

REPUBLIC OF KENYA

*Approved
SNA
28/4/26*



THIRTEENTH PARLIAMENT- FIFTH SESSION

**MEDIATION COMMITTEE ON THE NATIONAL DISASTER RISK
MANAGEMENT BILL (NATIONAL ASSEMBLY BILLS NO. 24 OF 2023)**

**REPORT OF THE MEDIATION COMMITTEE ON THE NATIONAL
DISASTER RISK MANAGEMENT BILL (NATIONAL ASSEMBLY
BILL NO. 24 OF 2023)**

Clerk's Chambers,
The Senate,
Parliament Buildings,
NAIROBI.

Clerk's Chambers
The National Assembly,
Parliament Buildings,
NAIROBI.

APRIL, 2026

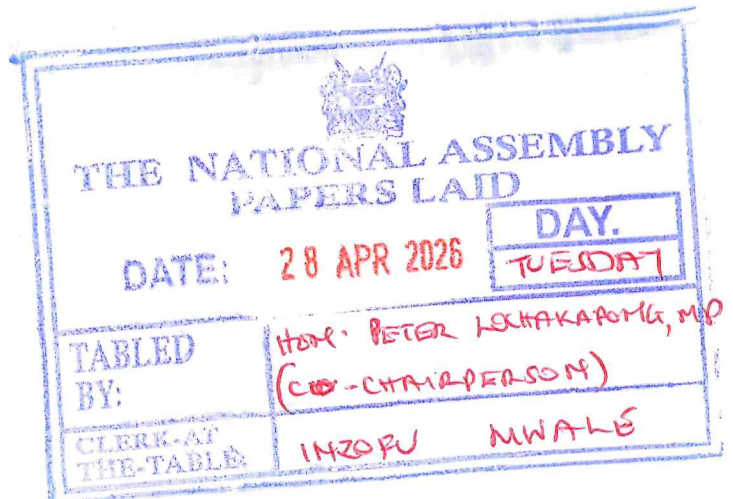


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EXECUTIVE SUMMARY

This Report contains proceedings of the Mediation Committee on the National Disaster Risk Management Bill (National Assembly Bill No. 24 of 2023) that commenced its sittings on Tuesday, 31st March, 2026. Pursuant to Article 113 (4) of the Constitution, the Committee is required to agree on a version of the Bill and table a report within thirty (30) days from its first sitting.

The National Disaster Risk Management Bill was published on 31st May, 2023 and read a first time on 9th August, 2023.

The objective of the Bill is, to establish the National Disaster Risk Management Authority and County Disaster Risk Management Committees, and to provide a legal framework for the coordination of disaster risk management activities.

The Bill was considered by the National Assembly and passed with amendment on 20th June, 2024. Thereafter, the Bill was referred to the Senate for consideration in accordance with Article 110(4) of the Constitution and standing order 144 of the National Assembly Standing Orders.

The Bill underwent First Reading in the Senate on Wednesday, 3rd July, 2024. Subsequently, the Bill was committed to the Standing Committee on National Security, Defence and Foreign Relations for consideration in accordance with standing order 145 of the Senate Standing Orders.

The Senate considered and passed the Bill with amendments.

The Speaker of the Senate conveyed the decision of the Senate on the passage of Bill to the National Assembly on 15th April, 2025, pursuant to the provisions of Article 110 (4) of the Constitution and standing order 46 (2) of the Senate Standing Orders.

The National Assembly considered and rejected the amendments from the Senate on 24th July, 2025. Consequently, the Bill was referred to a Mediation Committee pursuant to Article 112 of the Constitution.

The Speaker of the National Assembly appointed Members to the Mediation Committee on 19th August, 2025 pursuant to standing order 149 (2) of the National Assembly Standing Orders. The Speaker of the Senate appointed Senators to the Mediation Committee on 3rd November, 2025 pursuant to standing order 166 (2) of the Senate Standing Orders.

The Mediation Committee held a total of six (6) sittings. The first sitting was held on Tuesday, 31st March 2026. The Mediation Committee held its last sitting on Saturday,

25th April, 2026. The Mediation Committee considered and agreed on a version of the National Disaster Risk Management Bill (National Assembly Bills No. 24 of 2023) in accordance with Article 113 (2) of the Constitution.

