



O'BANG LAW

ONG'ANYA OMBO ADVOCATES LLP

Kenya Legislative & Regulatory Update: November & December 2024

NATIONAL ASSEMBLY

Papers

The following Papers were laid on the Table of the National Assembly for Consideration among others:

- The 3rd Annual Report on the State of Public-Private Partnerships for the Financial Year 2023/2024 from the National Treasury.
- 2024 Budget Review and Outlook Paper from the National Treasury.
- The Revised 2024 Medium-Term Debt Management Strategy (MTDS) from the National Treasury.
- Strategic framework for implementation of reforms in the National Police Service, Kenya Prisons Service and National Youth Service (2024-2028) from the Ministry of Interior and National Administration.
- The Consolidated National Investment Report for the Financial Year 2023/2024 from the National Treasury.
- Reports of the Departmental Committee on Transport and Infrastructure on its consideration of:
 - a) The Kenya Roads (Amendment) Bill, (National Assembly Bill No 34 of 2023); and,
 - b) The Kenyan Roads Board (Amendment) Bill, (National Assembly Bill No 18 of 2024).
- Sessional Paper No.5 of 2024 on the National Green Fiscal Incentive Policy Framework from the Office of the Attorney-General.
- Annual County Governments Budget Implementation Review Report for the year 2023/2024 from the Office of the Controller of Budget.
- The Agreement for the Establishment of the Africa Finance Co-operation Exploratory Memorandum from the Ministry of Foreign and Diaspora Affairs.
- Sessional Paper No.7 of 2024 on the National Sanitation Management Policy from the Ministry of Water, Sanitation and Irrigation.
- Reports of the Auditor-General and Financial Statements for the year ended 30th June 2024, and the certificates therein in respect of:
 - a) Green Climate Fund Readiness Project (Grant No. KEN-RS-004) for the Year ended 30th June 2022. Affordable Housing Finance Project (IBRD Credit No.8958-KE) – National Assembly;
 - b) Kenya Symbiocity Programme – SIDA No.51110060 – Council of Governors;
 - c) ADB-Africa Climate Summit Project – The National Treasury;
 - d) Eastern Africa Regional Transport, Trade and Development Facilitation (IDA Credit No.5638-KE) – Kenya Revenue Authority;
 - e) Technical Support Programme (Financing Agreements No. KE/FED/2009/021421, No. KE/FED/023-733 and No. KE/FED/037- 941) – National Treasury;
 - f) Micro Finance Sector Support Credit Project (Credit No. CKE 3004 01E and CKE 6010 01E) – National Treasury; and,
 - g) National Information Platform for Food Security and Nutrition Project (Credit No. Food/2017/393-022) – Kenya National Bureau of Statistics.
- Report of the Departmental Committee on Labour on its consideration of the Salaries and Remuneration Commission Bill (National Assembly Bill No.21 of 2024).
- Reports of the Departmental Committee on Education on its consideration of:
 - a) The Universities (Amendment) Bill (National Assembly Bill No.38 of 2023).
 - b) The Basic Education (Amendment) Bill (National Assembly Bill No.59 of 2023);
 - c) The Universities (Amendment) (No.3) Bill (National Assembly Bill No.64 of 2023);
 - d) The Universities (Amendment) (No.5) Bill (National Assembly Bill No.79 of 2023); and,
 - e) The Universities (Amendment) Bill (National Assembly Bill No.16 of 2024).
- The Report of the Departmental Committee on Environment, Forestry and Mining on its consideration of the agreement on the establishment of the Global Green Growth Institute (GGGI).
- The Address by His Excellency the President of the Republic of Kenya, delivered in Parliament on Thursday, 21st November 2024.

