate issued by the Agency to a startup, incubator, or accelerator upon the fulfilment of the labelling requirements under this Act;

“labelling” means the assigning of a tiered designation to startups, and the classification of incubators and accelerators in accordance with this Act;

“startup” means a registered enterprise legally recognized under the laws of Kenya, which has been in existence for a period of not more than ten years with a strong growth potential, incremental innovation or disruptive business model; “startup ecosystem players” means any entity that plays a role in —

(a) the conceptual phase that includes generation and evaluation of ideas, the process of analysing requirements, planning of projects, prototyping, testing, piloting a proof of concept; and

(b) the commercialization phase that includes production, marketing, financing and scaling up of ideas and proofs of concept;

“startup maturity framework” means a model developed by the Agency to assess the technology readiness levels of startups, and to assign them tiers for purposes of labelling, financing and graduation;

(b) deleting definition of “Cabinet Secretary” and substituting therefor the following definition-

“Cabinet Secretary” means the Cabinet secretary for the time being responsible for matters relating to micro, small and medium enterprises development; business innovation and incubation; and startups;

...../Notice of Amendments

- (c) deleting the definition of “County Executive Committee Member”;
- (d) deleting the definition of “incubator” and substituting therefor the following definition —

“incubator” means a company, partnership, non-governmental organization, an establishment within an institution of higher learning or a formal or informal sector business association whose principal object is to support the birthing and development of Startups, innovation, and other activities related to the transfer of skills, research, development, and innovation processes, through the offer of dedicated physical or virtual spaces and advisory services and has been labelled as such under this Act;

- (e) deleting the definition of “startup incubator”.

CLAUSE 3

THAT, clause 3 of the Bill be amended —

- (a) in paragraph (c) by inserting the words “incubators, accelerators and investors” immediately after the word “startups”;
- (b) in paragraph (e), by deleting the word “and” appearing immediately after the word “startups;”
- (c) by inserting the following new paragraphs immediately after paragraph (f)—
 - “(fa) for recognition of startups;
 - (fb) for establishment, development, financial support and growth of startups;
 - (fc) for catalysing the growth of the startup ecosystem through infrastructural enhancement, innovation and talent development, entrepreneurial culture growth and ecosystem coordination;
 - (fd) for enhancement of private sector investments in startups and Kenya’s positioning in the global innovation and startup economy; and”

CLAUSE 4

THAT, the Bill be amended by deleting clause 4 and substituting therefor the following new clause—

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| Role of the Agency and the Estate in implementation of the Act. | 4. (1) The Agency and the Estate, shall develop a framework for collaboration among the startup ecosystem players including the county governments. (2) The Agency shall— |
|---|---|

- (a) formulate a national policy framework for the development of the business incubation and acceleration sector and startup system;
- (b) promote innovation;
- (c) facilitate the transfer of technology innovation;
- (d) create and develop a sustainable, globally competitive technology innovation sector that contributes towards the accelerated growth of the economy;
- (e) promote the linkages between universities and research institutions and the business community.
- (f) enter into partnerships with local and international business incubators and accelerators in order to promote the establishment and growth of startups in Kenya;
- (g) establish programmes for the certification and admission of incubators and accelerators into the incubation programmes;
- (h) setup mechanisms that promote the development of business incubation programmes and create an enabling environment for the promotion of business incubators including fiscal and non-fiscal incentives to incubators and startups;
- (i) establish online and other platforms for access to information including the establishment and development of startups, existing incubation programmes, access to fiscal and non-fiscal support and for this purpose, keep and maintain a directory of startups and incubator;
- (j) support any research and development activities undertaken by startups;
- (k) establish mechanisms for pre-incubation of entities and for this purpose, provide training and capacity building programmes to startups registered under this Act;
- (l) establish mechanisms to enable access to entities from marginalized groups through the use of quotas or mechanisms that match them to unused capacity in existing programmes; and
- (m) establish structures that ensure the protection of the innovations of startups at the national and international level.

(3) The Estate shall —

- (a) develop a framework setting out modalities on funding for commercialization of startups;
- (b) support startups through partnerships/collaboration with relevant startup ecosystem players for commercialization of startups;
- (c) enter into partnerships to promote the startup ecosystem based on the startup maturity framework;
- (d) create an enabling environment for micro, small and medium enterprises to be innovative;
- (e) design and implement training and capacity building programs for startups, incubators, and accelerators in accordance with this Act;
- (f) ensure all persons irrespective of their sex, disability or ethnicity is afforded an equal opportunity to establish and benefit from their innovation;
- (g) promote the creation of employment and wealth creation;
- (h) establish a database of all commercialized startups; and
- (i) undertake any other function, which is incidental to the performance of any of the foregoing functions.