The Committee is grateful to the Offices of the Speakers and Clerks of both Houses of Parliament for the logistical and technical support accorded to it in the execution of its mandate.

Finally, I express my appreciation to Members of the Mediation Committee for their patience, sacrifice, endurance and commitment to the assignment which enabled the Committee to complete the task within the stipulated period.

It is now my pleasant privilege and honour to table **the Report on the mediated version of the National Disaster Risk Management Bill (National Assembly Bills No. 24 of 2023)** to the House for approval pursuant to Article 113 (2) of the Constitution.

Hon. Peter Lochakapong, CBS, M.P.
Chairperson

Signed:

Date: 25/4/2026

Sen. Mohamed Chute, CBS, M.P.
Vice-Chairperson

Signed:

Date: 25th April 2025

LIST OF ABBREVIATIONS AND ACRONYMS

DRM	–	Disaster Risk Management
NDRMA	–	National Disaster Risk Management Authority
PFM Act	–	Public Finance Management Act
CoG	–	Council of County Governors
M.P.	–	Member of Parliament
NA	–	National Assembly
Senate	–	Senate of Kenya

ANNEXURES

- Annexure 1: Minutes of the Adoption of the Mediated Version of the National Disaster Risk Management Bill (National Assembly Bills No. 24 of 2023)
- Annexure 2: Speakers' Communications on Members of the Mediation Committee
- Annexure 3: Mediated Version of the National Disaster Risk Management Bill (National Assembly Bills No. 24 of 2023)

PREFACE

Establishment of the Committee

1. The Mediation Committee on the National Disaster Risk Management Bill (National Assembly Bills No. 24 of 2023) was constituted by the Speaker of the National Assembly, pursuant to standing order 149 (2) of the National Assembly Standing Orders on Tuesday, 19th August, 2025 and the Speaker of the Senate pursuant to standing order 166 (2) of the Senate Standing Orders on Monday, 3rd November, 2025.

Mandate of the Committee

2. The Mediation Committee derives its mandate from the provisions of Article 113 of the Constitution, standing order 149 (2) of the National Assembly Standing Orders, and standing order 166 (2) of the Senate Standing Orders. The role of the Committee is to attempt to develop a version of the Bill that both Houses will pass in accordance with Article 113 (1). The passage of the version of the Bill developed by the Mediation Committee is in accordance with Article 113 (2), (3) and (4) of the Constitution.
3. Article 112 (1) (a) and (2) (b) of the Constitution and standing order 149 (1) of the National Assembly Standing Orders and standing order 166 (1) provide for the circumstances under which a bill is referred to a Mediation Committee.

Membership of the Committee

4. The Committee Membership comprised:

- | | |
|---------------------------------------|---------------------------|
| 1) Hon. Peter Lochakapong, CBS, M.P., | - Chairperson |
| 2) Sen. Mohamed Chute, M.P. | - Vice-Chairperson |
| 3) Hon. Mary Emaase, M.P. | - Member |
| 4) Sen. Mwinyihaji Faki, M.P. | - Member |
| 5) Hon. Pamela Njoki, M.P. | - Member |
| 6) Sen. David Wakoli, M.P. | - Member |
| 7) Hon. Majimbo Kalasinga, M.P. | - Member |
| 8) Sen. Veronica Maina, M.P. | - Member |
| 9) Hon. Kenneth Kazungu, M.P. | - Member |
| 10) Sen. Raphael Chimera, M.P. | - Member |
| 11) Hon. Umul Ker Kassim, M.P. | - Member |
| 12) Sen. Karen Nyamu, M.P. | - Member |
| 13) Hon. Antony Oluoch, M.P. | - Member |
| 14) Sen. Joseph Githuku, M.P. | - Member |
| 15) Hon. Catherine Omanyoo, M.P. | - Member |
| 16) Sen. Beth Syengo, M.P. | - Member |
| 17) Hon. (Dr) Joyce Bensuda, M.P. | - Member |
| 18) Sen. Crystal Asige, M.P. | - Member |

