



**REPUBLIC OF KENYA**

**THIRTEENTH PARLIAMENT – (FOURTH SESSION)**

**THE SENATE**

**ORDER PAPER**

**AFTERNOON SITTING**

**WEDNESDAY, JULY 16, 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 (as listed in the Appendix)
7. Questions and Statements
8. **\*\*\*THE KENYA NATIONAL COUNCIL FOR POPULATION AND DEVELOPMENT BILL (NATIONAL ASSEMBLY BILLS NO. 72 OF 2023)**  
(The Senate Majority Leader)  
*(First Reading)*
9. **\*\*\*THE CULTURE BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2024)**  
(The Senate Majority Leader)  
*(First Reading)*
10. **MOTION - EXTENSION OF TIME - THE ENVIRONMENTAL MANAGEMENT AND CO-ORDINATION (STRATEGIC AND INTEGRATED ENVIRONMENTAL ASSESSMENT AND ENVIRONMENTAL AUDITS) (NO. 2) REGULATIONS, 2025, LEGAL NOTICE NO. 71 OF 2025**  
(The Chairperson, Select Committee on Delegated Legislation)

**THAT AWARE THAT**, the Environmental Management and Co-ordination (Strategic and Integrated Environmental Assessment and Environmental Audits) (No.2) Regulations, 2025, Legal Notice No. 71 of 2025 were tabled in the Senate on Wednesday, 9<sup>th</sup> April, 2025 and referred to the Select Committee on Delegated Legislation for consideration pursuant to Section 12(1) of the Statutory Instruments Act;

**...../Motion**

**COGNIZANT THAT** the Committee is required to make a report within twenty-eight sitting days after the date of referral of the instrument by the Senate pursuant to Section 15 (2) of the Statutory Instruments Act which will lapse on Thursday, 17<sup>th</sup> July, 2025;

**AWARE THAT** Section 15(3) of the Statutory Instruments Act, provides that by a resolution, Parliament may extend the time for consideration of a Statutory Instrument by a period not exceeding twenty-one calendar days;

**NOTING** that the Committee is in receipt of concerns by the public on the imposition of exorbitant fees, unjustified and punitive fee increments through the said Regulations thus compelling the Committee to further interrogate the issues;

**NOW THEREFORE** the Senate resolves to extend the timeline for the consideration of Environmental Management and Co-ordination (Strategic and Integrated Environmental Assessment and Environmental Audits) (No. 2) Regulations, 2025, Legal Notice No. 71 of 2025 for a further twenty-one (21) days pursuant to section 15(3) of the Statutory Instruments Act, to enable the Committee consider objections raised by the public and make its resolution on or before 7<sup>th</sup> August, 2025.

11. **\*\*THE COUNTY ALLOCATION OF REVENUE BILL (SENATE BILLS NO. 9 OF 2025)**

The Chairperson, Standing Committee on Finance and Budget)

*(Second Reading)*

***(Resumption of debate interrupted on Tuesday, 15<sup>th</sup> July, 2025)***

***(Division)***

12. **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 10<sup>th</sup> July, 2025)***

***(Division)***

13. **COMMITTEE OF THE WHOLE**

**\*THE EARLY CHILDHOOD EDUCATION (AMENDMENT) BILL (SENATE BILLS NO. 54 OF 2023)**

(Sen. Eddy Oketch, MP)

14. **COMMITTEE OF THE WHOLE**

**\*\*THE LOCAL CONTENT BILL (SENATE BILLS NO. 50 OF 2023)**

(The Chairperson, Standing Committee on Energy)

15. **COMMITTEE OF THE WHOLE****\*THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL (SENATE BILLS NO. 41 OF 2023)**

(Sen. Esther Anyieni Okenyuri, MP)

16. **COMMITTEE OF THE WHOLE****\*\*\*THE SOCIAL PROTECTION BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2025)**

(The Senate Majority Leader)

17. **\*\*THE EQUALISATION FUND APPROPRIATION BILL (SENATE BILLS NO. 7 OF 2025)**

(The Chairperson, Standing Committee on Finance and Budget)

*(Second Reading)**(Resumption of debate interrupted on Tuesday, 15<sup>th</sup> July, 2025)*18. **\*\*THE COUNTY GOVERNMENTS ADDITIONAL ALLOCATIONS (NO. 2) BILL (SENATE BILLS NO. 8 OF 2025)**

The Chairperson, Standing Committee on Finance and Budget)

*(Second Reading)*19. **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.