NEW CLAUSE 4A

THAT, the Bill be amended by inserting the following new clause immediately after clause 4—

Establishment
and
composition of
the Startup
Committee.

4A. (1) The Cabinet Secretary shall establish a multi-agency startup committee that shall comprise of technical persons from—

- (a) Kenya National Innovations Agency;
- (b) Kenya Industrial Research and Development Institute;
- (c) Micro Small Enterprises Authority;
- (d) Kenya Industrial Estates;
- (e) Kenya Bureau of Standards;

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- (f) Kenya Industrial Property Institute;
- (g) Institutions of Higher Learning, Technical, Vocation and Education Training Institutions; and
- (h) any other institution or person that the Cabinet Secretary may deem necessary for the implementation of this Act.

(2) The committee established under subsection (1) shall—

- (a) develop standards and guidelines to regulate the relationship between an incubator and a startup under this Act;
- (b) prescribe a criteria for the evaluation of entities, programmes and structures set up for the purposes of implementing this Act.
- (c) receive, assess, and issue labels to startups;
- (d) receive, assess, and certify incubators and accelerators;
- (e) create guidelines for incubation programmes run by public agencies;
- (f) issue a framework for the establishment, revamping and operation of accelerators and incubation hubs in every county;
- (g) accredit startups; and
- (h) advise the Cabinet Secretary on offering of fiscal and non-fiscal incentives.

CLAUSE 5

THAT, the Bill be amended by deleting clause 5.

PART III

THAT, the title to **PART III** of the Bill be amended by deleting the words “REGISTRAR OF STARTUPS AND ADMISSION INTO INCUBATION PROGRAMME” and substituting therefor the words “LABELLING OF STARTUPS”.

CLAUSE 6

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

- Eligibility criteria. **6.** (1) An entity is eligible for labelling as a startup if the entity—
- (a) is registered in Kenya as a —

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...../Notice of Amendments

- (i) private limited company under the Companies Act;
 - (ii) co-operative society registered under Co-operative Societies Act;
 - (iii) sole-proprietorship; or
 - (iv) partnership firm;
 - (b) is newly registered or has been in existence for a period of not more than ten years from the date of its incorporation or registration;
 - (c) has as its objects the innovation, development, production or improvement and commercialization of innovative products, processes or services or if it is a scalable business model;
 - (d) has human resources, total assets, and annual turnover number that does not exceed an amount prescribed by the Cabinet Secretary;
 - (e) has its headquarters in Kenya;
 - (f) does not distribute profits;
 - (g) is fully owned by a citizen of Kenya or majority ownership by citizen or citizens of Kenya;
 - (h) falls within the tiered structures as prescribed by the startup maturity framework; and
 - (i) has at least fifteen percent of the expenses of the entity spent on activities that relate to research and development.
- (2) This Act shall not apply to an entity that is —
- (a) established or formed as a result of the split, reconstruction, merger or reconstitution of an existing business; or
 - (b) a holding company or subsidiary of an existing entity which is not labelled as a startup.
- (3) A startup labelled under this Act shall be granted access to the incentives provided under this Act.

CLAUSE 7

THAT, the Bill be amended by deleting clause 7 and substituting therefor the following new clause—

Registration of labelled startup. **7.** (1) A person may apply to the committee to register a labelled startup under this Act in the prescribed form.

(2) A person who applies under subsection (1) shall submit a statement setting out—

- (a) the name of the entity;
 - (b) the general nature of the proposed business of the entity;
 - (c) a declaration form stating whether an entity has complied with data protection laws; and
 - (d) the proposed registered office of the entity;
- (3) The committee shall put in place mechanisms to ensure that the admission process is simple, efficient, accurate and transparent.
- (4) The committee shall establish an online platform for the submission of the documents and information specified under subsection (2).
- (5) The committee shall register and issues a label to a person who complies with the requirements specified in the regulations made under this Act.

CLAUSE 8

THAT, the Bill be amended by deleting clause 8 and substituting therefor the following new clause—

Obligations
of labelled
startups.