- The 11th Annual Report on the Measures Taken and Progress Achieved in the Realisation of National Values and Principles of Governance.
- The 11th Annual Report on the Progress Made in Fulfilling the International Obligations of the Republic of Kenya.
- The Annual Report to Parliament on the State of National Security for the period 1st September 2024 to 31st August 2024.
- Report of the Mediation Committee on:
 - a) The Division of Revenue (Amendment) Bill (National Assembly Bill No.38 of 2024).
 - b) The Conflict of Interest Bill (National Assembly Bill No.12 of 2023).
- The following publications from the Kenya Institute for Public Policy Research and Analysis—
 - a) Special Paper No. 5/2024 on the Cost of a Nutritious School Meal in Kenya.
 - b) Special Paper No. 6/2024 on Relationship between Drought Early Warning System Information and Food and Nutrition Security in Arid and Semi-Arid Lands in Kenya.
 - c) Special Paper No. 7/2024 on Drivers of Stunting Reduction in Kenya.
 - d) Special Paper No. 8/2024 on Effect of Cash Transfers on Food Expenditure, Dietary Diversity and Nutrition Status of Beneficiary Households.
 - e) Special Paper No. 09/2024 on Effect of Access to Clean and Safe, Adequate, Reliable and Affordable Water on Child Nutrition in Kenya.
 - f) Special Paper No. 10/2024 on Food and Nutrition Security in Kenya: Embedding Nutrition Element within the Four Pillars of Food Security in the Counties.
 - g) Special Paper No. 11/2024 on Status of Food and Nutrition Security in Kenya: An Implementation of the Framework for Harmonising Nutrition Indicators.
- 19th Edition of the Biannual Report on the Status of Alcohol and Drug Abuse Control in Kenya from the National Authority for the Campaign against Alcohol and Drug Abuse.
- The Exit Report of the National Hospital Insurance Fund Board.
- Report of the Departmental Committee on Social Protection on the vetting of nominees for appointment as Chairperson and as a Member of the National Gender and Equality Commission.
- Report of the Departmental Committee on Health on the harmonisation of the proposed amendments to the Assisted Reproductive Technology Bill (National Assembly Bill No. 61 of 2022).
- Report of the Departmental Committee on Labour on the vetting of nominees for appointment as Chairperson and as Members of the Salaries and Remuneration Commission.
- Reports of the Departmental Committee on Finance and National Planning on its consideration of:
 - a) The Public Finance Management (Amendment) Bill (No.3) Bill (National Assembly Bill No.44 of 2024).
 - b) The Public Finance Management (Amendment) (No.4) Bill (National Assembly Bill No.45 of 2024).
 - c) The Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No.48 of 2024).
 - d) The Equalisation Fund (Administration) Bill, (Senate Bill No.14 of 2023).
 - e) The Unclaimed Financial Assets (Amendment) Bill, National Assembly Bill No.15 of 2024 and,
 - f) The Kenya Revenue Authority (Amendment) Bill No.35 of 2024.
 - g) The Tax Procedures (Amendment) Bill, (National Assembly Bill No.46 of 2024)
 - h) The Tax Laws (Amendment) Bill (National Assembly No. 47 of 2024); and
 - i) Business Laws (Amendment) Bill, (National Assembly Bill No.49 of 2024).
- Report of the Departmental Committee on Administration and Internal Security on the vetting of nominees for appointment as Chairperson and as Members of the Board of the Independent Policing Oversight Authority.
- Report of the Departmental Committee on Justice and Legal Affairs on the vetting of nominees for appointment as Chairperson and as Members of the Commission on Administrative Justice (CAJ).
- The Joint Report of the National Assembly Departmental Committee on Finance and National Planning, and the Senate Standing Committee on Finance and Budget, on the vetting of a nominee for appointment as the

Second Deputy Governor of the Central Bank of Kenya (CBK).

- Report of the Departmental Committee on Communication, Innovation and Communication on its consideration of the Public Relations and Communication Management Bill (National Assembly, Bill No.17 of 2024).
- Reports of the Public Petitions Committee on its consideration of:
 - a) Public Petition No. 3 of 2023 regarding the management of Standard Gauge Railway (SGR) services.
 - b) Public Petition No.31 of 2023 regarding a review of the boundaries of the Tana Delta Irrigation Project.
 - c) Public Petition No. 33 of 2023 regarding compensation of persons affected by the Mombasa-Mariakani Road (Dual) Project.
 - d) Public Petition No.41 of 2023 regarding punitive charges levied by the Kenya National Highways Authority (KNHA).
 - e) Public Petition No.6 of 2024, regarding delays in posting medical interns, absorption of Universal Health Coverage (UHC) contract staff, conclusion of Collective Bargaining Agreement (CBA) and recognition of agreement in the health sector in the country.
- Report of the Departmental Committee on Defence, Intelligence and Foreign Relations on its consideration of the Treaty Making and Ratification (Amendment) (No.2) Bill, (National Assembly Bill No. 9 of 2024).
- Reports of the Departmental Committee on Social Protection on its consideration of:
 - a) The Social Assistance (Amendment) Bill, (National Assembly Bill No. 80 of 2023).
 - b) The Breastfeeding Mothers Bill, (National Assembly Bill No. 8 of 2024).
- Report of the Departmental Committee on Social Protection on its consideration of the Persons with Disabilities Bill, (Senate Bill No. 7 of 2023).
- Reports of the Departmental Committee on Sports and Culture on its consideration of:
 - a) Senate Amendments to the Gambling Control Bill (National Assembly Bill No. 70 of 2023); and,

- b) The Culture Bill (National Assembly Bill No. 12 of 2024).
- c) Budget Implementation Monitoring for the Financial Year 2023/2024 for State Department for Sports, State Department for Culture, the Arts and Heritage and State Department for Youth Affairs and Creative Economy.