20. **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, 28<sup>th</sup> May, 2025.

*...../Motions*

21. **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, 5<sup>th</sup> June, 2025.

22. **MOTION – REPORT OF THE STANDING COMMITTEE ON LABOUR AND SOCIAL WELFARE ON A PETITION TO THE SENATE BY MR. LAWRENCE NDU TU 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 Ndu tu 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, 9<sup>th</sup> July, 2025.

23. **\*THE COUNTY GOVERNMENTS (STATE OFFICERS REMOVAL FROM OFFICE) PROCEDURE BILL (SENATE BILLS NO. 34 OF 2024)**

(Sen. Karungo Thang'wa, MP)

*(Second Reading)*

24. **\*THE TOBACCO CONTROL (AMENDMENT) BILL (SENATE BILLS NO. 35 OF 2024)**

(Sen. Catherine Mumma, MP)

*(Second Reading)*

25. **\*THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILLS NO. 39 OF 2024)**

(Sen. George Mbugua, MP)

*(Second Reading)*

26. **\*THE STREET NAMING AND PROPERTY ADDRESSING SYSTEM BILL (SENATE BILLS NO. 43 OF 2024)**

(Sen. Fatuma Dullo, MP)

*(Second Reading)*

*...../Motions*

**27. MOTION - 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)

**THAT**, the Senate adopts 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 statements sought by Sen. Godfrey Osotsi, MP, and Sen. David Wafula Wakoli, MP laid on the Table of the Senate on Tuesday, 1<sup>st</sup> October, 2024.

**28. MOTION - 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)

**THAT**, the Senate adopts 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, laid on the Table of the Senate on Thursday, 3<sup>rd</sup> October, 2024.

**29. MOTION - REPORT OF THE STANDING COMMITTEE ON ENERGY ON THE COUNTY OVERSIGHT AND NETWORKING ENGAGEMENTS IN WAJIR COUNTY**

(The Chairperson, Standing Committee on Energy)

**THAT**, the Senate adopts the Report of the Standing Committee on Energy on the County Oversight and Networking Engagements in Wajir County laid on the table of the Senate on Thursday, 17<sup>th</sup> April, 2025.

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**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

**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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486.

“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;

- (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—

- |   |   |
|---|---|
| Role of the<br>Agency and the<br>Estate in<br>implementation<br>of the Act. | <b>4.</b> (1) The Agency and the Estate, shall develop a framework for collaboration among the startup ecosystem players including the county governments.<br><br>(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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- (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 ACCELERATORS” 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 subclause—

“(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—

- (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.

**C. \*THE EARLY CHILDHOOD EDUCATION (AMENDMENT) BILL (SENATE BILLS NO. 54 OF 2023)**

(Sen. Eddy Oketch, MP)

**NOTICE** is given that the Chairperson, Standing Committee on Education intends to move the following amendments to the Early Childhood Education Bill (Senate Bills No. 54 of 2023), at the Committee Stage—

**CLAUSE 2**

**THAT** clause 2 of the Bill be amended by deleting the proposed subsection (2A) and substituting therefor the following new subsection —

(2A) A County Government shall take into account the following factors when determining the remuneration payable to an early childhood education teacher —

- (a) the minimum rate advised by the Salaries and Remuneration Commission;
- (b) minimum wage;
- (c) the qualification of individual teachers; and
- (d) any other relevant factor.



**D. \*THE LOCAL CONTENT (AMENDMENT) BILL, 2023 (SENATE BILL NO. 50 OF 2023)**

(The Chairperson, Standing Committee on Energy)

**NOTICE** is given that the Chairperson, Standing Committee on Energy, intends to move the following amendments to the Local Content (Amendment) Bill (Senate Bill No. 50 of 2023), at the Committee Stage—

**CLAUSE 7**

**THAT** clause 7 of the Bill be amended in paragraph (b) by —

- (a) deleting subparagraph (iii);
- (b) deleting the words “and implementation” in subparagraph (iv) appearing immediately after the words “the development; and
- (c) deleting subparagraph (v) and substituting therefor the following new subparagraph—
  - (v) provision of guidelines to ensure local content activities shall include the participation of local persons at a quota of not less than thirty percent.

