

**REPUBLIC OF KENYA****THIRTEENTH PARLIAMENT – (FIFTH SESSION)****THE NATIONAL ASSEMBLY****ORDERS OF THE DAY****THURSDAY, AUGUST 27, 2026 AT 2.30 P.M.****ORDER OF BUSINESS****PRAYERS**

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Questions and Statements

**8\*. PROCEDURAL MOTION - REDUCTION OF PUBLICATION PERIOD OF SPECIFIED BILLS**

(The Leader of the Majority Party)

**THAT**, pursuant to the provisions of Standing Order 120, this House resolves to reduce the publication period of the following Bills from **fourteen (14) days to eight (8) days**—

- (i) The County Governments Retirement Scheme Bill (National Assembly Bill No. 57 of 2026); and
- (ii) The State Corporations (Amendment) Bill (National Assembly Bill No. 58 of 2026).

**9\*. MOTION- SENATE AMENDMENTS TO THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) (No. 4) BILL (NATIONAL ASSEMBLY BILL NO. 45 OF 2024)**

(The Leader of the Majority Party)

**THAT**, the House do **agree** with the report of the Committee of the Whole House on its consideration of **Senate amendments** to the Public Finance Management (Amendment)(No.4) Bill (National Assembly Bill No. 45 of 2024).

*(Question to be put)*

**10\*. THE COUNTY GOVERNMENTS RETIREMENT SCHEME BILL (NATIONAL ASSEMBLY BILL NO. 57 OF 2026)**

(The Leader of the Majority Party)

First Reading

*(Subject to Order No. 8)*

11\*. **THE STATE CORPORATIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 58 OF 2026)**

(The Leader of the Majority Party)

First Reading

*(Subject to Order No. 8)*

12\*. **MOTION – CONSIDERATION OF SESSIONAL PAPER NO. 7 OF 2026 ON THE NATIONAL INFRASTRUCTURE FUND INVESTMENT POLICY**

(The Chairperson, Departmental Committee on Finance and National Planning)

**THAT**, pursuant to section 28 (a) of the National Infrastructure Fund Act, 2026, this House **approves** Sessional Paper No. 7 of 2026 on the National Infrastructure Fund Investment Policy, *laid on the Table of the House on Wednesday, 12<sup>th</sup> August 2026.*

13\*. **COMMITTEE OF THE WHOLE HOUSE**

The Trust Administration Bill (National Assembly Bill No. 29 of 2026)

(The Leader of the Majority Party)

14\*. **THE PUBLIC SERVICE SUPERANNUATION SCHEME (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 33 OF 2025)**

(The Leader of the Majority Party)

Second Reading

15\*. **MOTION – INSPECTION VISIT TO THE KENYAN EMBASSY IN MOROCCO**

(The Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations)

**THAT**, this House **adopts** the Report of the Departmental Committee on Defence, Intelligence and Foreign Relations on its inspection visit to the Kenyan Embassy in Rabat, Morocco from 22<sup>nd</sup> to 25<sup>th</sup> March 2026, *laid on the Table of the House on Tuesday, 28<sup>th</sup> July 2026.*

16\*. **MOTION – INSPECTION VISIT TO THE KENYAN EMBASSY IN EGYPT**

(The Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations)

**THAT**, this House **adopts** the Report of the Departmental Committee on Defence, Intelligence and Foreign Relations on its inspection visit to the Kenyan Embassy in Cairo, Egypt held from 26<sup>th</sup> to 30<sup>th</sup> March 2026, *laid on the Table of the House on Tuesday, 28<sup>th</sup> July 2026.*

17\*. MOTION – NINTH REPORT ON EXAMINATION OF THE AUDITED FINANCIAL STATEMENTS OF VARIOUS STATE CORPORATIONS (RIFT VALLEY REGION)

(The Chairperson, Public Investments Committee on Governance and Education)

**THAT**, this House adopts the Ninth Report of the Public Investments Committee on Governance and Education on its Examination of the audited financial statements of various State Corporations (Rift Valley Region) for the financial years 2018/2019, 2019/2020, 2020/2021, 2021/2022, 2022/2023 & 2023/2024, *laid on the Table of the House on Thursday, 26<sup>th</sup> February 2026.*

---

**\*Denotes Orders of the Day\***

---

# **NOTICES**

## **I. THE TRUST ADMINISTRATION BILL (NATIONAL ASSEMBLY BILL NO. 29 OF 2026)**

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Trust Administration Bill, 2026 at the Committee stage—

### **LONG TITLE**

**THAT**, the long title of the Bill be amended by deleting the words “and reform” appearing immediately after the word “consolidate”.