Communication

From the Senate

The House received the following messages from the Senate regarding:

- The approval of the mediated version of the Sugar Bill, (National Assembly Bill No. 34 of 2022).
- The nomination of Senators to the Mediation Committee on the Division of Revenue (Amendment) Bill, (National Assembly Bill No. 38 of 2024).
- Decision on the National Assembly's amendments to the County Governments Additional Allocations Bill (Senate Bill No.19 of 2024). The Senate considered and rejected the National Assembly's amendments to the Bill. As such, the Bill was committed to a Mediation Committee.
- Passage of National Assembly Bill and Senate Bills with amendments as follows:
 - a) the Gambling Control Bill (National Assembly Bill No.70 of 2023).
 - b) the Tea (Amendment) Bill (Senate Bill No.1 of 2023).
 - c) the Maternal, New-born and Child Health Bill (Senate Bill No.17 of 2023).
 - d) the Meteorology Bill (Senate Bill No.45 of 2023).
 - e) the Election Offences (Amendment) (No.2) Bill, (Senate Bill No.28 of 2024).
- Passage of two mediated Bills: The Mediated Version of the National Rating Bill (National Assembly Bill No.55 of 2022) and the Water (Amendment) Bill (National Assembly Bill No.33 of 2023).
- Passage of the National Construction Authority (Amendment) Bill (National Assembly Bill No.59 of 2022), and the Cancer Prevention and Control (Amendment) Bill, (National Assembly Bill No.45 of 2022).

Withdrawal of specific provisions contained in the Statute Law (Miscellaneous Amendments) Bill

The Speaker informed the House of a request from the sponsor of the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.67 of 2023), the Leader of the Majority Party, seeking the Speaker's consent for the withdrawal of the proposed amendments relating to Section 186 (4) and 6(f) of the Children's Act, Cap.141, as contained in the Bill. The amendments propose deletion of the provisions which prohibit the court from granting a sole male applicant and foreign applicant adoption of a child. In the letter, the Leader of the Majority Party, notes that the import of the proposed amendments to the said provisions necessitates further consultations and engagements with relevant stakeholders.

Having considered the justification by the Leader of the Majority Party, the Speaker acceded to the request to withdraw the provisions, and the Bill will, therefore, be proceeded with in the Committee of the whole House without reference to the withdrawn provisions and will be considered as though the withdrawn section was not part of the Bill.

Withdrawal of specific provisions in the Business Laws (Amendment) Bill

The Speaker informed the House of a request from the sponsor of the Business Laws (Amendment) Bill, (National Assembly Bill No.49 of 2024), the Leader of the Majority Party, seeking the Speaker's consent for the withdrawal of the proposed amendments relating to the Scrap Metal Act, Cap.503 as contained in the Bill, seeking to alter the composition of the Scrap Metal Council. In the letter, the Leader of the Majority Party notes that the House recently passed the Statute Law (Miscellaneous Amendments) Bill, (National Assembly Bill No.67 of 2023), which included amendments to the Scrap Metal Act, Cap.503. In passing the Statute Law (Miscellaneous Amendments) Bill, (National Assembly Bill No.67 of 2023), the House amended the same provision that is now contained in the Business Laws (Amendment) Bill, 2024, making it untidy to consider amendments to Section 4 of the Scrap Metal Act, Cap.503 while the Statute Law (Miscellaneous Amendments) Bill, (National Assembly Bill No. 67 of 2023), awaits the consideration by the Senate.

Having considered the justification by the Leader of the Majority Party, the Speaker acceded to the request to withdraw the provisions, and the Bill will, therefore, be proceeded with in the Committee of the whole House without reference to the withdrawn provisions and will be considered as though the withdrawn section was not part of the Bill.

Nomination of Mr Abdi Mohamud for Appointment as Chief Executive Officer of EACC

The House received a Message from the Chairperson of the Ethics and Anti-Corruption Commission asking the House to approve a person for appointment as the Secretary/Chief Executive Officer of the Ethics and Anti-Corruption Commission (EACC). The request, together with the report of the EACC on the recruitment of the Secretary and CEO, and the nominee's testimonials was referred to the Departmental Committee on Justice and Legal Affairs for consideration.

Motions**The House was notified of the following Notices of Motion among others:**

- Comprehensive reform of education bursary schemes to ensure free basic education in Kenya, seeking for the House to urge the Government, through the Ministry of Education, in collaboration with the relevant stakeholders, undertakes a comprehensive overhaul of the education bursary system with a view to collapsing all bursary schemes and allocate the funds to the State Department of Basic Education for provision of free basic education through capitation to be directly remitted to schools.
- Report of the Departmental Committee on Environment, Forestry and Mining on its consideration of the agreement on the establishment of the GGGI.
- Report of the Departmental Committee on Energy on the inquiry into the matter of the reduction of electricity costs in the country and the lifting of the moratorium on the signing of new Power Purchase Agreements.
- Report of the Departmental Committee on Environment, Forestry and Mining on its consideration of the Agreement on the establishment of the Global Green Growth Institute.

