

Approved for tabling ~~But~~ NA
1/3/17

REPUBLIC OF KENYA



NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT – FIFTH SESSION

THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND
TECHNOLOGY

REPORT ON

THE BASIC EDUCATION (AMENDMENT BILL), 2016

Clerks Chambers
Directorate of Committee Services
Parliament Buildings
Nairobi

February, 2017

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1.0 PREFACE

The Departmental Committee on Education, Research and Technology is one of the Departmental Committees of the National Assembly established under Standing Order 216.

1.1 Mandate of the Committee

The committee is mandated to:-

- i. Investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments.
- ii. Study the programme and policy objectives of ministries and departments the effectiveness of the implementation.
- iii. **Study and review all legislation referred to it, including consideration of Bills committed to the committee after first reading;**
- iv. Study, assess and analyse the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;
- v. Investigate and inquire into all matters relating to the assigned ministries and de departments they may deem necessary and as may be referred to them by the house;
- vi. Vet and report on all appointments where the constitution or any law requires the national assembly to approve, except those understanding order 204 (*committee on appointments*);
- vii. Reports and recommendations to the house as often as possible, including recommendation of proposed legislation.

1.2 Committee Membership

The Committee was constituted by the House on Thursday 16th May, 2013 and comprises the following members:

- | | |
|--------------------------------------|--------------------|
| 1. Hon. Sabina Chege, M. P | - Chairperson |
| 2. Hon. Julius Melly, MP | - Vice Chairperson |
| 3. Hon. (Dr.) Wilber Ottichillo, M.P | |
| 4. Hon. Yusuf Chanzu, M.P | |
| 5. Hon. Richard Makenga, M.P | |

6. Hon. Kenneth Okoth, M.P
7. Hon. (Dr.) Christine Ombaka, M.P
8. Hon. Joseph M'eruaki, M.P
9. Hon. Cecilia Ng'etich, M.P
10. Hon. Geoffrey Makokha Odanga, M.P
11. Hon. (Dr.) Susan Chebet, M.P
12. Hon. Michael Kiso Munyao, M.P
13. Hon. Halima Ware Duri, M.P
14. Hon. Ibren Nasra Ibrahim, M.P
15. Hon. Mary Seneta, M.P
16. Hon. Moses Injendi, M.P
17. Hon. (Prof.) Hellen Sambili, EGH, M.P
18. Hon. Mohamed Adan Huka, M.P
19. Hon. Muriuki Njagagua, M.P
20. Hon. Joseph Manje, M.P
21. Hon. Harrison Kombe, M.P
22. Hon. Anthony Kimaru, M.P
23. Hon. Eric Keter, M.P
24. Hon. Jared Odhiambo Opiyo, M.P
25. Hon. Rose Rwamba Mitaru, M.P
26. Hon. Silverse Lisamula Anami, M.P
27. Hon. Zulekha Hassan Juma, M.P.
28. Hon. The Hon. Banticha Abdullahi, M.P.
29. Hon. Andrew Mwadime, M.P.

Committee Secretariat

- | | | |
|-----------------------|---|-----------------------|
| 1. Ms. Leah Wanjiru | - | First Clerk Assistant |
| 2. Mr. John Mugoma | - | Third Clerk Assistant |
| 3. Ms.Doreen Karani | - | Legal officer |
| 4. Ms.Annceta Gacheri | - | Research Officer |
| 5. Mr. Eric Kanyi | - | Fiscal Analyst |

1.3 Consideration of the Basic Education (Amendment Bill) , 2016

The Basic Education (Amendment Bill), 2016 was published on 25th August, 2016. The Bill sponsored by Hon. Grace Kiptui was read a first time in the National Assembly on 5th October, 2016 and committed to the Departmental Committee on Education, Research and Technology for consideration pursuant to Standing Order 127. In processing the Bill, the Committee invited comments from the public pursuant to Article 118 of the Constitution and received submissions from the Plan International.