### **CLAUSE 2**

**THAT**, Clause 2 of the Bill be amended—

- (a) by deleting the definition of “beneficial owner” and substituting therefor the following new definition—

“beneficial owner” means the natural person who ultimately owns or controls a legal person or arrangements or the natural person on whose behalf a transaction is conducted, and includes those persons who exercise ultimate effective control over a legal person or arrangement;

- (b) in the definition of “trust deed”, by inserting the words “and includes reference to a constitution or trust instrument” immediately after the word “thereof;

- (c) by inserting the following new definitions in their proper alphabetical sequence—

“Registry” means the registry of trusts established under section 77(2);

“reporting institution” has the meaning assigned to it under the Proceeds of Crime and Anti-Money Laundering Act.

### **CLAUSE 3**

**THAT**, the Bill be amended by deleting Clause 3 and substituting therefor the following new Clause—

*Application of the Act.*

- 3.** (1) This Act shall apply to a trust—

- (a) registered or incorporated under this Act;
- (b) created by an order of a Court; and
- (c) created by or under any other written law.

(2) Nothing in this Act shall limit, invalidate or otherwise affect a trust or fiduciary obligation arising under customary law, equity, a will, court order or any written law, or the jurisdiction of a court to recognise, enforce, vary or supervise such trust or fiduciary obligation.

### **CLAUSE 4**

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

*Creation of a trust.*

- 4.** A trust is created where—

- (a) an identifiable property, or an interest in property, is transferred to, vested in or placed under the control of a trustee, or the owner declares that the property is held in trust;
- (b) the property is held for the benefit of one or more beneficiaries or a class of beneficiaries, or for the furtherance of a specified lawful purpose; and
- (c) the trustee is appointed to administer, control or dispose of the property in accordance with the terms of the trust deed, the operation of law or an order of a court.

### **CLAUSE 5**

**THAT**, the Bill be amended by deleting Clause 5 and substituting therefor the following new Clause—

Recognition and  
enforceability of trusts.

**5. (1)** A trust may be in writing or implied.

(2) A trust which is written shall be registered or incorporated in accordance with this Act.

(3) A written trust shall not be enforceable unless it is registered or incorporated under this Act and the terms of the trust deed.

(4) A person claiming an interest under a written trust that has not been registered or incorporated under this Act may apply to the court for recognition of enforcement of the written trust.

### **CLAUSE 8**

**THAT** the Clause 8 of the Bill be amended by deleting sub-clause (3).

### **CLAUSE 13**

**THAT** Clause 13 of the Bill be amended by deleting the opening statement of sub-clause (1) and substituting therefor the following new opening statement—

(1) A settlor may, subject to the terms of the trust deed, this Act and any other written laws, have powers to—

### **CLAUSE 22**

**THAT** Clause 22 of the Bill be amended—

(a) in sub-clause (2) by—

- (i) inserting the words “if any” immediately after the words “initial enforcers of the trust” in paragraph (e);
- (ii) deleting the word “cour” appearing in paragraph (f) and substituting therefor the word “court”.

(b) by inserting the following new sub-clause immediately after sub-clause (2)—

(2A) Subsection (2)(c) shall not apply to an application for registration of a charitable trust.

**CLAUSE 25**

**THAT**, Clause 25 of the Bill be amended—

(a) in sub-clause (1)—

- (i) by inserting the words “is formed for an unlawful purpose or” immediately after the word “trust” in paragraph (a);
- (ii) by deleting paragraph (b);
- (iii) by deleting paragraph (d);

(b) by inserting the following new sub-clause immediately after sub-clause (2)—

(3) In making a determination under subsection (2), an applicant shall be given an opportunity to be heard or to regularize an application to meet the requirements for registration.

**CLAUSE 29**

**THAT**, Clause 29 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (2)—

(2A) Subsection(2)(d) shall not apply to an application for incorporation of a charitable trust.

**CLAUSE 31**

**THAT**, Clause 31 of the Bill be amended—

(a) in sub-clause (1)—

- (i) by inserting the words “is formed for an unlawful purpose or” immediately after the word “trust” in paragraph (a);
- (ii) by deleting paragraph (b);
- (iii) by deleting paragraph (d);

(b) by inserting the following new sub-clause immediately after sub-clause (2)—

(3) In making a determination under subsection (2), an applicant shall be given an opportunity to be heard or to regularize an application to meet the requirements for registration.