- Report of the Departmental Committee on Trade, Industry and Cooperatives on the Inquiry into Alleged Unfair Trade Practices by Foreign Investors in Kenya.

The House adopted the following Motions:

- Report of the Select Committee on National Cohesion and Equal Opportunity on the Employment Diversity Audit in Public Institutions.
- Establishment of a Science Museum, resolving that, the national Government through the relevant Ministries establishes and operationalises a science museum in the country.
- The House resolved to reduce the publication period of the following Bills from fourteen (14) days to twelve (12) days in order to facilitate public and stakeholder engagement:
 - a) The Public Finance Management (Amendment) (No.3), Bill (National Assembly Bill No.44 of 2024);
 - b) The Public Finance Management (Amendment) (No.4) Bill, (National Assembly Bill No.45 of 2024);
 - c) The Tax Procedures (Amendment) (No.2) Bill, (National Assembly Bill No.46 of 2024);
 - d) The Tax Laws (Amendment) Bill, (National Assembly Bill No.47 of 2024);
 - e) The Public Procurement and Asset Disposal (Amendment) Bill, (National Assembly Bill No.48 of 2024); and,
 - f) The Business Laws (Amendment) Bill, (National Assembly Bill No.49 of 2024).
- The Report of the Mediation Committee on the National Rating Bill, (National Assembly Bill No. 55 of 2022), approving the Mediated version of the Bill.
- Report on the vetting of a nominee for appointment as the Deputy Governor of the Central Bank of Kenya, approving the appointment of Mr Gerald Nyaoma Arita as the Second Deputy Governor of the Central Bank of Kenya.

Bills

1. The following Bills were read for the First time and ordered to be referred to the relevant Committee
 - The Tea (Amendment) Bill (Senate Bill No.1 of 2023).

- The Maternal, New-Born and Child Health Bill (Senate Bill No.17 of 2023).
 - The Computer Misuse and Cybercrimes (Amendment) Bill (National Assembly Bill No.41 of 2024)
 - The Meteorology Bill (Senate Bill No. 45 of 2023)
 - The Election Offences (Amendment) (No.2) Bill (Senate Bill No. 28 of 2024)
2. The following Bills came up for Second Reading:
 - The Public Audit (Amendment) Bill (National Assembly Bill No.4 of 2024)
 - The Persons with Disabilities Bill (Senate Bill No.7 of 2023).
3. The following Bills were read a Second Time and Committed to the Committee of the Whole House:
 - The Higher Education Loans Board (Amendment) Bill (National Assembly Bill No.58 of 2022).
 - The Cooperatives Bill, (National Assembly Bill No.7 of 2024).
 - The Kenya Roads Board (Amendment) Bill (National Assembly Bill No.18 of 2024)
 - The County Governments (Revenue Raising Process) Bill (National Assembly Bill No.11 of 2023).
 - The Environmental Management and Coordination (Amendment) Bill (National Assembly Bill No.66 of 2023).
 - The Crops (Amendment) Bill (National Assembly Bill No.8 of 2023).
 - The Start-Up Bill (Senate Bill No. 14 of 2022).
4. The following Bills came up for consideration under the Committee of the Whole House
 - The Unclaimed Financial Assets (Amendment) Bill (National Assembly Bill No.15 of 2024).
 - The Land Control Bill (National Assembly Bill No. 39 of 2023).
 - The Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.67 of 2023).
5. The following Bills were approved by the Committee of the Whole House and accordingly read the third time and passed:
 - Kenya Drugs Authority Bill (National Assembly Bill No.54 of 2022).
 - The Statute Law (Miscellaneous Amendments) Bill, (National Assembly Bill No. 67 of 2023).

- The Community Health Workers Bill (National Assembly Bill No. 53 of 2022).
 - The Coffee Bill (Senate Bill No.10 of 2023).
 - Ethics and Anti-Corruption Commission Bill (National Assembly Bill No. 11 of 2024).
 - Kenya Roads Board (Amendment) Bill (National Assembly Bill No.18 of 2024).
 - The Kenya Revenue Authority (Amendment) (No.2) Bill (National Assembly Bill No.35 of 2024).
 - The Cooperatives Bill (National Assembly Bill No. 7 of 2024).
6. The Technopolis Bill (National Assembly Bill No. 10 of 2024) was read a Third Time and passed.
7. The following Bills were reviewed by the House, progressing from the First Reading to the Third Reading and passed during the period under consideration:
- The Public Finance Management (Amendment) (No.3) Bill (National Assembly Bill No.44 of 2024).
 - The Public Finance Management (Amendment) (No. 4) Bill (National Assembly Bill No. 45 of 2024).
 - The Public Procurement and Asset Disposal (Amendment) Bill (National Assembly Bill No. 48 of 2024).
 - The Tax Procedures (Amendment) (No.2) Bill (National Assembly Bill No.46 of 2024).
 - The Business Laws (Amendment) Bill (National Assembly Bill No.49 of 2024).
 - The Tax Laws (Amendment) Bill (National Assembly Bill No.47 of 2024).