- 8. (1)** A startup labelled under this Act, shall—
- (a) provide information to the committee annually on its annual turnover;
 - (b) maintain proper books of accounts;
 - (c) provide an annual report on monies received to support their activities;
 - (d) comply with any other obligations set out by the Committee after issuance of the label; and
 - (e) provide any other information that may be required during the period.

CLAUSE 9

THAT, the Bill be amended by deleting clause 9.

CLAUSE 10

THAT, the Bill be amended by deleting clause 10.

CLAUSE 11

THAT, the Bill be amended by deleting clause 11.

CLAUSE 12

THAT, the Bill be amended by deleting clause 12.

CLAUSE 13

THAT, the Bill be amended by deleting clause 13.

CLAUSE 14

THAT, the Bill be amended by deleting clause 14 and substituting therefor the following new clause—

Grounds for cancellation. **14.** The startup committee may cancel a startup labelled under this Act where —

- (a) there is reasonable cause to believe that the startup has among its objects the pursuit of an unlawful cause or purpose prejudicial to public interest;
- (b) the startup fails to comply with any directive issued by the startup committee to ensure compliance with the provisions of this Act;
- (c) the members of the startup fail to comply with the provisions of their constitution or rules or the provisions of this Act;
- (d) the startup fails to submit any information required under this Act or requested by the startup committee in order to ensure compliance with this Act; or
- (e) the startup submitted false information or statements at the time of labelling of the startup.

CLAUSE 15

THAT, the Bill be amended by deleting clause 15 and substituting therefor the following new clause—

Notice of non-compliance. **15.** (1) The Startup Committee shall, before cancelling a startup under section 14, issue to the entity a compliance notice in the prescribed form.

(2) A compliance notice issued under subsection (1) shall—

- (a) be in writing;
- (b) notify the startup of the noncompliance and the steps it is required to take in order to ensure compliance; and
- (c) inform the entity of the period within which it is required to comply with the notice.

(3) The Startup Committee may, upon request by the startup and where there are sufficient grounds shown by the startup, extend the period of compliance for such period as the startup committee may consider necessary to ensure compliance.

Clause 16

THAT, the Bill be amended by deleting clause 16 and substituting therefor the following new clause—

- Cancellation. **16.** (1) Where a startup which receives a notice under section 15 fails to comply with such notice, the Startup Committee shall cancel that startup by—
- (a) cancelling its certificate of labelling;
 - (b) notifying the startup in writing of—
 - (i) the cancellation and the reasons for it; and
 - (ii) the date on which the certificate of labelling was cancelled; and
 - (c) amend the register accordingly.
- (2) Where a startup is cancelled under subsection (1), all the rights and benefits that accrue to the startup by virtue of being registered shall cease to accrue to the startup.
- (3) For purposes of this Act, cancellation of a startup under this section takes effect on the date on which the certificate of registration is cancelled by the Startup Committee.

CLAUSE 17

THAT, the Bill be amended by deleting clause 17 and substituting therefor the following new clause—

- Application from an order of refusal or de-registration. **17.**(1) A person who is aggrieved by the decision of the Startup Committee under this Part may, within thirty days of being notified of the decision, apply to the Cabinet Secretary for a review of the decision.
- (2) An application for review shall be in such form as the Cabinet Secretary shall prescribe.
- (3) The Cabinet Secretary shall determine an application under subsection (1) within sixty days of receipt of the application under subsection (1) and may confirm, vary or reverse the decision under review.

CLAUSE 18

THAT, the Bill be amended by deleting clause 18 and substituting therefor the following new clause—

- Register of startups. **18.**(1) The Startup Committee shall keep and maintain a register of —
- (a) all startups registered under this Act specifying —

- (i) the name of the startup;
- (ii) the members of the startup;
- (iii) the address of the startup;
- (iv) such other particulars as the Startup Committee may from time to time determine;
- (b) all cancelled startups; and
- (c) all startups which have voluntarily cancelled under this Act.

(2) Any person may inspect the register and obtain a copy of, or an extract from the Startup Committee upon payment of such fee as the Startup Committee shall determine.

CLAUSE 19

THAT, the Bill be amended by deleting clause 19 and substituting therefor the following new clause—

Alteration of register. **19.** (1) The Startup Committee, as the case may be, may, from time to time, make changes or corrections in the register relating to any entry.