**CLAUSE 36**

**THAT**, Clause 36 of the Bill be amended in sub-clause (1)—

(a) by deleting paragraph (b);

(b) by inserting the words “or any other written law” immediately after the word “Regulations” in paragraph (d).

**CLAUSE 37**

**THAT**, Clause 37 of the Bill be amended in sub-clause (1) by inserting the words “Subject to this Act and any other written law” immediately before the words “A person”.

**CLAUSE 38**

**THAT**, Clause 38 of the Bill be amended in sub-clause (1) by inserting the words “and any other written law” immediately after the word “deed”.

**CLAUSE 39**

**THAT**, Clause 39 of the Bill be amended—

- (a) in sub-clause (3), by inserting the words “subject to the Public Trustee Act” immediately after the words “court may”;
- (b) in sub-clause (4), by deleting paragraph (e) and substituting therefor the following paragraph—
  - (e) the declaration of bankruptcy or insolvency of the trustee.

**CLAUSE 41**

**THAT**, Clause 41 of the Bill be amended in sub-clause (1) by deleting the expression “section 37” and substituting therefor the expression “sections 37 and 38”.

**CLAUSE 46**

**THAT**, Clause 46 of the Bill be amended in sub-clause (3) by inserting the words “in default” immediately after the word “trustees”.

**CLAUSE 48**

**THAT**, Clause 48 of the Bill be amended in sub-clause (4) by inserting the following proviso—

Provided that a trustee shall obtain any approval required under any other written law prior to lodging the amendment.

**CLAUSE 51**

**THAT**, Clause 51 of the Bill be amended by—

- (a) renumbering the existing provision as sub-clause (1);
- (b) inserting the following new sub-clauses immediately after sub-clause (1)—
  - (2) Subject to the provisions of this Act, a trustee may make any investment relating to the assets of the trust.
  - (3) In exercising any power of investment, or otherwise, a trustee shall undertake appropriate legal and financial due diligence and shall seek the necessary advice from persons qualified to render such advice in relation to the investment in question.
  - (4) A trustee shall not invest assets of the trust unless the trustee is authorised to do so in the trust deed and the investment is—
    - (a) in accordance with the purposes, terms and duration of the trust;

- (b) in accordance with the interests and circumstances of the beneficiaries;
- (c) commensurate to the liquidity requirements of the trust;
- (d) commensurate to the nature and extent of the risks associated with the investment;
- (e) does not pose any actual or potential conflict of interest to the trust or the trustee; and
- (f) prudent and in the best interest of the trust.

(5) A trustee shall, from time to time, review the investments of the trust and consider whether they should be varied considering diversification and potential risk of the investment.

(6) A trustee shall not be liable for breach of trust due to continuing to hold an investment which has ceased to be an investment authorized by the trust deed or by the general law.

(7) A trustee lending money on the security of any trust property on which the trustee can lend shall not be liable for breach of trust by reason only of the proportion borne by the amount of the loan to the value of the property at the time when the loan was made, if it appears to the court that—

- (a) in making the loan, the trustee was acting upon a report as to the value of the property made by a person whom the trustee reasonably believed to be a surveyor or a valuer instructed and employed independently of any owner of the property, whether the surveyor or valuer carried on business in the locality where the property is situate or elsewhere;
- (b) the amount of the loan does not exceed two-thirds of the value of the property as stated in the report;
- (c) the loan was made under the advice of the surveyor or valuer expressed in the report.

(8) Where a trustee improperly advances trust money on a mortgage security which would at the time of the investment be a proper investment in all respects for a smaller sum than is actually advanced thereon, the security shall be deemed an authorized investment for the smaller sum, and the trustee shall only be liable to make good the sum advanced in excess thereof with interest.

(9) A trustee lending money on the security of any leasehold property shall not be chargeable with breach of trust only upon the grounds that in making the loan the trustee dispensed either wholly or partly with the production or investigation of the lessor's title.

(10) A trustee shall not be chargeable with breach of trust only upon the grounds that in effecting the purchase, or in lending money upon the security, of any property he has accepted a shorter title than the title which a purchaser is, in the absence of a special contract, entitled to require, if in the opinion of the court the title accepted be such as a person acting with prudence and caution would have accepted.

(11) The provision of this section shall apply to the transfer of existing and new securities and to investments made prior to the commencement of this Act.