Petition

Alleged Financial Mismanagement by KENYA Tea Development Authority (KTDA)

The House received a Public Petition regarding farmers' hydropower generation by the Kenya Tea Development Authority (KTDA). The Petitioners pray that the National Assembly, through the Public Petitions Committee—

- a) Engages the Ministry of Agriculture and Livestock Development and Ministry of Energy and Petroleum and other relevant authorities with a view of investigating the alleged financial management in regard to generating power by the KTDA on behalf of smallholder tea farmers in Bomet County and other

surrounding counties in the west of Rift Valley region.

- b) Makes recommendations compelling KTDA to provide a detailed report within 30 days on the status of hydropower projects including how the funds were invested and the reasons for inordinate delay of the projects. 3. Recommends the due compensation of smallholder tea farmers in the affected region where more than Ksh. 3 billion has been deducted since 2014.
- c) Makes any other necessary recommendation the Committee deems fit to address the issues raised in this Petition. And your petitioners will forever pray.

Statements & Questions

The following statements were sought from the various departmental committees among others:

- A question was raised to the Cabinet Secretary for Roads and Transport on:
 - a) The status of negotiations for a concession agreement between the government and the Adani Group.
 - b) Criteria used by the Kenya Roads Board to allocate funds to constituencies.
- A question was raised to the Cabinet Secretary for Agriculture and Livestock Development, regarding:
 - a) The status of implementation of recommendations on withdrawal of harmful chemical pesticides.
 - b) Policies to reduce importation of food to the country.
 - c) Measures to boost prices of Macadamia Nuts.
- A Statement was requested from the Chairperson of the Departmental Committee on Communication, Information and Innovation regarding the policy applied by Safaricom PLC on transmission of political messages.
- A Statement was requested from the Chairperson of the Departmental Committee on Health regarding the alarming rise of illegal organ harvesting, particularly kidney harvesting, in Eldoret City and its environs.
- A Statement was requested from the Chairperson of the Departmental Committee on Labour regarding the grievances by

employees of Ashton Apparel (EPZ) Ltd and Mombasa Apparel (EPZ) Limited.

- A Statement was requested from the Chairperson of the Departmental Committee on Administration and National Security regarding the protection of underage children from exposure to illicit activities.

Responses to the following Statements were issued:

- Status of strategic promotion and development of dry land agriculture in Kenya.
- Renewal of KEBS standardisation mark.
- Food crisis in arid and semi-arid lands.
- Revival of South Nyanza Sugar Company and other State-Owned sugar mills factories.

THE SENATE

Papers

The following Papers were laid on the Table of the Senate for Consideration among others:

- The Sustainable Waste Management (Extended Producer Responsibility) Legal Notice No. 176 of 2024.
- The Environmental Management and Co-ordination (Water Quality) Regulations, Legal Notice No. 177 of 2024.
- The Environmental Management and Co-ordination (Waste Management) Regulations, Legal Notice No. 178 of 2024.
- The Environmental Management and Co-ordination (Sand Harvesting) Regulations, Legal Notice No.179 of 2024.
- The Environmental Management and Co-ordination (Air Quality) Regulations, Legal Notice No. 180 of 2024.
- The Environmental Management and Co-ordination (Management and Control of Plastic Packaging Materials) Regulations, Legal Notice No. 181 of 2024.
- The Environmental Management and Co-ordination (Management of Toxic and Hazardous Chemicals and Materials) Regulations, Legal Notice No. 182 of 2024.
- Report of the Standing Committee on Agriculture, Livestock and Fisheries on its consideration of the National Assembly Amendments to the Cotton Industry Development Bill (Senate Bills No.5 of 2023).
- Report of the Standing Committee on National Security, Defence and Foreign Relations on its consideration of the National Disaster Risk Management Bill (National Assembly Bills No.24 of 2023).
- Report of the Standing Committee on Labour and Social Welfare on its consideration of:
 - a) the Sports Amendment Bill (Senate Bills No. 33 of 2024).
 - b) the Public Fundraising Appeals Bill (Senate Bills No. 36 of 2024).
- The State of the Nation Address by His Excellency the President delivered at a Special Sitting of Parliament on Thursday, 21st November 2024.
- The 11th Annual Report (2023/2024) on the measures taken and progress achieved in the realisation of national values and principles of governance.
- The annual report on the state of national security for the period 1st September 2023 to 31st August 2024.
- The National Authority for the Campaign Against Alcohol and Drug Abuse (NACADA) 19th Edition of the Biannual Report on the status of alcohol and drug abuse control in Kenya.
- Report of the Standing Committee on Justice, Legal Affairs and Human Rights on its consideration of
 - a) the Political Parties (Amendment) (No.2) Bill (Senate Bills No.26 of 2024).
 - b) the Election Offences (Amendment) (No.2) Bill (Senate Bills No.28 of 2024).
 - c) Elections (Amendment) (No.2) Bill (Senate Bills No.29 of 2024).
- Report of the Standing Committee on Finance and Budget on its consideration of:
 - a) the Public Finance Management (Amendment) Bill (Senate Bills No.27 of 2024).
 - b) the Presidential Memorandum on Referral of the County Allocation of Revenue Bill (Senate Bills No.25 of 2024).
- Report of the Joint Sitzings of the Standing Committee on Finance and Budget of the Senate and the Departmental Committee on Finance and National Planning of the National Assembly on the nomination of Mr. Gerald Nyaoma Arita for appointment to the position of Deputy Governor of the Central Bank of Kenya.
- The Pest Control Products (Import and Export) Regulations, Legal Notice No. 190 of 2024.
- The Pest Control Products (Disposal) Regulations, Legal Notice No. 191 of 2024.
- The Pest Control Products (Fees and Other Charges) Regulations, Legal Notice No. 192 of 2024.
- The Pest Control Products (Inspection and Certification) Regulations, Legal Notice No. 193 of 2024.
- The Pest Control Products (Labelling, Advertisement and Packaging) Regulations, Legal Notice No. 194 of 2024.
- Report of the Mediation Committee on the Conflict of Interest Bill (National Assembly Bills No.12 of 2023).
- Report of the Standing Committee on Labour and Social Welfare on its consideration of:

- a) the County Library Services Bill (Senate Bills No. 40 of 2024).
- b) the Provision of Sanitary Towels Bill (Senate Bill No.7 of 2024).
- Report of the Standing Committee on Roads, Transportation and Housing on its consideration of the National Construction Authority (Amendment) Bill (National Assembly Bills No. 59 of 2022).
- Report of the Standing Committee on Trade, Industrialization, and Tourism on a Petition regarding the introduction of the Hospitality Professionals Bill of 2023 and the alleged fraudulent dealings at the GOPLC, East Africa Breweries Ltd, Kenya Breweries, and UDV Kenya Ltd.

Messages

The Senate received messages and communication regarding the following;

- A message from the President of the Republic of Kenya, on the nomination of Mr. Gerald Nyaoma Arita for appointment to the position of Deputy Governor of the Central Bank of Kenya (CBK).
- State of the Nation Address. The Constitution mandates the President to address a Special Sitting of Parliament once every year. In addition, the President is also required to do the following-
 - a) Report in an address to the nation on all measures taken and progress achieved in the realization of the national values.
 - b) Publish in the Gazette the details of the measures and progress under (a).
 - c) Submit a report for debate to the National Assembly on the progress made in fulfilling the international obligations of the Republic.
- Message from the Speaker of the National Assembly regarding:
 - a) consideration of the President's reservations to the County Allocation of Revenue Bill, (Senate Bill No.25 of 2024).
 - b) approval by the National Assembly of the mediated version of the Division of Revenue Amendment Bill, National Assembly Bill No. 38 of 2024.
- Message from the Speaker of the National Assembly regarding the passage, by the National Assembly, of the following Bills:

- a) Technopolis Bill (National Assembly Bills No.6 of 2024).
- b) Kenya Health Products and Technologies Regulatory Authority Bill (National Assembly Bills No.54 of 2022)
- c) Coffee Bill (Senate Bills No.10 of 2023).

Motions

The following Notice of Motions were given on the Floor of the House among others:

- Consolidation of bursary funds for equitable access to education in Kenya, seeking for the Senate to urge the Ministry of Education, to:
 - a) Audit the funds allocated to bursaries by both the National Government and county governments
 - b) Consolidate the funds distributed by various government entities and agencies, with the aim of directing these funds directly to schools as supplementary capitation to facilitate the achievement of free secondary education; and
 - c) Calculate the cost of education per learner and make this information public for primary, secondary, and tertiary institutions, including a detailed breakdown of the annual financial requirements for each student across the country.
- Report of the Standing Committee on Trade, Industrialization and Tourism on a petition regarding the introduction of the Hospitality Professionals Bill of 2023.
- Report of the Standing Committee on Trade, Industrialization, and Tourism on a petition concerning the alleged fraudulent dealings at the GOPLC, East Africa Breweries Ltd., Kenya Breweries, and UDV Kenya Ltd
- Report of the Standing Committee on Finance and Budget on the County Governments' (Equitable Share) Cash Disbursement Schedule for the Financial Year 2024/2025.
- Report of the Joint Sitzings of the Standing Committee on Finance and Budget of the Senate and the Departmental Committee on Finance and National Planning of the National Assembly, on the nomination of Mr. Gerald Nyaoma Arita, for appointment to the position of Deputy Governor of the Central Bank of Kenya.