1.4 Acknowledgement

The Committee is grateful to the offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support accorded to it during its sittings.

Additionally, I wish to express my appreciation to the Honorable Members of the Committee who sacrificed their time to participate in the activities of the Committee and preparation of this Report.

Finally, it is my pleasant duty and privilege, on behalf of the Departmental Committee on Education, Research and Technology to table its report on the consideration of the Basic Education (Amendment Bill), 2016 pursuant to Standing Order 127 (4).

Signed..........Date.....28/2/17.....

HON. SABINA CHEGE, M.P.

(CHAIRPERSON)

DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY

2.0 BACKGROUND

The Basic Education (Amendment Bill), 2016 seeks to amend the Basic Education Act, No 14 of 2013 to provide for the distribution of free sanitary towels to every girl registered and enrolled in a public education institution upon attaining puberty.

The Bill is anchored on Article 43 and 53 on the right of every person to highest attainable standard of health and free and compulsory education to every child.

3.0 HIGHLIGHTS OF THE BASIC EDUCATION (AMENDMENT) BILL , 2016

3.1 Clause by Clause Analysis

CLAUSE 1 of the Bill sets out the short title - Basic Education (Amendment) Bill, 2016

CLAUSE 2 of the Bill proposes amendment of section 39 (on responsibility of the Government) to provide for free, sufficient and quality disposable sanitary towels to every girl child at puberty age registered and enrolled in a public basic education institutions.

CLAUSE 3 of the Bill proposes amendment of section 88 (on Annual estimates for the department of education) to make provisions for estimated expenditure on the acquisition of sufficient and quality disposable sanitary towels.

3.2 Stakeholders Submissions

i. The Plan International

The Committee considered submissions received from Plan International as shown on table 1 below pursuant to Article 118 of the Constitution and article 127 of the National Assembly Standing Orders.

Table 1: Proposed amendments by Plan International and the Committee resolutions

No	Issue	Proposed Amendment	Committee Resolution
1	The memorandum of objects and reasons erroneously refers to Article 43 (1)(b) instead of article 43 (1)(a) of the constitution that guarantees every person	Correction of error	Amendment recommended

	the right to the highest attainable standard of health, including reproductive health care.		
2	The Bill is not an all-inclusive legislation, its discriminatory as read with article 27(4) of the Constitution. The provision of sanitary towels only target public basic institutions	The Bill should provide for free, sufficient and quality disposable sanitary towels to every girl at puberty age in all institutions of basic learning.	Amendment not Recommended
3	The Bill proposes provision of sanitary towels to girls who have reached puberty age in public institutions. However, the Principal Act defines basic education to include 'adult basic education'	There is need to provide the specificity of the target beneficiaries including define Puberty age.	Amendment recommended
4	Beyond provision of disposable sanitary towels; The legislation should further consider demystifying Menstrual Hygiene Management (MHM) through information and awareness raising in basic education institutions.	Under Article 39 of the Principal Act, provide for the cabinet secretary to develop guidelines for MHM in institutions of basic education. Or Provide for MHM as an oversight function of the County Education Boards through an amendment to section 18 of the principal Act or an oversight function of the Boards of management though amendment to section 59 of the principal Act.	Amendment recommended

4.0 COMMITTEE RECOMMENDATIONS

Based on the submissions and presentations adduced, the Committee agreed to Basic Education (Amendment Bill), 2016 subject to the following amendments;

CLAUSE 2

THAT clause 2 of the Bill be amended in paragraph (b)—

- (a) by deleting the word “disposable”
- (b) by inserting the words “and provide a safe and environmentally sound mechanism for disposal” immediately after the words “who has reached puberty”.

CLAUSE 3

THAT clause 3 of the Bill be amended by inserting the words “through conditional capitation, facilitate” immediately before the words “the acquisition of”.