Secretariat

5. The Committee is facilitated by the following staff:

1. Mr. Derick Koli - Principal Clerk Assistant I
2. Mr. Jimale Mohamed - Clerk Assistant I
3. Ms. Sisto Macharia - Clerk Assistant III
4. Ms. Lynn Aseka - Clerk Assistant III
5. Mr. Sidney Lugaga - Principal Legal Counsel II
6. Mr. Moses Kenyanchui - Senior Legal Counsel
7. Mr. Moses Mwariri - Legal Counsel II
8. Mr. Gilbert Juma - Legal Counsel II
9. Ms. Rose Tabuke - Research Officer III
10. Mr. Matano Kataa - Research Officer III
11. Mr. Nademu Barasa - Media Relations Officer III
12. Mrs. Lydia Kagumba - Public Communications Officer II
13. Mr. Joseph Otieno - Audio Assistant
14. Mr. David Barasa - Assistant Serjeant-At-Arms

ADOPTION LIST



THIRTEENTH PARLIAMENT – FIFTH SESSION – 2026
MEDIATION COMMITTEE ON THE NATIONAL DISASTER RISK MANAGEMENT
BILL (NATIONAL ASSEMBLY BILLS NO. 24 OF 2023)

ADOPTION OF THE MEDIATION COMMITTEE REPORT ON ITS
CONSIDERATION OF THE NATIONAL DISASTER RISK MANAGEMENT BILL
(NATIONAL ASSEMBLY BILLS NO. 24 OF 2023)

We, the Members of the Mediation Committee on the National Disaster Risk Management Bill, (National Assembly Bills No. 24 Of 2023) have, pursuant to National Assembly Standing Order 149 and Senate Standing Order 166, adopted this Report of the Mediation Committee on its Consideration of the National Disaster Risk Management Bill, (National Assembly Bills No. 24 Of 2023), and affixed our signatures to affirm our approval and confirm its accuracy, validity and authenticity:

DATE: _____

	HON. MEMBER	SIGNATURE
1.	Hon. Lochakapong Peter, CBS, M.P. – Chairperson	
2.	Sen. Mohamed Chute, CBS, M.P. – Vice -Chairperson	
3.	Sen. Mohamed Faki Mwinyihaji, CBS, M.P.	
4.	Sen. David Wafula Wakoli, CBS, M.P.	
5.	Sen. Veronica W. Maina, CBS, M.P.	
6.	Hon. Mary Emaase, M.P.	
7.	Hon. (Dr.) Joyce Bensuda, M.P.	
8.	Hon. Anthony Olouch, M.P.	
9.	Hon. Njeru Pamela Njoki, M.P.	
10.	Hon. Kalasinga Joseph Majimbo, M.P.	
11.	Hon. Kenneth Kazungu, M.P.	
12.	Hon. Umul Ker Kassim Sheikh, M.P.	
13.	Hon. Catherine Omanyu, M.P.	
14.	Sen. Raphael Chimera Mwinzagu, M.P.	
15.	Sen. Karen Njeri Nyamu, M.P.	
16.	Sen. Joseph Githuku Kamau, M.P.	
17.	Sen. Beth Kalunda Syengo, M.P.	
18.	Sen. Crystal Kegehi Asige, M.P.	

