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*Paper laid
By the Hon B. Langat
Chair-Mediation
Committee on
Wed 27/5/15
WN*

ELEVENTH PARLIAMENT-THIRD SESSION

MEDIATION COMMITTEE ON THE PUBLIC AUDIT BILL (NATIONAL
ASSEMBLY BILL NO. 38 OF 2014)

MEDIATION REPORT ON THE PUBLIC AUDIT BILL (NATIONAL
ASSEMBLY BILL NO. 38 OF 2014)

JOINT CLERKS' CHAMBERS
PARLIAMENT OF KENYA
NAIROBI

MAY 2015

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1.0 INTRODUCTION

1.1 Establishment of the Committee

The Mediation Committee on the Public Audit Bill (National Assembly Bill No. 38 of 2014) was constituted by the Speaker of the National Assembly and the Speaker of the Senate on 26th May, 2015 pursuant to Standing Order 149 (2) of the National Assembly and Standing Order 154 of the Senate which outlines the functions of the Committee as follows:-

- i. *To consider Bills where the Houses do not agree on all or any of the amendments made by either Houses;*
- ii. *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,*
- iii. *To attempt to develop a version of the Bill that both Houses will pass.*

The members of the Committee were:-

- | | |
|---------------------------------------|--------------------|
| 1. Hon. Benjamin Langat, M.P. | - Chairperson |
| 2. Hon. Sen. Billow Kerrow, M.P. | - Vice Chairperson |
| 3. Hon. Sakaja Johnson, M.P. | - Member |
| 4. Hon. Sen. Stephen Sang | - Member |
| 5. Hon. Makali Mulu, M.P. | - Member |
| 6. Hon. Sen. Mutula Kilonzo Jnr, M.P. | - Member |

1.2 Mandate of the Committee

The Mediation Committee derives its mandate from Article 113 of the Constitution of Kenya and the National Assembly Standing Order No. 149 and Senate Standing Orders No. 154.

The Committee was established to develop a version of the Public Audit Bill (National Assembly Bill No. 38 of 2014) and in particular Clause 5, 11, 19, 24, 32 and 39 that would be presented to both Houses for approval as provided for under National Assembly Standing Order No. 149 (6) and the Senate Standing Order 154.

The specific clauses of the Bill that were in contention were Clause 5, 11, 19, 24, 32 and 39

1.3 Committee Sittings and Methodology

The Committee held one sitting on 27th May, 2015. During the sitting the Committee conducted the election of the Chairperson and the Vice-

Chairperson where Hon. Benjamin Langat, M.P and Hon. Sen. Billow Kerrow, M.P were elected as Chairman and Vice Chairman respectively.

At this meeting the Committee made reference to the report of the pioneering Mediation Committee that recommended that in future, the Chair of the mediation Committee should be elected from amongst members of the House that originated the Bill.

The Committee thereafter deliberated on Clause 5, 11, 19, 24, 32 and 39 of the Public Audit Bill (National Assembly Bill No. 38 of 2014) which were in contention.

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 hereby 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 that culminated in the concurrence report by the Mediation Committee.

Mr. Speaker Sir,

It is my pleasant duty, pursuant to Senate Standing Order 155 (1) and the National Assembly Standing Order 150, to present a report of the Mediation Committee on the Public Audit Bill (National Assembly Bill No. 38 of 2014) for consideration and adoption by the House.

SIGNED.....

Hon. Benjamin Langat, M.P.- Chairman

SIGNED.....

Sen. Billow Kerrow, M.P.- Vice Chairman

DATE.....