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REPUBLIC OF KENYA



PARLIAMENT  
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THE NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT-FIFTH SESSION

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THE MEDIATION COMMITTEE ON THE HEALTH BILL 2016, NATIONAL  
ASSEMBLY BILL (BILL NO.14 OF 2015)

JOINT CLERKS' CHAMBERS  
PARLIAMENT BUILDINGS  
NAIROBI

MAY 2017

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## 1.0 INTRODUCTION

### 1.1 Establishment of the Committee

The Mediation Committee on The Health Bill 2016, National Assembly Bills (Bills No.14 of 2015) was constituted by the Speaker of the National Assembly pursuant to Standing Order 149 (2) and the Speaker of the Senate pursuant to Senate Standing Orders No. 154 (2) on 4<sup>th</sup> May, 2016, and 14<sup>th</sup> July, 2016, respectively.

#### Committee Membership:-

Hon. Dr. Rachel Nyamai, M.P.	- Chairperson
Sen. Dr. Wilfred Machage, M.P.	- Vice Chairperson
Sen. Dr. Zipporah Kittony, M.P.	- Member
Hon. Dr. James Nyikal, M.P.	- Member
Sen. Mvita Mshenga, M.P.	- Member
Hon. Dr. Robert Pukose, M.P.	- Member
Hon. Dr. Naomi Shaban, M.P.	- Member
Sen. Prof. Wilfred Lesan, M.P.	-Member
Hon. Dr. Enoch Kibunguchy, M.P.	-Member
Sen. Muriuki Karue	- Member

### 1.2 The Mandate of the Mediation Committee

The Mediation Committee derives its mandate from the provisions of Articles 112 and 113 of the Constitution, Standing Order 149 of the National Assembly and Standing Order 154 of the Senate which outlines the functions of the Committee as follows:-

- *To consider Bills where the Houses do not agree on all or any of the amendments made by either Houses;*
- *To consider Bills where either House rejects a Motion that a Bill which originated in the other House be read a Second or Third time; and*
- *To attempt to develop a version of the Bill that both Houses will pass.*

The Committee was established to develop an agreed version of The Health Bill 2016, National Assembly Bills (Bills No.14 of 2015) that would be presented to both Houses for approval as provided for under National Assembly Standing Order No. 149 (6) and Senate Standing Order 155 (3).

### 1.3 Committee Sittings

The Committee held its first Sitting on 4<sup>th</sup> April, 2017 and elected Hon. Dr. Racheal Nyamai, M.P. and Sen. Dr. Wilfred Machage, M.P as Chairperson and Vice Chairperson, respectively.

### 1.4 Committee Resolutions

The Committee deliberated on the contentious clauses and unanimously agreed on a version of the Bill to be presented to both Houses for approval. The agreed version of the Bill is appended to this report.

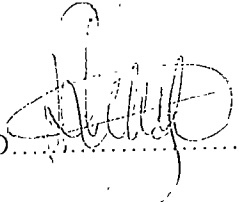
### 1.5 Acknowledgment

The Committee thanks the Offices of the Speakers and the Clerks of the National Assembly and the Senate for the necessary support extended to it in the execution of its mandate.

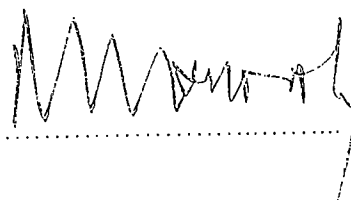
The Chairperson thanks all the Members of the Committee for their sacrifice, commitment and selflessness to the cause of the mediation process until common ground was arrived at.

Mr. Speaker Sir,

It is my pleasant duty, pursuant to Standing Order 150(1) of the National Assembly and Standing Order 155 (1) of the Senate, to present a report of the Mediation Committee on The Health Bill 2016, National Assembly Bills (Bills No.14 of 2015) for consideration by the House.

SIGNED:  .....

HON. DR. RACHEAL NYAMAI, M.P.  
CHAIRPERSON

SIGNED:  .....

SEN. DR. WILFRED MACHAGE, MP  
VICE CHAIRPERSON

DATE: 10/5/2017 .....