**CLAUSE 10**

**THAT** clause 10 of the Bill be amended in subclause (1) by —

- (a) inserting the word “relevant” immediately after the words “advise the” in paragraph (b); and
- (b) inserting the word “relevant” immediately after the words “recommendations to the” in paragraph (c).

**CLAUSE 11**

**THAT** clause 11 of the Bill be amended in paragraph (a) by deleting the word “six” appearing immediately after the words “period of” and substituting therefor the word “twelve”.

**CLAUSE 12**

**THAT** clause 12 of the Bill be amended in subclause (1) by —

...../Notice of Amendments

(a) deleting paragraph (a) and substituting therefor the following new paragraph—

(a) a chairperson who shall be competitively recruited by the Public Service Commission and appointed by the President by notice in the *Gazette*.

(b) deleting paragraph (c) and substituting therefor the following new paragraph—

(c) the Principal Secretary responsible for matters relating to mining or a representative designated in writing;

(c) deleting paragraph (f) and substituting therefor the following new paragraphs—

(f) one person nominated by players in the oil and gas industry in such a manner as the Cabinet Secretary responsible for matters related to oil and gas shall determine;

(fa) one person nominated by players in the mining industry in such a manner as the Cabinet Secretary responsible for matters related to mining shall determine;

(d) deleting subclause (2) and substituting therefor the following new subclause—

(2) The persons nominated under subclause (1)(f) and (fa) shall be appointed by the relevant Cabinet Secretary by notice in the *Gazette*.

(e) deleting subclause (3) and substituting therefor the following subclause—

(1) There shall be paid to the members of the Committee such allowances as the Cabinet Secretaries responsible for matters related to petroleum, oil and mining may, in consultation with the Salaries and Remuneration Commission, determine.

## **CLAUSE 16**

**THAT** clause 16 of the Bill be amended in subclause (1) by —

(a) inserting the word “relevant” in paragraph (e) immediately after the words “addressed to the”; and

(b) inserting the word “relevant” in paragraph (f) immediately after the words “office by the”.

**CLAUSE 19**

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

Secretariat. **19.** (1) The relevant Cabinet Secretaries responsible for matters related to the extractive industry shall designate an appropriate administrative unit that includes representation from each of their respective Ministries to serve as the Secretariat of the Committee.

(2) The Secretariat shall consist of —

(a) a director, who shall be competitively recruited and appointed by the Public Service Commission.

(b) such other public officers from each relevant Ministry responsible for matters related to the extractive industry as the Cabinet Secretaries shall, in consultation with the Committee, designate for the proper performance of the functions of the Secretariat under this Act.

(3) Without prejudice to subsection (2), a person is qualified to be appointed as a director, if that person—

(a) is a citizen of Kenya;

(b) holds a degree in matters related to oil, gas and mining from a university recognized in Kenya;

(c) has had at least ten years proven experience at management level; and

(d) meets the requirements of Chapter Six of the Constitution.

(2) Director shall hold office for a term of four years, renewable for one further term.

**CLAUSE 21**

**THAT** clause 21 of the Bill be amended in subclause (1) by inserting the word “relevant” immediately before the words “Cabinet Secretary”.

**CLAUSE 22**

**THAT** clause 22 of the Bill be amended in subclause (5) by inserting the word “relevant” in paragraph (f) immediately after the words “plans as the”.

**CLAUSE 24**

**THAT** clause 24 of the Bill be amended by deleting the introductory clause of subclause (1) and substituting therefor the following new introductory clause—

- (1) The Committee shall prescribe rules on local content certification and in doing shall—

**CLAUSE 28**

**THAT** clause 28 of the Bill be amended in subclause (2) by inserting the word “relevant” in paragraph (c) immediately after the words “prescribed by the”.