(2) Any change or correction in relation to an entry made pursuant to a notice issued by a startup shall be made to the Startup Committee as soon as it is practicable after receipt of an authenticated notification thereof.

CLAUSE 21

THAT, the Bill be amended by deleting clause 21 and substituting therefor the following new clause—

Change of particulars. **21.**(1) A startup that makes a change to any of its particulars shall, within thirty days of such change submit to the Startup Committee information regarding the change.

(2) Upon receipt of the information under subsection (1) and where the Startup Committee is satisfied that the change does not affect its status of registration as a startup, enter the changes in the register kept by the Startup Committee under this Act.

PART IV

THAT, the title to **PART IV** of the Bill be amended by inserting the words “AND ACCELERATORS” immediately after the word “INCUBATORS”.

CLAUSE 24

THAT, clause 24 of the Bill be amended in subclause (1):

- (a) by deleting the words “registrar; and” appearing in paragraph (a) and substituting therefor the words “startup committee” and
- (b) by deleting paragraph (b).

CLAUSE 25

THAT, clause 25 of the Bill be amended—

- (a) in subclause (1) by deleting the words “, in consultation with the county executive committee members, ”
- (b) in subclause (2) by deleting the words “ or a county executive committee member may, ”

PART V

THAT, the title to **PART V** of the Bill be amended by inserting the words “, INCUBATORS AND ACCELARATORS” immediately after the word “STARTUPS”

CLAUSE 27

THAT, clause 27 of the Bill be amended—

- (a) by deleting subclause (1) and substituting therefor the following new sub-clause—
 - “(1) The Cabinet Secretary shall, in consultation with the Cabinet Secretary responsible for finance, put in place measures for the granting of fiscal and non-fiscal incentives including tax incentives as shall be considered necessary for the development of startups.”
- (b) by deleting subclause (2).

NEW CLAUSE 27A

THAT, the Bill be amended by inserting the following new clauses immediately after clause 27—

- | | |
|--|--|
| Incentives for labelled incubators and accelerators. | 27A.) The Agency shall put in place measures to support incubators and accelerators and shall, for this purpose— <ul style="list-style-type: none">(a) negotiate for tax concessions on the machinery or any other unique equipment to be used by incubators or accelerators; and(b) offer grants and aid for research, development, training, and expansion of projects taking place in the incubators or accelerators. |
|--|--|

Incentives for
investors.

27B. (1) The Cabinet Secretary, in consultation with the Cabinet Secretary responsible for finance, may put in place measures to provide incentives to investors, including—

- (a) providing tax relief on investment and from capital gains tax;
- (b) providing tax relief in the event of loss of investment;
- (c) providing tax relief for organizations or companies who have made equity investments in startups;
- (d) providing tax relief for investors who invest in startups that have three-quarters of their staff as local employees; or
- (e) providing creation of a special visa for foreign direct investment.

General
requirements
on
exemptions
and
deductions.

27C. A person is eligible for an exemption or a deduction provided for under this Act, where —

- (a) the exemption or deduction has been recommended by the Agency and approved by the appropriate government authority;
- (b) complies with conditions prescribed in this Act and the Regulations; and
- (c) public resources have been allocated to accommodate the exemption or deduction.

CLAUSE 30

THAT, clause 30 of the Bill be amended by deleting subclause (2).

NEW CLAUSE 30A

THAT, the Bill be amended by inserting the following new clause immediately after clause 30—

Intellectual
Property.

30A. (1) The Agency shall collaborate with Kenya Industrial Property Institute to—

- (a) maintain an online platform to facilitate intellectual property registrations, which shall contain relevant information on process, categories of registrable intellectual property and registration requirements;
- (b) provide training in intellectual property requirements to labelled startups;

- (c) simplify registration processes and facilitate assistance for the registration of patents and trademarks at both national and international levels;
- (d) make reasonable efforts to expedite intellectual property registration procedures, particularly for patents and trademarks which require several components;
- (e) design a financial support mechanism for labelled startups to support registration of intellectual property at the national and international level,;
- (f) develop model contracts for startups to use in their contractual relations with employees and contractors that detail intellectual property rights and ownership, including for code and application development, and provide access to expert consultations with experienced examiners to ensure compliance with administrative requirements and assist with instituting legal actions for IP infringements and ensure speedy resolution of all intellectual property disputes;
- (g) review domestic copyright laws to clarify that copyright protects source code and algorithms; and
- (h) cooperate with other relevant authorities to integrate prohibitions of forced technology transfer in bilateral investment and trade agreements with third parties.