CHAPTER ONE

1. INTRODUCTION

1.1 Background to the Bill

6. The National Disaster Risk Management Bill (National Assembly Bills No. 24 of 2023) was published vide Kenya Gazette Supplement No. 80 of 2023 of 31st May, 2023 and was introduced in the National Assembly by way of First Reading on 9th August, 2023.
7. The National Disaster Risk Management Bill was published on 31st May, 2023 and read a first time on 9th August, 2023. The objective of the Bill is, to establish the National Disaster Risk Management Authority and County Disaster Risk Management Committees, and to provide a legal framework for the coordination of disaster risk management activities.
8. The Bill was considered by the National Assembly and passed with amendment on 20th June, 2024. Thereafter, the Bill was referred to the Senate for consideration in accordance with Article 110(4) of the Constitution and standing order 144 of the National Assembly Standing Orders.
9. The Bill underwent First Reading in the Senate on Wednesday, 3rd July, 2024. Subsequently, the Bill was committed to the Standing Committee on National Security, Defence and Foreign Relations for consideration in accordance with standing order 145 of the Senate Standing Orders. The Senate considered and passed the Bill with amendments.
10. The Speaker of the Senate conveyed the decision of the Senate on the passage of Bill to the National Assembly on 15th April, 2025, pursuant to the provisions of Article 110 (4) of the Constitution and standing order 46 (2) of the Senate Standing Orders.
11. The National Assembly considered and rejected the amendments from the Senate on 24th July, 2025. Consequently, the Bill was referred to a Mediation Committee pursuant to Article 112 of the Constitution.
12. The Speaker of the National Assembly appointed Members to the Mediation Committee on 19th August, 2025 pursuant to standing order 149 (2) of the National Assembly Standing Orders. The Speaker of the Senate appointed Senators to the

Mediation Committee on 3rd November, 2025 pursuant to standing order 166 (2) of the Senate Standing Orders.

1.2 Legal Framework

13. Article 112 of the Constitution states as follows—

(1) If one House passes an ordinary Bill concerning counties, and the second House—

(a) rejects the Bill, it shall be referred to a mediation committee appointed under Article 113; or

(b) passes the Bill in an amended form, it shall be referred back to the originating House for reconsideration.

(2) If, after the originating House has reconsidered a Bill referred back to it under clause (1)(b), that House —

(a) passes the Bill as amended, the Speaker of that House shall refer the Bill to the President within seven days for assent; or

(b) rejects the Bill as amended, the Bill shall be referred to a mediation committee under Article 113.

14. Standing order 149 of the National Assembly Standing Orders provides as follows

—
149 (1) A Bill shall be referred to a mediation committee whenever the Assembly—

(a) does not agree to all or any of the amendments made by the Senate to a Bill concerning County governments which originated in the Assembly;

(b) rejects a Motion that a Bill which originated in the Senate be read a Second or Third Time; or

(c) agrees with the report of the Committee of the whole House proposing the deletion of all clauses of a Bill originating from the Senate.

(2) The Speakers of both Houses shall appoint a mediation committee consisting of equal numbers of Members of each House, to attempt to develop a version of the Bill that both Houses will pass.

(3) The quorum of Members of the Assembly who shall be present to take part in a sitting of a mediation committee shall be a third of those Members; and no sitting of the Committee shall be validly constituted unless there is also present a like quorum of Members of the Senate.

(4) The Chairperson and Vice Chairperson of a mediation committee shall be appointed by the majority of the Members present at the first meeting thereof.

(5) The Chairperson and the vice-chairperson of a mediation committee shall not be Members of the same House.

(6) If a mediation committee fails to agree on a version of the Bill within thirty days, or if a version proposed by the committee is rejected by either House, the Bill is defeated.

(7) The Clerk shall transmit a Message to the Senate in respect of a decision of the National Assembly under this Standing Order.

15. Standing order 166 of the Senate Standing Orders provides as follows—

(1) A Bill shall be referred to the Mediation Committee whenever the Senate—

(a) does not agree to all or any of the amendments made by the National Assembly to a Bill concerning county governments which originated in the Senate; or

(b) rejects a Motion that a Bill which originated in the National Assembly be read a Second or Third Time;

(2) The Speakers of both Houses shall appoint a Mediation Committee consisting of equal numbers of members of each House to attempt to develop a version of the Bill that both Houses will pass.

(3) The quorum of Senators who shall be present to take part in a sitting of a Mediation Committee shall be a third of the Senators of the committee and no sitting of the Committee shall be validly constituted unless there is also present a like quorum of Members of the National Assembly.

(4) The Chairperson and Vice-Chairperson of the Mediation Committee shall be appointed by the majority of the members present at the first meeting of the Committee.

(5) The Chairperson and the Vice-Chairperson of the Mediation Committee shall not be members of the same House.

(6) If the Mediation Committee fails to agree on a version of the Bill within thirty days of the appointment of the Committee by the Speakers of the Houses under paragraph (2), or if a version proposed by the Committee is rejected by either House, the Bill is defeated.