**CLAUSE 30**

**THAT** clause 30 of the Bill be amended in —

- (a) subclause (1) by inserting the word “relevant” immediately before the words “Cabinet Secretary”; and
- (b) subclause (2) by inserting the word “relevant” immediately before the words “Cabinet Secretary”.

**CLAUSE 31**

**THAT** clause 31 of the Bill be amended in the introductory clause by inserting the word “relevant” immediately before the words “Cabinet Secretary shall”.

**CLAUSE 37**

**THAT** clause 37 of the Bill be amended in -

- (a) subclause (1) by inserting the word “relevant” immediately after the words “operator as the”;
- (b) subclause (3) by inserting the words “relevant” immediately after the words “in consultation with the”.

**CLAUSE 43**

**THAT** clause 43 of the Bill be amended by deleting subclause (2) and substituting therefor the following new subclause –

- (2) Despite subsection (1), where the goods or services required in relation to an extractive activity are not available locally, the relevant Cabinet Secretary may, subject to such conditions as the relevant Cabinet Secretary may impose, authorise the continued importation of the required goods or service.

#### **CLAUSE 44**

**THAT** clause 44 of the Bill be amended in —

- (a) subclause (2) by inserting the word “relevant” immediately after the words “consultation with the”; and
- (b) subclause (3) by inserting the word “relevant” immediately after the words “prescribed by the”.

#### **CLAUSE 45**

**THAT** clause 45 of the Bill be amended in subclause (1) by inserting the word “relevant” immediately after the words “provisions of this Act, the”.

#### **CLAUSE 47**

**THAT** clause 47 of the Bill be amended by —

- (a) deleting subclause (2) and substituting therefor the following new subclause—
  - (2) An operator shall annually remit a tax-deductible training levy consisting of such percentage of its net revenues as the relevant Cabinet Secretary may, in consultation with the Committee, prescribe to the Fund in support of the objectives of this Act.
- (b) by deleting subclause (3) and substituting therefor the following new subclause—
  - (3) The Cabinet Secretary responsible for matters relating to mining shall, in consultation with the Cabinet Secretary responsible for matters relating to oil, gas and other petroleum resources and the Committee, prescribe in regulations under the Act the manner in which the Fund shall be operated and applied.

#### **CLAUSE 48**

**THAT** clause 48 of the Bill be amended in subclause (5) by inserting the word “relevant” immediately after the words “approval of the”.

...../Notice of Amendments

**CLAUSE 50**

**THAT** clause 50 of the Bill be amended in —

- (a) subclause (2) by inserting the word “relevant” immediately after the words “submit to the”;
- (b) subclause (3) by inserting the word “relevant” immediately after the words “submit to the”.

**CLAUSE 52**

**THAT** clause 52 of the Bill be amended in clause (1) by inserting the word “relevant” immediately after the words “make recommendations”.

**CLAUSE 53**

**THAT** clause 53 of the Bill be amended in clause (1) by inserting the word “relevant” immediately before the words “Cabinet Secretary”.

**CLAUSE 56**

**THAT** clause 56 of the Bill be amended by inserting the word “relevant” immediately before the words “Cabinet Secretary”.

**CLAUSE 57**

**THAT** clause 57 of the Bill be amended —

- (a) by deleting subclause (1) and substituting therefor the following subclause—
  - (1) The Cabinet Secretary responsible for matters relating to mining shall, in consultation with the Cabinet Secretary responsible for matters relating to oil, gas, and other petroleum resources and the Committee, make regulations generally for the better carrying out of the provisions of this Act.
- (b) in subclause (2) by deleting the word “Secretary” appearing immediately after the words “the Cabinet” and substituting therefor the word “Secretaries”.

**NEW CLAUSES****CLAUSES 20A TO 20C**

**THAT** the Bill be amended by inserting the following clauses immediately after clause 20—

General  
fund.

**20A.** (1) There shall be a general fund of the Committee which shall vest in the Committee.

(2) There shall be paid into the general fund—

- (a) such monies or assets as may accrue to or vest in the Committee in the course of the exercise of its powers or the performance of its functions under this Act;
- (b) annual contributions from the ministries responsible for matters related to the extractive industry,
- (c) all monies from any other source provided for or donated or lent to the Committee.

Annual  
estimates.

