

REPUBLIC OF KENYA



PARLIAMENT OF KENYA

ELEVENTH PARLIAMENT-THIRD SESSION

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THE MEDIATION COMMITTEE ON THE FERTILIZER AND ANIMAL  
FOODSTUFFS ACT (NATIONAL ASSEMBLY BILL NO. 36 OF 2013)

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REPORT ON THE FERTILIZER AND ANIMAL FOODSTUFFS AMMENDMENT  
(NATIONAL ASSEMBLY BILL NO. 36 OF 2013)

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JOINT CLERKS' CHAMBERS  
PARLIAMENT BUILDINGS  
NAIROBI

JULY 2015

*Paper laid*  
*By Hon Benjamin Washiali - Chair of the Mediation Committee on the Fertilizer & Animal Foodstuffs Bill, 2013*  
*on wed 19/8/15*  
*WN*

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## 1.0 INTRODUCTION

### 1.1 Establishment of the Committee

The Mediation Committee on the Fertilizer and Animal Food Stuff Amendment Act 2013 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, 2015, and 14<sup>th</sup> July, 2015, respectively.

Committee Membership:-

Hon. Benjamin Washiali, M.P.	- Chairperson
Sen. Henry Tiole Ndiema, M.P.	- Vice Chairperson
Sen. Kiraitu Murungi, M.P.	- Member
Hon. Adan Mohamed Noor, M.P.	- Member
Sen. Peter Korinko Mositet, M.P.	- Member
Hon. Chrisantus Wamalwa, M.P.	- 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 Fertilizer and Animal Food Stuff Amendment Act 2013 (National Assembly Bill No. 36 of 2013) 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).

The specific clauses of the Bill that were in contention were Clause 3

### 1.3 Committee Sitzings

The Committee held its first sitting on 29<sup>th</sup> July, 2015 and elected Hon. Benjamin Washiali, M.P. and Sen. Henry Tiole Ndiema, M.P as Chairperson and Vice Chairperson, respectively. The Committee thereafter deliberated on Clause 3 of the Fertilizer and Animal Food Stuff Amendment Act 2013 (National Assembly Bill No. 36 of 2013) which was in contention.

### 1.4 Committee Resolutions

The Committee deliberated on clause 3 and unanimously agreed on a version of the bill to be presented to the both Houses for approval.

### 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 155 (1), to present a report of the Mediation Committee on the Fertilizer and Animal Food Stuff Amendment Act 2013 (National Assembly Bill No. 36 of 2013) for consideration by the House.

SIGNED.....

SIGNED: .....

HON. BENJAMIN WASHIALI, M.P.

SEN. HENRY TIOLE NDIEMA, MP

CHAIRPERSON

VICE CHAIRPERSON

DATE.....

30<sup>th</sup> July, 2015