16. With regard to the conduct of mediation on a Bill, Article 113 of the Constitution states –

(1) If a Bill is referred to a mediation committee under Article 112, the Speakers of both Houses shall appoint a mediation committee consisting of equal numbers of members of each House to attempt to develop a version of the Bill that both Houses will pass.

(2) If the mediation committee agrees on a version of the Bill, each House shall vote to approve or reject that version of the Bill.

(3) If both Houses approve the version of the Bill proposed by the mediation committee, the Speaker of the National Assembly shall refer the Bill to the President within seven days for assent.

(4) If the mediation committee fails to agree on a version of the Bill within thirty days, or if a version proposed by the committee is rejected by either House, the Bill is defeated.

17. Pursuant to standing order 149 of the National Assembly Standing Orders and standing order 166 of the Senate Standing Orders –

- (a) quorum of the mediation committee is third of the Senators of the committee and third members of the National Assembly of the committee;
- (b) Chairperson and Vice-Chairperson of the Mediation Committee shall be appointed by the majority of the members present at the first meeting of the Committee; and
- (c) The Chairperson and the Vice-Chairperson of the Mediation Committee shall not be members of the same House.

18. Pursuant to the provisions of standing order 150 of the National Assembly Standing Orders and standing order 167 of the Senate Standing Orders –

- (1) The report of a mediation committee on a Bill prepared in terms of Article 113 of the Constitution shall be laid on the Table of the House by a Member of the mediation committee authorized by the committee in that behalf.
- (2) Where the report of a mediation committee is to the effect that the committee has failed to agree on a version of the Bill or where the mediation committee fails to agree on a version of the Bill within thirty days from the date the Bill was referred to it, the Bill shall stand defeated in terms of Article 113(4) of the Constitution.
- (3) Where the report of a mediation committee includes an agreed version of the Bill in terms of Article 113(2) of the Constitution, the House shall consider the report of the mediation committee upon a Motion “That the report of the Mediation Committee be approved” and the House shall vote to approve or reject the Motion.
- (4) If the motion under paragraph (3) is –
 - (a) disagreed to, the Clerk of each House shall send a Message to the other House signifying such disagreement, and the Bill shall be deemed to be defeated; or

(b) agreed to, the Clerk of each House shall send a Message to the other House signifying such agreement, and the Bill shall be deemed to have been passed by both Houses in the form agreed to by the mediation committee and the Speaker of the National Assembly shall refer the Bill to the President for assent within seven days in terms of Article 113(3) of the Constitution.

(5) Pursuant to the provisions of Article 110 (5) of the Constitution, if both Houses pass the Bill in the same form, the Speaker of the House in which the Bill originated shall, within seven days, refer the Bill to the President for assent.

1.3 Committee Meetings

19. The Mediation Committee held a total of six (6) sittings. The first sitting was held on Tuesday, 31st March 2026. The Mediation Committee held its last sitting on Saturday, 25th April, 2026. The Mediation Committee considered and agreed on a version of the National Disaster Risk Management Bill (National Assembly Bills No. 24 of 2023) in accordance with Article 113 (2) of the Constitution.

20. During the first sitting, the Mediation Committee elected the Hon. Peter Lochakapong, CBS, M.P., as the Chairperson and Sen. Mohamed Chute, CBS, M.P. as the Vice-Chairperson, pursuant to Standing Order 149 (4) of the National Assembly Standing Orders and Standing Order 166 (4) of the Senate Standing Orders.

CHAPTER TWO

2. COMMITTEE OBSERVATIONS

21. The Committee considered the Bill and observed as follows—

Clauses 2, 3, 4, 9, 10, 28, and 32

Observation

The Committee adopted the proposed amendments to clauses 2, 3, 4, 9, 10, 28, and 32 of the Bill.

Clause 6

Committee Observation

The amendment proposed to delete the provision providing for the establishment of offices by the Authority and instead recommended that the Authority collaborates with the County Governments.

Committee resolution

The Mediation Committee resolved not to adopt the proposed amendment.