**20B** (1) At least three months before the commencement of each financial year, the Committee shall cause to be prepared estimates of the revenue and expenditure of the Committee for that year.

(2) The Committee shall approve the annual estimates before the commencement of the financial year to which they relate and shall be submitted to the Cabinet Secretary for approval and after the Cabinet Secretary's approval, the Authority shall not increase the annual estimates without the consent of the Cabinet Secretary.

Accounts  
and audit.

**20C** (1) The Committee shall cause to be kept all proper books and records of accounts of the income, expenditure and assets of the Committee.

**...../Notice of Amendments**

(2) Within a period of three months from the end of each financial year, the Committee shall submit to the Auditor-General the accounts of the Committee together with—

(a) a statement of the income and expenditure of the Committee during that year; and

(b) a statement of the assets and liabilities of the Committee on the last day of that year.

Cap. 412A.

(3) The annual accounts of the Committee shall be prepared, audited and reported upon in accordance with the provisions of Articles 226 and 229 of the Constitution and the Public Financial Management Act.

**THAT** the Bill is amended by inserting the following new clauses immediately after clause 58—

#### **CLAUSE 59 TO 61**

**THAT** the Bill is amended by inserting the following new clauses immediately after clause 58.

Amendment to Cap.306.

**59.** The Mining Act is amended by—

- (a) repealing Section 46;
- (b) repealing Section 47;
- (c) repealing Section 49; and
- (d) repealing Section 50.

Amendment to Cap.308.

**60.** The Petroleum Act is amended by deleting Part VI.

Amendment to Cap.314.

**61.** The Energy Act is amended by—

- (a) in Section 10 by repealing paragraph (ee);
- (b) repealing Section 206; and
- (c) repealing Section 207.

#### **CLAUSE 2**

**THAT** clause 2 of the Bill be amended by deleting the definition of the term “Cabinet Secretary” and substituting therefor the following new definition—

...../Notice of Amendments



“Cabinet Secretary means either the Cabinet Secretary responsible for matters relating to oil, gas and other petroleum resources or the Cabinet Secretary responsible for matters relating to mining as the case may be”

### **LONG TITLE**

**THAT** the long title of the Bill be amended by deleting the long title and substituting therefor the following new long title –

#### **A Bill for**

**AN ACT of Parliament to provide for a framework to facilitate the local ownership, control, and financing of activities connected with the exploitation of gas, oil, other petroleum resources, and mineral resources; to provide a framework to increase local value capture along the value chain in the exploration of gas, oil, other petroleum resources, and minerals; and for connected purposes.**

*...../Notice of Amendments*

**E. \*THE STREET VENDORS (PROTECTION OF LIVELIHOOD) BILL (SENATE BILLS NO. 41 OF 2023)**

(Sen. Esther Anyieni Okenyuri, MP)

**NOTICE** is given that the Chairperson Standing Committee on Trade, Industrialization and Tourism intends to move the following amendments to the Street Vendors (Protection of Livelihood) Bill (Senate Bills No. 41 of 2023) at the Committee Stage—

**CLAUSE 4**

**THAT** clause 4 of the Bill be amended —

(a) in subclause (1) by –

- (i) deleting paragraph (a);
- (ii) deleting the words “the minimum standards” appearing immediately after the words “relevant stakeholders, the” in paragraph (b) and substituting therefor the words “national guidelines”;
- (iii) deleting paragraph (c);
- (iv) deleting paragraph (d); and
- (v) inserting the words “and taking into consideration universal design principles” immediately after the words “street vending” in paragraph (e).

(b) in subclause (2) by –

- (i) inserting the word “and” immediately after the words “delegate to the unit;” in paragraph (a);
- (ii) deleting the words “the unit and;” appearing immediately after the words “to serve in” and substituting therefor the words “the unit.” in paragraph (b); and
- (iii) deleting paragraph (c).

**CLAUSE**

**THAT** clause 5 of the Bill be amended in subclause (1) by deleting the word “county” appearing immediately after the words “notice in the”.

**CLAUSE 7**

**THAT** clause 7 of the Bill be amended in subclause (2) by deleting the word “county” appearing immediately after the words “in the”.