The House adopted the following Motions

- The Reports of the Mediation Committee on:

- a) The Water (Amendment) Bill (National Assembly Bills No. 33 of 2023), approving the Mediated Version of the Bill.
- b) The National Rating Bill (National Assembly Bills No. 55 of 2022), approving the Mediated Version of the Bill.
- c) The Division of Revenue (Amendment) Bill (National Assembly Bills No. 38 of 2024), approving the Mediated Version of the Bill.

Bills

1. The following Bills were read for the First time and ordered to be referred to the relevant Senate Committee:
 - a) The Office of the County Attorney (Amendment) Bill (Senate Bills No.47 of 2024)
 - b) The Community Health Promoters Bill (National Assembly Bill No. 53 of 2022)
 - c) The Kenya Health Products and Technologies Regulatory Authority Bill (National Assembly Bill No.54 of 2022)
 - d) The Technopolis Bill (National Assembly Bill No.6 of 2024)
2. The following Bills came up for second reading:
 - a) The County Public Finance Laws (Amendment) Bill (Senate Bills No.39 of 2023)
 - b) The Public Fundraising Appeals Bill (Senate Bills No.36 of 2024)
3. The following Bills were read for the Second time and committed to the Committee of the Whole House
 - a) The County Assembly Services (Amendment) Bill (Senate Bills No.34 of 2023)
 - b) The County Governments Elections Laws (Amendment) Bill (Senate Bills No.2 of 2024)
 - c) The County Public Finance Laws (Amendment) Bill (Senate Bills No.39 of 2023)
 - d) The Elections (Amendment) (No.2) Bill (Senate Bills No.29 of 2024)
4. The following Bills were approved by the Committee of the Whole House and accordingly read the third time and passed:
 - a) Fire and Rescue Services Professionals Bill (Senate Bills No.55 of 2023)
 - b) Public Transport (Motorcycle Regulation) Bill (Senate Bills No.38 of 2023)
 - c) Public Finance Management (Amendment) Bill (Senate Bills No. 40 of 2023)
 - d) Intergovernmental Relations (Amendment) Bill (Senate Bills No. 12 of 2024)

- e) Political Parties (Amendment) (No.2) Bill (Senate Bills No. 26 of 2024)
 - f) Elections (Amendment) (No.2) Bill (Senate Bills No. 29 of 2024)
 - g) The Meteorology Bill (Senate Bills No.45 of 2023)
 - h) The Cancer Prevention and Control (Amendment) (No.2) Bill (National Assembly Bills No.45 of 2022)
 - i) The Election Offences (Amendment) (No.2) Bill (Senate Bills No.28 of 2024)
 - j) The National Construction Authority (Amendment) Bill (National Assembly Bills No.59 of 2022)
5. The House considered and approved the National Assembly amendments on the Cotton Industry Development Bill (Senate Bills No.5 of 2023)

Petitions

Winding Up and Liquidation of the TUK Staff Retirement Benefits Scheme

The House received a Petition submitted through the Clerk, regarding the winding up and liquidation of Technical University of Kenya's Staff Retirement Benefits Scheme (TUK-KSRBS). The petitioners pray that the Senate investigates the matter with a view to do the following-

- a) Ensure that the assets of the scheme and contributions owed to members are safeguarded, including the transfer of members to other schemes, where possible, to ensure the continuation of the pension contributions.
- b) Ensure that the circumstances that led to the poor financial performance of the scheme and its subsequent insolvency are addressed, and that the responsible persons are held accountable.
- c) Formulating legislative interventions aimed at preventing similar occurrences in retirement schemes in the country.