CLAUSE 31

THAT, the Bill be amended by deleting clause 31.

NEW PART VA

THAT, the Bill be amended by inserting the following new PART immediately after clause 32—

PART VA- ESTABLISHMENT OF THE STARTUP FUND

Establishment
of the Startup
Fund

32A. (1) There is established a fund known as the Startup Fund, in accordance with the Regulations prescribed by the Cabinet Secretary.

(2) The Cabinet Secretary shall make regulations to operationalize this section.

Sources of the Funds.

32B. The source of the Fund shall consist of—

- (a) such monies as may be appropriated by the National Assembly for the purposes of the Fund;
- (b) such monies as may accrue to the Authority in the performance of its functions under this Act determined in regulations from the National Research Fund;
- (c) any grants, gifts, donations or other endowments given to Kenya National Innovation Agency, Kenya Industrial Estates and other startup ecosystem players including county governments;
- (d) such funds as may vest in or accrue to Kenya National Innovation Agency and Kenya Industrial Estates and other startup ecosystem players including county governments in the performance of its functions under this Act; and
- (e) any funds donated or lent to, or gift made to Kenya National Innovation Agency and Kenya Industrial Estates shall be disclosed to the National Assembly and made public before use.

CLAUSE 34

THAT, the Bill be amended by deleting clause 34 and substituting therefor the following new clause—

Data protection. **34.** The personal data concerning a startup, incubator or accelerator, shall be processed only in accordance with the provisions of the Data Protection Act.
Cap.411C.

NEW CLAUSE 35

THAT, the Bill be amended by inserting the following new clause immediately after clause 34—

General penalty. **35.** (1) A person who commits an offence under this Act for which no specific penalty is provided or who otherwise contravenes this Act shall, on conviction, be liable to a fine not exceeding one million shillings or to imprisonment for a term not exceeding five years, or to both.

(2) In addition to any penalty referred to in subsection (1), the Court may order or prohibit the doing of any act to stop a continuing contravention.

APPENDIX**1. MESSAGES**

- i) Message from the National Assembly, on the passage by the National Assembly, of the Constitution of Kenya (Amendment) Bill (National Assembly Bills No. 4 of 2025).
- ii) Message from the National Assembly, on the passage by the National Assembly, of the Kenya National Council for Population and Development Bill (National Assembly Bills No. 72 of 2023).
- iii) Message from the National Assembly, on the passage by the National Assembly, of the Culture Bill (National Assembly Bills No. 12 of 2024).
- iv) Message from the County Assembly of Kiambu on the Resolution by the County Assembly on conferment of city status to Thika Municipality.

(The Speaker of the Senate)

2. PAPERS

- i) The Sugar (Sugar Development Levy) Order, Legal Notice No. 113 of 2025.

(The Senate Majority Leader)

- ii) Report of the Standing Committee on Labour and Social Welfare on its consideration of the Labour Migration and Management (No. 2) Bill (Senate Bills No. 42 of 2024).

(The Chairperson, Standing Committee on Labour and Social Welfare)

3. QUESTIONS AND STATEMENTS**a) Statement pursuant to Standing Order 52 (1)**

- i) Nominated Senator (Sen. Hamida Kibwana, MP) to make a Statement concerning the conduct of Mr. Peter Ayiro, a senior teacher at Alliance Girls High School.
- ii) Nominated Senator (Sen. (Prof.) Margaret Kamar, MP) to make a Statement regarding the recently concluded continental consultation on the Draft Model Law on Labour Migration in Africa, held from 16th to 18th June, 2025 in Nairobi, Kenya.

b) Requests for Statements pursuant to Standing Order 53 (1)

- i) The Senator for Nairobi City County (Sen. Edwin Sifuna, MP) to seek a Statement from the Standing Committee on Devolution and Intergovernmental Relations regarding the status of stalled development projects in Nairobi City County.
- ii) The Senator for Mombasa County (Sen. Mohammed Faki, MP) to seek a Statement from the Standing Committee on Roads, Transportation and Housing regarding the poor quality of services offered by Kenya Airways and Jambojet on the Mombasa route.
- iii) The Senator for Nakuru County (Sen. Tabitha Keroche, MP) to seek a Statement from the Standing Committee on National Security, Defence and Foreign Relations regarding the rising cases of insecurity in Nakuru County.