MINUTES OF THE 63RD SITTING OF THE DEPARTMENTAL COMMITTEE ON EDUCATION, RESEARCH AND TECHNOLOGY HELD ON MONDAY, 28TH NOVEMBER, 2016 IN PWANI HALL, NYALI INTERNATIONAL BEACH HOTEL AT 2.00PM

PRESENT

1. **Hon. Sabina Chege, M.P**
- **Chairperson**
2. Hon. Yusuf Chanzu, M.P
3. Hon. (Dr.) Susan Chebet, M.P
4. Hon. Kenneth Okoth, M.P
5. Hon. Geoffrey Makokha Odanga,
M.P
6. Hon. Joseph Manje, M.P
7. Hon. Silverse Lisamula Anami, M.P
8. Hon. Anthony Kimaru, M.P
9. Hon. Harrison Kombe, M.P
10. Hon. Mohamed Adan Huka, M.P
11. Hon. Rose Rwamba Mitaru, M.P
12. Hon. Zuleikha Juma Hassan, M.P
13. Hon. Halima Ware Duri, M.P
14. Hon. Joseph M'eruaki, M.P

APOLOGY

1. **Hon. Julius Melly, MP**
- **Vice Chairperson**
2. Hon. (Dr.) Christine Ombaka, M.P
3. Hon. Moses Injendi, M.P
4. Hon. Ibren Nasra Ibrahim, M.P
5. Hon. (Prof.) Hellen Sambili, EGH,
M.P
6. Hon. (Dr.) Wilber Ottichillo, M.P
7. Hon. Richard Makenga, M.P
8. Hon. Cecilia Ng'etich, M.P
9. Hon. Mary Seneta, M.P
10. Hon. Eric Keter, M.P
11. Hon. Muriuki Njagagua, M.P
12. Hon. Jared Odhiambo Opiyo, M.P
13. Hon. Michael Kisoi Munyao, M.P
14. Hon. Banticha Abdullahi, M.P

IN ATTENDANCE

National Assembly Secretariat

1. Ms. Florence Abonyo, - Director, Committee Services
2. Ms. Leah Wanjiru - First Clerk Assistant
3. Mr. John Mugoma - Third Clerk Assistant
4. Ms. Mugure Gituto - Legal Counsel II
5. Ms. Annceta Gacheri - Research Officer III
6. Mr. Erick Kanyi - Fiscal Analyst
7. Mr. Joseph Muriuki - Audio Officer

AGENDA

1. Preliminaries
 - (i) Prayers
 - (ii) Introductions

- (iii) Communication from the Chair
 - (iv) Adoption of the Agenda
 - (v) Confirmation of Minutes of the previous sitting
 - (vi) Matters Arising
2. **Consideration of the Kenya National Examinations Council (Amendment) Bill (Senate Bill No. 14 of 2015)**
 3. Any Other Business
 4. Adjournment/ Date for the Next Sitting

MIN.NO.DC.D/369/2016: PRELIMINARIES

The Chairperson called the meeting to order at 2.20pm and thereafter a prayer was read. The Chairperson then welcomed Hon. Members to the two days retreat and gave the following communication:

- i. The main objective of the retreat was to consider the Kenya National Examination Council (Amendment) Senate Bills No. 7 and 14 of 2015, the Kenya National Examinations Council (Amendment) Bill, (No. 38 of 2016) by Hon. Alfred Masadia, M.P, the Basic Education (Amendment) Bill, 2016 by Hon. Grace Jemutai Kiptui, M.P and brief on the Budget Policy Statement.

MIN.NO.DC.D/370/2016: CONFIRMATION OF THE MINUTES FROM THE PREVIOUS SITTINGS

Confirmation of the Minutes of the previous sitting was deferred to the next sitting.

MIN.NO.DC.D/371/2016: CONSIDERATION OF KENYA NATIONAL EXAMINATION COUNCIL (AMENDMENT) SENATE BILL NO. 14 OF 2015

The Committee was informed that the aim of the KNEC (amendment) Act was to empower the council to withhold, nullify or cancel results of candidates involved in irregularities. It was important that the council does not exercise its powers arbitrarily at the detriment of candidates. The tribunal is viewed as necessary so as to check upon the actions of the council.