Statements & Questions

The following statements and questions were sought from the various departmental committees and offices among others:

- A Statement was sought from the Standing Committee on National Security, Defense and Foreign Relations regarding

- a) the alarming rise in incidences of femicide and troubling trend of arbitrary arrests and abductions of youths in the country.
- b) the rising cases of insecurity in Eastleigh in Nairobi County.
- A statement was sought from the Standing Committee on Trade, Industrialization and Tourism regarding the quality and standards of cement in the Kenyan market.
- A statement was sought from the Standing Committee on Agriculture, Livestock and Fisheries regarding:
 - a) the ban by the Minister of Agriculture and Livestock Development on macadamia nuts to curb the export of immature nuts.
 - b) the status of implementation of the Edible Crops Promotion Project by the Agriculture and Food Authority (AFA).
- A statement was sought from the Standing Committee on Lands, Environment and Natural Resources regarding
 - a) the application of measures to nurture trees planted across the country on the basis that nurturing newly planted trees to maturity helps to enable the delivery of the targeted 15 billion trees in Kenya by 2032.
 - b) the continued logging and degrading of forests in our country, Kenya, especially in the critical ecosystems such as Karura Forest, the Maasai Mara, Kisii County, Homa Bay County, Migori County, Trans Nzoia County, Kakamega County, Uasin Gishu County and Siaya County.
- A Statement was sought from the Standing Committee on Education regarding:
 - a) the implementation of the Competency Based Curriculum (CBC).
 - b) the mismanagement of the University of Nairobi.
- A Statement was sought from the Standing Committee on Labour and Social Welfare regarding the status of the Equity Bank Kenya Limited Employee Share Ownership Plan ASOP scheme.
- A Statement was sought from the Standing Committee on Information, Communication and Technology regarding the need for automation and digitization of services in the office of the Controller of Budget (CoB).
- A Statement was sought from the Standing Committee on Health regarding the delayed transition of staff of the National Health

Insurance Fund (NHIF), to the Social Health Authority, (SHA).

- A Statement was sought from the Standing Committee on Roads, Transport and Housing concerning the financial performance of the Nairobi Expressway, given that recently there has been conflicting information as to how the expressway has been doing.

The following statements were made on the floor of the House among others

- Global observation of the 16 days of activism against Gender-Based Violence (GBV).
- Current state of the nation regarding implementation of SHA - a Statement relating to the activities of the Standing Committee on Health
- State of the nation on matters regarding JSS, Higher Education Funding Model and CBC - a statement relating to a matter for which the Committee on Education is responsible.
- Challenges facing Miraa sector in the Somali.

Responses to the following Statements were issued by the Cabinet Secretary for Land, Public Works, Housing and Urban Development:

- Ownership of various parcels of land in Kamukunji Constituency.
- Resettlement of squatters across the country.
- Contradictory statements on the loss of 367 title deeds/ security papers.
- Status of stadia in the country.

UPDATES FROM THE KENYA GAZETTE**Legislative Supplements**

1. The Banking Insurance and Finance Union (Deduction of Agency Fee) Order, 2024
2. The Banking Insurance and Finance Union (Deduction of Union Dues) Order, 2024
3. The Kenya Long Distance Truck Drivers and Allied Workers Union (Deduction of Agency Fee) Order, 2024
4. The Kenya Plantation and Agricultural Workers' Union (Deduction of Agency Fee) Order, 2024
5. The Kenya National Private Security Workers' Union (Deduction of Agency Fee) Order, 2024
6. The Kenya National Union of Nurses (Deduction of Agency Fee) Order, 2024
7. The Kenya Scientific Research International, Technical and Allied Institutions Workers Union (Deduction of Agency Fee) Order, 2024
8. The Kenya Quarry and Mine Workers Union (Deduction of Agency Fee) Order, 2024.

Legal Notice

1. The Sustainable Waste Management (Extended Producer Responsibility) Regulations, 2024
2. The Environmental Management and Co-ordination (Water Quality) Regulations, 2024
3. The Environmental Management and Co-ordination (Waste Management) Regulations, 2024
4. The Environmental Management and Co-ordination (Sand Harvesting) Regulations, 2024
5. The Environmental Management and Co-ordination (Air Quality) Regulations, 2024
6. The Environmental Management and Co-ordination (Management and Control of Plastic Packaging Materials) Regulations, 2024
7. The Environmental Management and Co-ordination (Management of Toxic and Hazardous Chemicals and Materials) Regulations, 2024
8. The Films and Stage Play (Cinematographic Films) (Forms and Fees) (Amendment) Regulations, 2024.

National Assembly Bills, 2024

1. The Public Procurement and Asset Disposal (Amendment) Bill, 2024
2. The Public Finance Management (Amendment) (No. 3) Bill, 2024
3. The Public Finance Management (Amendment) (No. 4) Bill, 2024

4. The Tax Procedures (Amendment) (No. 2) Bill, 2024
5. The Tax Laws (Amendment) Bill, 2024
6. The Industrial Training (Amendment) Bill, 2024
7. The Business Laws (Amendment) Bill, 2024.

Senate Bills, 2024

The Business Laws (Amendment) Bill, 2024

Acts

Sugar Act, 2024

