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ELEVENTH PARLIAMENT – THIRD SESSION



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**THE DIVISION OF REVENUE BILL, 2015,  
MEDIATION COMMITTEE REPORT IN ACCORDANCE TO  
ARTICLE 113 OF THE CONSTITUTION**

**JOINT CLERKS CHAMBERS,  
PARLIAMENT BUILDINGS,  
NAIROBI.  
MAY 2015**

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## **PREAMBLE**

1. The Mediation Committee on the Division of Revenue Bill, 2015 was constituted by the Speakers of the two Houses of Parliament on 28<sup>th</sup> April, 2015 pursuant to Article 112 and 113 of the Constitution and the Standing Orders of the Senate and the National Assembly comprising of the following members:-

1. The Hon. Mutava Musyimi, MP. - **Chairperson**
2. The Hon. Sen. Mutahi Kagwe, EGH, MP. - **Vice-Chairperson**
3. The Hon. Mary Emaase, MP
4. The Hon. Beatrice Elachi, CBS, MP.
5. The Hon. Sen. Boni Khalwale, MP.
6. The Hon. Tom Joseph Kajwang, MP.

### **1.1 The Mediation Committee's Mandate**

2. 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: -

- 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.*

### **1.2 Committee Meetings and Methodology**

3. The Committee held a total of five (5) sittings to deliberate on the Division of Revenue Bill, 2015 in accordance with the Constitution and relevant provisions of the Standing Orders of the Senate and the National Assembly.

4. During the first sitting the Committee conducted the election of the Chairperson and the Vice-Chairperson where Hon. Mutava Musyimi, MP and Sen. Mutahi Kagwe, MP were elected as Chairman and Vice Chairman respectively.
5. The Committee commenced its work by holding a meeting with the Principal Secretary, National Treasury who gave the Committee a brief summary on the Division of Revenue Bill, 2015 highlighting key issues requiring the Committee's consideration.
6. The Committee then proceeded by developing a statement of issues of concern raised by the Senate that had necessitated amendment of the Division of Revenue Bill, 2015 followed by an examination of concerns raised by the National Assembly that had led to a rejection of the Senate amendments.
7. The Committee held substantive discussions on the various options available to the Committee and the impact of any decisions they would take.
8. Following lengthy consultations and with each House putting forward its position on the Division of Revenue Bill, the Committee agreed to a version of the Bill for consideration by both Houses. A version of the agreed Bill is appended to this report.

### **1.3 Acknowledgements**

9. The Chairperson, on behalf of the Committee, wishes to sincerely thank the Offices of the Speakers and the Clerks of the two Houses of Parliament for necessary support extended to it in the execution of its mandate.
10. The Chairperson also thanks all Members of the Committee for their patience, sacrifice, endurance and commitment to their assignment under