**CLAUSE 8**

**THAT** clause 8 of the Bill be amended by deleting subclause (2) and substituting therefor the following new subclause —

(2) The county executive committee member shall —

(a) not designate a market as a no-vending zone; and

(b) in designating a no-vending zone consider existing businesses in the zone.

**CLAUSE 9**

**THAT** clause 9 of the Bill be amended in the marginal note by inserting the word “vending” appearing immediately after word “unauthorised”.

**CLAUSE 10**

**THAT** clause 10 of the Bill be amended in subclause (2) by deleting paragraph (b) and substituting therefor the following new paragraph —

(b) maintain a register of vending zones within the county.

**CLAUSE 12**

**THAT** clause 12 of the Bill be amended in subclause (2) by deleting the word “security,” appearing immediately after the words “limited to”.

**CLAUSE 13**

**THAT** clause 13 of the Bill be amended in subclause (5) by deleting the words “including water, lighting, security and waste disposal facilities” appearing immediately after the words “essential facilities”.

**CLAUSE 14**

**THAT** clause 14 of the Bill be amended in paragraph (a) by deleting the word “enact” appearing at the beginning of the paragraph and substituting therefor the word “formulate”.

**CLAUSE 15**

**THAT** clause 15 of the Bill be amended –

- (a) in subclause (2) by inserting the words “including street vendors with disabilities” immediately after the words “vendors in the county” in paragraph (b);
- (b) by deleting subclause (3);
- (c) in subclause (4) by deleting the words “to regulate inter-county mobility trade” appearing immediately after the words “registration of foreigners”;
- (d) by inserting the following new subclause immediately after subclause (4) —
  - (4A) The Cabinet Secretary shall in formulating regulations under subclause (4) adhere to treaties and conventions ratified by Kenya pursuant to Article 2(6) of the Constitution.

**CLAUSE 16**

**THAT** clause 16 of the Bill be amended in subclause (1) by deleting the words “with the respective county executive committee member” appearing immediately after the words “registered as a street vendor”.

**CLAUSE 17**

**THAT** clause 17 of the Bill be amended in subclause (5) by inserting the following new paragraph after paragraph (f) —

- (fa) disability registration details for a street vendor with disability;

**CLAUSE 21**

**THAT** clause 21 of the Bill be amended –

- (a) by inserting the following new subclause immediately after subclause (3);
  - (3A) A street vendor aggrieved by the decision of the county government in subclause (3) may apply to the county government for a review of the decision.
- (b) in subclause (4) by deleting the words “relevant county tribunal” appearing immediately after the words “may appeal to the” and substituting therefor the words “appeals committee.”; and

(c) inserting the following new subclause immediately after subclause (4)—

(4A) A vendor who is further aggrieved by the decision of the county tribunal under this section may seek judicial review of the committee's decision.

## **CLAUSE 22**

**THAT** clause 22 of the Bill be amended in subclause (2) by inserting the words “responsible for public health” immediately after the words “county executive committee member”.

## **CLAUSE 24**

**THAT** clause 24 be amended by deleting subclause (1) and substituting therefor the following subclause —

(1) Every street vendor has the right within a vending zone and adjacent areas as may be determined by the county executive member, to access essential facilities of reasonable quality including but not limited to lighting and accessible sanitation and parking facilities.

## **CLAUSE 31**

**THAT** the Bill be amended in clause 31 by deleting the words “one hundred thousand shillings” appearing immediately after the words “fine not exceeding” and substituting therefor the words “fifty thousand shillings”.

## **SCHEDULE**

**THAT** the Schedule be amended in paragraph (1) by inserting the following new sub-paragraph immediately after sub-paragraph (c);

(ca) be prepared pursuant to National and county planning laws;

**F. \*\*\*THE SOCIAL PROTECTION BILL (NATIONAL ASSEMBLY BILLS NO. 12 OF 2025)**

(The Senate Majority Leader)

**NOTICE** is given that the Chairperson, Standing Committee on Labour and Social Welfare, intends to move the following amendments to the Social Protection Bill, 2025 (National Assembly Bills No. 12 of 2025), at the Committee Stage—

**CLAUSE 5**

**THAT** clause 5 of the Bill be amended in paragraph (d) by inserting the words “and gender responsive” immediately after the words “evidence based”.