#### **CLAUSE 54**

**THAT**, Clause 54 of the Bill be amended in sub-clause (1) by inserting the words “Subject to this Act and any other written law” immediately before the words “where a trustee”.

#### **CLAUSE 58**

**THAT**, Clause 58 of the Bill be amended—

- (a) in sub-clause (1), by inserting the words “any other written law” immediately after the words “this Act”.
- (b) by deleting sub-clause (3);
- (c) in sub-clause (6), by inserting the following paragraph immediately after paragraph (d)—
- (e) any other information as may be prescribed in the Regulations.

#### **CLAUSE 60**

**THAT**, Clause 60 of the Bill be amended in sub-clause (1) by inserting the words “or an enforcer” immediately after the word “beneficiary” in paragraph (b).

#### **CLAUSE 61**

**THAT**, Clause 61 of the Bill be amended by inserting the following new subclause immediately after subclause (1)—

(1A) In addition to the liability under subsection (1), a trustee who commits or is a party to a breach of trust is liable—

- (a) where the trustee is a natural person, to an administrative penalty not exceeding one million shillings;
- (b) where the trustee is a body corporate, to an administrative penalty not exceeding five million shillings.

#### **CLAUSE 63**

**THAT**, Clause 63 of the Bill be amended in sub-clause (1) by inserting the words “registration or” immediately after the words “a certificate of” appearing in paragraph (a).

#### **CLAUSE 75**

**THAT**, Clause 75 of the Bill be amended in sub-clause (3) by deleting the words “five hundred” and substituting therefor the words “three thousand”.

**CLAUSE 78**

**THAT**, Clause 78 of the Bill be amended in sub-clause (8) by deleting the word “entity” appearing in paragraph (d) and substituting therefor the word “institution”.

**CLAUSE 83**

**THAT**, Clause 83 of the Bill be amended in sub-clause (3) by deleting the words “to the” appearing immediately after the word “donated” in paragraph (d).

**CLAUSE 84**

**THAT**, Clause 84 of the Bill be amended—

- (a) in sub-clause (1), by inserting the words “or other person authorized under the trust deed” immediately after the words “trustee of a trust”
- (b) in sub-clause (2), by deleting paragraph (a) and substituting therefor the following new paragraph—
  - (a) the purpose of the trust has been fulfilled or has otherwise ceased to exist in accordance with the trust deed of this Act;

**NEW CLAUSE 64A**

**THAT**, the Bill be amended by inserting the following new Clause immediately before Clause 65—

Exemption of  
charitable trusts.

**64A.** The provisions of this Part shall not apply to a charitable trust.

**NEW CLAUSE 96A**

**THAT**, the Bill be amended by inserting the following new clause immediately after Clause 96—

Consequential  
amendment to Cap.  
499B.

**96A.** The Business Registration Service Act is amended—

- (a) in the long title, by inserting the word “trusts” immediately after the word “firms”;
- (b) in section 4, by inserting the word ‘trusts’ immediately after the word “bankruptcy” appearing in subsection (1).

## **LIMITATION OF DEBATE**

The House resolved on Wednesday, February 11, 2026 as follows—

### **Limitation of Debate on Motions**

- II. THAT**, each speech in a debate on any **Motion, including a Special motion** shall be limited as follows: A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

### **Limitation of Debate on Audit Committee Reports**

- III. THAT**, each speech in debate on **Reports of Audit Committees** be limited as follows: A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order

### **Limitation of Debate on Other Committee Reports**

- IV. THAT**, each speech in a debate on **Other Committee Reports**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House for which limitation of time has not been specified, be limited as follows:- A maximum of two and a half hours, with not more than twenty (20) minutes for the Mover in moving and five (5) minutes for any other Member speaking, **including** the Leader of the Majority Party and the Leader of the Minority Party and the Chairperson of the relevant Committee (if the Committee Report is not moved by the Chairperson of the relevant Committee), and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and further that priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

Limitation of Debate on Bills sponsored by Parties or Committees

- V.** **THAT**, each speech in a debate on **Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** be limited as follows:- A maximum of forty five (45) minutes for the Mover, in moving and fifteen minutes (15) in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee), and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen minutes (15) each (if the Bill is not sponsored by either of them); and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

**ADJOURNMENT****NOTIFICATION OF RECESS (28<sup>th</sup> August –  
28<sup>th</sup> September 2026)**

Pursuant to the provisions of Standing Order 28(3) relating to the Calendar of the Assembly, and the resolutions of the House of Wednesday, 11<sup>th</sup> February 2026 and Thursday, 28<sup>th</sup> May 2026, the Speaker notifies that, upon the rise of the House at the appointed time today, regular sittings will resume on **Tuesday, 29<sup>th</sup> September 2026 at 2.30 p.m.**