NOTICE PAPER I**Tentative Business for Wednesday, July 16, 2025***(Published pursuant to Standing Order 43 (1))*

It is notified that the Senate Business Committee has approved the following **tentative** business to appear in the Order Paper for Wednesday, July 16, 2025 (Morning Sitting).

A. QUESTIONS

| QUESTION NO. | SENATOR | SUBJECT | MINISTRY |
|---------------------|--|---|----------------------------------|
| 063 | Sen. Enoch Wambua, CBS, MP | Implementation challenges in the Wikithuki Irrigation Scheme Project | Water, Sanitation and Irrigation |
| 096 | Sen. Alexander Mundigi, MP | Delay in commencement of the construction of Kamumu, Thuci and Thambana dams in Embu County | Water, Sanitation and Irrigation |
| 069 | Sen. Joe Nyutu, MP | Use of privately owned motor vehicles for highway patrols by KeNHA | Roads and Transport |
| 070 | Sen. Justice (Rtd.) Stewart Madzayo, EGH, MP | Completion of the Mombasa-Mtwapa-Kilifi Road and other road projects in the coast region | Roads and Transport |
| 073 | Sen. Samson Cherarkey, MP | Redesign, reclassification and proposed expansion of the Eldoret-Kapsabet-Chavakali Road and the Kapsabet-Chemelil Road | Roads and Transport |
| 074 | Sen. Samson Cherarkey, MP | Status of expansion of the Nairobi-Nakuru-Eldoret corridor | Roads and Transport |
| 077 | Sen. Agnes Kavindu, MP | Construction of the Kakuku-Ekalala-Matuu Road, Thika River-Ekalala-Isyuko ya Kathini and Miu ya Ng'ang'a bridges in Machakos County | Roads and Transport |

...../Notice Paper I

| | | | |
|-----|--|---|---------------------|
| 085 | Sen. Justice (Rtd.) Stewart Madzayo, EGH, MP | Status and compensation framework for the planned expansion of Malindi International Airport | Roads and Transport |
| 088 | Sen. Mwenda Gataya, CBS, MP | Reduction in the Road Maintenance Levy Fund (RMLF) allocation to Tharaka Nithi County | Roads and Transport |
| 092 | Sen. Agnes Kavindu, MP | Status of upgrading to bitumen standard of the 25km Mombasa Road (Devki)-Kinanie Park/ Kinanie Leather Park Road in Machakos County | Roads and Transport |
| 093 | Sen. Edwin Sifuna, CBS, MP | Rationale and implementation status of the Riruta-Ngong Railway Line construction project | Roads and Transport |

B. MOTIONS

- i) REPORT OF THE LIAISON COMMITTEE ON THE ACTIVITIES AND OPERATIONS OF SELECT COMMITTEES DURING THE THIRD SESSION (2024)
(The Chairperson, Liaison Committee)
- ii) REPORT OF THE PARLIAMENTARY DELEGATION TO THE 2024 JOINT UNITED NATIONS – INTER-PARLIAMENTARY UNION PARLIAMENTARY HEARING HELD AT THE UNITED NATIONS HEADQUARTERS IN NEW YORK, UNITED STATES OF AMERICA FROM 8TH TO 9TH FEBRUARY, 2024
(Sen. Veronica Maina, MP)
- iii) REPORT OF THE PROCEEDINGS OF THE PARLIAMENTARIANS' DIALOGUE AT THE AFRICA CLIMATE SUMMIT, 2023 HELD IN THE NATIONAL ASSEMBLY CHAMBER, PARLIAMENT BUILDINGS, NAIROBI ON 3RD – 6TH SEPTEMBER, 2023
(Sen. Moses Kajwang', MP)

NOTICE PAPER II

Tentative Business for Wednesday, July 16, 2025

(Published pursuant to Standing Order 43 (1))

It is notified that the Senate Business Committee has approved the following **tentative** business to appear in the Order Paper for Wednesday, July 16, 2025 (Afternoon Sitting)