**CLAUSE 6**

**THAT** clause 6 of the Bill be amended by inserting the following new paragraphs after paragraph(c)—

(ca) establish monitoring and evaluation systems to assess the impact, efficiency and sustainability of social protection interventions including collection and analysis of disaggregated data by sex, age, disability and other relevant characteristics;

(cb) collaborate with non-state actors including non-governmental organizations and private sector entities to expand the reach and impact of social protection initiatives.

**CLAUSE 30**

**THAT** clause 30 of the Bill be amended in paragraph (c) by deleting the word "beneficiaries" appearing immediately after the words “the categories of” and substituting therefor the words "persons in need".

**CLAUSE 31**

**THAT** clause 31 of the Bill be amended—

(a) in subclause (1) by—

(i) deleting the words "A beneficiary or his" appearing before the words “representative may apply” and substituting therefor the words "A person in need or their";

(ii) inserting the words "in the prescribed manner" immediately after the words " social protection benefit".

(b) in subclause (2) by inserting the words "and may request for additional information where necessary" immediately after the words " benefit applied for";

(c) in subclause (4) by deleting sub-clause 4 and substituting thereof the following new clause—

...../Notice of Amendments

(4) If the applicant does not qualify for a social protection benefit provided under this Act, the Board shall notify the Applicant—

- (a) that they do not qualify for social protection benefit under this Act;
- (b) the reasons why they do not qualify; and
- (c) of their right of appeal contemplated in clause 33 and of the mechanism and procedure to invoke such right.

- (d) in sub-clause (5) by deleting the words “sixty days” appearing immediately after the words “writing within” and substitute thereof the words “fourteen days”.

### **CLAUSE 33**

**THAT** clause 33 of the Bill be amended by deleting the words “in the first optional instance, to the Cabinet Secretary or” appearing immediately after the words “Board may appeal”.

### **CLAUSE 34**

**THAT** clause 34 of the Bill be amended in subclause (1) by—

- (a) deleting the word “and” appearing immediately after the words “form of discrimination;”
- (b) inserting the following new paragraph immediately after paragraph (d)—
  - (da) receive social protection benefits within a specified timeframe after approval of the benefits.

### **CLAUSE 39**

**THAT** clause 39 of the Bill be amended by deleting the word “may,” appearing immediately after the words “The Board” and substituting thereof the word “shall”.

### **CLAUSE 40**

**THAT** clause 40 of the Bill be amended—

- (a) in subclause (1) by inserting the word "for" immediately after the words "singular database";
- (b) in subclause (2) by deleting the words "for vulnerable individuals and households" and substituting therefor the words "of beneficiaries" in paragraph (a); and
- (c) by deleting paragraph (f).

### **CLAUSE 44**

**THAT** clause 44 of the Bill be amended by deleting the words “six months” appearing immediately after the words “a term not exceeding” and substituting thereof the words “two years”.

**CLAUSE 48**

**THAT** clause 48 of the Bill be amended in subclause (2) by inserting the following new paragraph immediately after paragraph (d)—

(da) the repayment of amounts overpaid or erroneously paid in respect of benefits.

**CLAUSE 2**

**THAT** clause 2 of the Bill be amended —

- (a) in the definition of the word “Registry” by deleting the figure “36” appearing immediately after the words “established under section” and substituting thereof the figure “40”.
- (b) by inserting the following new definitions in their proper alphabetical sequence —

“applicant” means a person who applies for social protection benefit under this Act on their behalf or on behalf of another person;

“household” means a person or group of persons living together as a single unit with a recognised head of unit;

“social protection benefit” means a social grant, social relief of distress or an additional payment contemplated under this Act; and



APPENDIX**1. MESSAGE**

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).

*(The Speaker of the Senate)*

**2. PAPERS**

- i) Report of the Auditor General on financial statements of Kigumo Level 4 Hospital – Kiambu County Government for the year ended 30<sup>th</sup> June, 2024.
- ii) The Affordable Housing Regulations, Legal Notice No. 114 of 2025.