*(Thereafter, the House to adjourn without question put)*

---

# **NOTICE PAPER**

## **Tentative business for**

**Tuesday, September 29, 2026**

---

*(Published pursuant to Standing Order 38(1))*

It is notified that the following business is tentatively scheduled to appear in the Order Paper for Tuesday, September 29, 2026—

**A. COMMITTEE OF THE WHOLE HOUSE**

(i) The Kenya Revenue Authority (Amendment) Bill (National Assembly Bill No. 28 of 2026)

(The Leader of the Majority Party)

(ii) The Power of Mercy Bill (National Assembly Bill No. 56 of 2025)

(The Leader of the Majority Party)

**B. THE PUBLIC SERVICE SUPERANNUATION SCHEME (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 33 OF 2025)**

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Thursday, August 27, 2026)*

**C. MOTION – CONSIDERATION OF SESSIONAL PAPER NO. 7 OF 2026 ON THE NATIONAL INFRASTRUCTURE FUND INVESTMENT POLICY**

(The Chairperson, Departmental Committee on Finance and National Planning)

*(If not concluded on Thursday, August 27, 2026)*

**D. MOTION – INSPECTION VISIT TO THE KENYAN EMBASSY IN MOROCCO**

(The Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations)

*(If not concluded on Thursday, August 27, 2026)*

**E. MOTION – INSPECTION VISIT TO THE KENYAN EMBASSY IN EGYPT**

(The Chairperson, Departmental Committee on Defence, Intelligence and Foreign Relations)

*(If not concluded on Thursday, August 27, 2026)*

**F. MOTION – TENTH REPORT ON EXAMINATION OF THE AUDITED FINANCIAL STATEMENTS OF EGERTON UNIVERSITY**

(The Chairperson, Public Investments Committee on Governance and Education)

**G. MOTION – ELEVENTH REPORT ON EXAMINATION OF AUDITED  
FINANCIAL STATEMENTS FOR VARIOUS  
UNIVERSITIES**

(The Chairperson, Public Investments Committee on Governance  
and Education)

---

# NOTICE OF PETITIONS, QUESTIONS & STATEMENTS

---

## ORDER NO. 7 - STATEMENTS

---

It is **notified** that, pursuant to the provisions of Standing Order 44(2)(c), the following Statement will be –

**(i) requested –**

| No. | Subject                                                     | Member                                               | Relevant Committee                 |
|-----|-------------------------------------------------------------|------------------------------------------------------|------------------------------------|
| 1.  | Disappearance of <i>Mr. Jimmy Mutava Mwanzi</i>             | Hon. Patrick Makau, MP<br>( <i>Mavoko</i> )          | Administration & Internal Security |
| 2.  | Exclusion of a school from the State House Gala performance | Hon. Stephen Mogaka, MP<br>( <i>West Mugirango</i> ) | Education                          |
| 3.  | Delayed completion of <i>Kakamega-Webuye (A1) Road</i>      | Hon. David Ndakwa, MP<br>( <i>Malava</i> )           | Transport & Infrastructure         |

**(ii) responded to –**

| No. | Subject                                                                    | Member                                                 | Relevant Committee                        |
|-----|----------------------------------------------------------------------------|--------------------------------------------------------|-------------------------------------------|
| 1.  | The death of a <i>Mr. Dennis Cheboren Ndiema</i> of Saboti Constituency    | Hon. Caleb Amisi, MP<br>( <i>Saboti</i> )              | Administration & Internal Security        |
| 2.  | Status of water supply in Kilifi, Kwale, Taita Taveta and Mombasa Counties | Hon. Owen Baya, MP<br>( <i>Kilifi North</i> )          | Blue Economy, Water & Irrigation          |
| 3.  | Disappearance of two Kenyan citizens in the Russian Federation             | Hon. Daniel Manduku, MP<br>( <i>Nyaribari Masaba</i> ) | Defence, Intelligence & Foreign Relations |
| 4.  | Persistent power outages in Samburu West Constituency                      | Hon. Naisula Lesuuda, MP<br>( <i>Samburu West</i> )    | Energy                                    |
| 5.  | Operationalisation of <i>Kotulo Airstrip</i>                               | Hon. Abdul Haro, MP<br>( <i>Mandera South</i> )        | Transport & Infrastructure                |

---