A. BILLS AT THE FIRST READING STAGE

- i) ***THE CONSTITUTION OF KENYA (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 4 OF 2025)
(The Senate Majority Leader)
- ii) ***THE KENYA NATIONAL COUNCIL FOR POPULATION AND DEVELOPMENT BILL (NATIONAL ASSEMBLY BILLS NO. 72 OF 2023)
(The Senate Majority Leader)
- iii) ***THE CULTURE BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2024)
(The Senate Majority Leader)

B. BILLS AT THE SECOND READING STAGE

- i) *THE COUNTY GOVERNMENTS (STATE OFFICERS REMOVAL FROM OFFICE) PROCEDURE BILL (SENATE BILLS NO. 34 OF 2024)
(Sen. Karungu Thang'wa, MP)
- ii) *THE TOBACCO CONTROL (AMENDMENT) BILL (SENATE BILLS NO. 35 OF 2024)
(Sen. Catherine Mumma, MP)
- iii) *THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILLS NO. 39 OF 2024)
(Sen. George Mbugua, MP)
- iv) *THE STREET NAMING AND PROPERTY ADDRESSING SYSTEM BILL (SENATE BILLS NO. 43 OF 2024)
(Sen. Fatuma Dullo, MP)

C. BILLS AT COMMITTEE OF THE WHOLE STAGE

- i.) *THE EARLY CHILDHOOD EDUCATION (AMENDMENT) BILL (SENATE BILLS NO. 54 OF 2023)
(Sen. Eddy Oketch, MP)
- ii.) **THE LOCAL CONTENT BILL (SENATE BILLS NO. 50 OF 2023)
(The Chairperson, Standing Committee on Energy)

...../Notice Paper II

- iii.) *THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL (SENATE BILLS NO. 41 OF 2023)
(Sen. Esther Anyieni Okenyuri, MP)
- iv.) *THE SPORTS (AMENDMENT) BILL (SENATE BILLS NO. 33 OF 2024)
(Sen. Edwin Sifuna, MP)
- v.) ****THE PUBLIC FUNDRAISING APPEALS BILL (SENATE BILLS NO. 36 OF 2024)
(The Senate Majority Leader)
- vi.) **THE HERITAGE AND MUSEUMS BILL (SENATE BILLS NO. 8 OF 2023)
(The Chairperson, Standing Committee on Labour and Social Welfare)
- vii.) *THE ENVIRONMENT LAWS (AMENDMENT) BILL (SENATE BILLS NO. 23 OF 2024)
(Sen. Abdul Haji, MP)
- viii.) *THE COUNTY LIBRARY SERVICES BILL (SENATE BILLS NO. 40 OF 2024)
(Sen. Joyce Korir, MP)
- ix.) ****THE STATUTORY INSTRUMENTS (AMENDMENT) BILL (SENATE BILLS NO. 10 OF 2024)
(The Senate Majority Leader and the Senate Minority Leader)
- x.) *THE COUNTY GOVERNMENTS ELECTION LAWS (AMENDMENT) BILL (SENATE BILLS NO. 2 OF 2024)
(Sen. Crystal Asige, MP)
- xi.) *THE SPORTS (AMENDMENT) (NO. 2) BILL (SENATE BILLS NO. 45 OF 2024)
(Sen. (Prof.) Tom Ojienda, MP and Sen. Raphael Chimera, MP)

D. MOTIONS

- i.) REPORTS OF THE STANDING COMMITTEE ON DEVOLUTION AND INTERGOVERNMENTAL RELATIONS ON ITS INQUIRY INTO THE STATE OF MARKETS IN VIHIGA AND BUNGOMA COUNTIES ARISING FROM A STATEMENT SOUGHT BY SEN. GODFREY OSOTSI, MP AND SEN. DAVID WAKOLI, MP
(The Chairperson, Standing Committee on Devolution and Intergovernmental Relations)
- ii.) PROGRESS REPORT OF THE STANDING COMMITTEE ON NATIONAL COHESION, EQUAL OPPORTUNITY AND REGIONAL INTEGRATION INTO AN INQUIRY ON THE DIVERSITY AND INCLUSIVITY IN THE STAFF COMPOSITION OF STATE AGENCIES IN KENYA
(The Chairperson, Standing Committee on National Cohesion, Equal Opportunity and Regional Integration)

- iii.) REPORT OF THE STANDING COMMITTEE ON ENERGY ON THE COUNTY
OVERSIGHT AND NETWORKING ENGAGEMENTS IN WAJIR COUNTY
(The Chairperson, Standing Committee on Energy)