*(The Senate Majority Leader)*

**3. NOTICE OF MOTION - INSTALLATION OF CCTV CAMERAS IN ALL POLICE STATIONS, CELLS AND POLICE REPORTING DESKS**

(Sen. Karen Nyamu, MP)

**AWARE** THAT Article 51 provides that a person who is detained, held in custody or imprisoned under the law, retains all the rights and fundamental freedoms in the Bill of Rights, except to the extent that any particular right or a fundamental freedom is clearly incompatible with the fact that the person is detained, held in custody or imprisoned;

**FURTHER AWARE THAT** the National taskforce on improvement of the terms and conditions of service and other reforms for members of the National Police Service and Kenya Prison Service recommended adequate Government funding for the National Police Service to modernize its facilities, equipment and gear, and enhance its logistical and technological capabilities for National Police Service officers in order to enable the Service discharge its mandate efficiently and effectively;

**COGNIZANT THAT** the Bill of Rights provides for protection of human rights, prevention of abuse and upholding of the rule of law within detention facilities and police stations;

**CONCERNED THAT** there has been increasing reports of human rights violations, abuse, unexplained injuries, and deaths in custody, as well as security breaches and escapes from police cells across the country;

**FURTHER CONCERNED THAT** despite the recommendations by the Justice Maraga task force, little or no efforts have been made to ensure modernization of police cells by installation of Closed-Circuit Television (CCTV) cameras and police reporting desks thereby affecting public trust and accountability on what happens to persons in police custody;

**NOW THEREFORE**, the Senate resolves that the National Government, through the Ministry of Interior and National Administration:

1. installs functional and tamper-proof CCTV cameras in all police stations, cells and police reporting desks across the country;
2. ensures that all CCTV systems are monitored in real-time and that footage is securely stored and made accessible during investigations, judicial processes; and
3. provides the necessary resources, technical support, and training to law enforcement officers for the effective operation and maintenance of CCTV systems and continuous digitization of Occurrence Book platforms.

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## **NOTICE PAPER**

### **Tentative Business for Thursday, July 17, 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 Thursday, July 17, 2025.

#### **A. BILLS AT THE SECOND READING STAGE**

- i) \*\*\*THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) (NO. 4) BILL (NATIONAL ASSEMBLY BILLS NO. 45 OF 2024)  
(The Senate Majority Leader)
- ii) \*THE OFFICE OF THE COUNTY ATTORNEY (AMENDMENT) BILL (SENATE BILLS NO. 47 OF 2024)  
(Sen. David Wafula Wakoli, MP)
- iii) \*THE COUNTY GOVERNMENTS LAWS (AMENDMENT) BILL (SENATE BILLS NO. 52 OF 2024)  
(Sen. Kathuri Murungi, MP)

#### **B. MOTIONS**

- i) REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE COUNTY OVERSIGHT AND NETWORKING ENGAGEMENTS TO TAITA TAVETA, MOMBASA AND KWALE COUNTIES  
(The Chairperson, Standing Committee on Health)
- ii) REPORT OF THE STANDING COMMITTEE ON HEALTH ON THE INSPECTION TOUR OF HEALTH FACILITIES IN WEST POKOT, TRANS NZOIA AND TURKANA COUNTIES.  
(The Chairperson, Standing Committee on Health)
- iii) REPORT OF THE STANDING COMMITTEE ON NATIONAL COHESION, EQUAL OPPORTUNITY AND REGIONAL INTEGRATION ON IMPLEMENTATION OF THE SENATE RESOLUTION ON THE CURRENT STATE OF THE NATION MADE ON WEDNESDAY, 24<sup>TH</sup> JULY, 2024  
(The Chairperson, Standing Committee on National Cohesion, Equal Opportunity and Regional Integration)
- iv) ESTABLISHMENT OF NATIONAL TEACHING AND REFERRAL HOSPITALS IN KENYA  
(Sen. Johnes Mwaruma, MP)

- v) IMPLEMENTATION OF AN AUTOMATED AND DECENTRALIZED  
CERTIFICATE OF GOOD CONDUCT SYSTEM IN KENYA  
(Sen. Joe Nyutu, MP)
  
- vi) WELFARE OF INTERNS WORKING UNDER THE PUBLIC SERVICE  
COMMISSION (PSC)  
(Sen. Samson Cherarkey, MP)

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