Clause 7

Committee Observation

The amendment proposed to insert new paragraphs (ma), (mb) and (mc) assigning additional functions to the authority relating to climate change, coordination of damage assessment and conduct of bi-annual disaster preparedness drills.

Committee Resolution

The Committee resolved to adopt the amendments with the modification that national disaster drills shall be conducted annually under paragraph (mc).

The Committee agreed with the following wording of the provision which was modified—

(mc) carry out annual national drill exercises, as part of disaster risk management preparedness;

Clause 27

Committee Observation

The amendment sought to provide that development and maintenance of an electronic database on disasters be done in consultation with county governments.

Committee Resolution

The Committee resolved to adopt the amendments with the modification that development of the electronic database be done in consultation with county governments and the maintenance be done by the Authority.

The Committee agreed with the following wording of the provision which was modified—

That Clause 27 of the Bill be amended –

- (a) in the introductory phrase by deleting the words “and maintain” appearing immediately after the words “shall develop” and substitute therefor with the words “and in consultation with county governments.”
- (b) introducing a new subclause (1A) immediately after subclause (1) as follows –
 - (1A) The Authority shall be responsible for the maintenance of the database developed under subsection (1).

Clause 29

Committee Observation

The amendment sought to require that the Cabinet Secretary consult the Council of County Governors before making regulations on the classification of disasters.

Committee Resolution

The Committee resolved not to adopt the proposed amendment on the ground that it is adequately covered under clause 52 of the Bill.

Clause 52

Committee Observation

The amendment proposed to delete and rename the heading of Part VII of the Bill from “Provisions on Delegated Powers” to “Miscellaneous Provisions.”

Committee Resolution

The Committee resolved not to adopt the proposed amendment.

New Clauses 41A, 41B, 41C and 41D

Committee Observation

The amendment sought to introduce new clauses 41A, 41B, 41C and 41D to provide for the establishment of a Disaster Risk Management Fund, define its sources of funding

and objectives, and consolidate all existing disaster risk management funds into a single Fund.

Committee Resolution

The Committee resolved not to adopt the proposal to insert new clauses 41B, 41C and 41D. The Committee further resolved to adopt the proposal for new clause 41A with modification to the extent that there was need to provide powers to establish a Disaster Risk Management Fund in accordance with section 24(4) of the Public Finance Management Act (Cap.412A).

The Committee agreed with the following wording of the provision which was modified—

41A. The Cabinet Secretary responsible for finance may establish a Disaster Risk Management Fund in accordance with section 24(4) of the of the Public Finance Management Act.

New Clause 41E

Committee observations

The amendment sought to provide that the Cabinet Secretary for Finance may exempt through regulation, any materials, articles, goods, or equipment intended for disaster management activities from import duty, value added tax, demurrage charges, port charges, and any other applicable taxes.

Committee Resolution

The Committee resolved to adopt the amendment.

New Clause 52A

Committee Observations

The amendment sought to amend the Public Finance Management Act, Cap. 412A: by defining the terms “emergency” and “disaster” to make it mandatory for county governments to establish County Emergency Funds; and to set out the conditions under which counties may access and exceed their emergency fund allocations.

Committee Resolution

The Committee resolved not to adopt paragraphs (a) and (c) of the amendment that propose to define the terms “emergency” and “disaster”, and to set out the conditions under which counties may access and exceed their emergency fund allocations. The Committee further resolved to adopt paragraph (b) of the amendment to make it mandatory for county governments to establish County Emergency Funds.

CHAPTER THREE

3. COMMITTEE RECOMMENDATION

22. The Mediation Committee having considered the National Disaster Risk Management Bill (National Assembly Bills No. 24 of 2023) recommends that this House **ADOPTS** the Report and **APPROVES** the agreed version of the National Disaster Risk Management Bill, (National Assembly Bills No. 24 of 2023) attached as annexure 3 to the Report.

Signed.....

Signed.....

Date.....25/4/2026

Date.....25th April 2025

HON. PETER LOCHAKAPONG,
CBS, M.P., CHAIRPERSON

SEN. MOHAMMED CHUTE, CBS,
M.P., VICE CHAIRPERSON