The Committee was then taken through the Kenya National Examination Council (amendment) Senate Bills No. 14 of 2015 as follows: -

CLAUSE: 2 Amendment of the long title

To provide for the aspect of “establishment of examinations appeals tribunal” in the long title

Recommendation: Agreed to

CLAUSE: 3 Amendment of section 2(definitions)

Introduction of the terms

“county director of education”; per the Basic Education Act, “technical and vocational education per the TVET Act and “Tribunal” to mean the proposed examinations tribunal.

Recommendation: Agreed to

Justification: These definitions adopts the meanings in existing legislation

CLAUSE: 4 Insertion of a new part

New section 40A-establishment of the National Examinations tribunal

Recommendation: Agreed to

Justification: The persons proposed to sit in the tribunal are so proposed in order to comprise an independent and impartial tribunal. These are a person nominated by the JSC to offer legal expertise, teachers for their experience in teaching, parents representatives to advocate for the rights of children, TVET nominee as a person with experience in marking examinations.

New section 40B-tenure of the tribunal

It is proposed that members hold office for four years but eligible for reappointment for a further one term

Recommendation: Agreed to with amendment; “A member of the Tribunal shall hold office for a term of three years and shall be eligible for re-appointment for one further term of three years.” “The Chairperson shall hold office for four year and shall be eligible for re-appointment for one further term of four years.”

Justification: To guard against lack of quorum.

Insertion of new section 40C-Remuneration

Recommendation: Agreed to

Justification: It is proposed that members may be paid allowances

Insertion of new section 40D - vacancy in office of member

Recommendation: Agreed to

Justification: Instances leading to vacation of office are proposed

Insertion of Section 40E – Sittings of the tribunal

Recommendation: Agreed to with amendment

Justification: the place and time of sittings shall be as determined by the members of the tribunal. (It should be standard and given a term)

Insertion of section 40F – quorum

Recommendation: Agreed to

Justification: Quorum is proposed as three members

Insertion of section 40G- Jurisdiction to hear appeals

Recommendation: Agreed to

Justification: The tribunal shall hear appeals from the decision of the council to withhold cancel or nullify results

Insertion of section 40H – secretariat of the tribunal

Recommendation: Agreed to

Justification: The CS may designate a public officer serving in the ministry to be the secretary to the tribunal and also other officers to serve in the secretariat.

Insertion of section 40I- Appeals from the decisions of the council

Recommendation: Agreed to with amendments in (1); insert “or an institution” immediately after the word “person”

Justification: Appeals to be in prescribed form, through the county education board (it is unclear why an appeal is to be made through the board)

For minors, appeals may be submitted by a parent or guardian.

Appeals to be lodged within 14days from the date of receipt of the decision of the council

Insertion of section 40J- procedure of the tribunal

Recommendation: Amendment (3) (a) & (b) Dropped.

Justification: The Committee adopted Hon. Agoi’s proposal.

Insertion of section 40K- Powers of the tribunal

Recommendation: Agreed to

Justification: The tribunal is empowered to take evidence on oath and summon witnesses

Insertion of section 40L- Decision of the tribunal on appeal

Recommendation: Agreed to

Justification: The tribunal may confirm, set aside the council’s decision or make other appropriate orders.

Insertion of section 40M- enforcement of orders for costs

Recommendation: Agreed to

Justification: The orders of costs may be filed in the High Court and deemed to be a decree of the High Court hence enforceable as such

Insertion of section 40N- appeals to the High court

Recommendation: Agreed to

Justification: This is in line with the supervisory jurisdiction of the high court under Article 165(6) (over quasi-judicial bodies)

Insertion of section 40O- Rules and procedures of the tribunal

Recommendation: Agreed to

Justification: The timelines given to make the rules may be too little. This is noting that the tribunal requires to be established first. If rules are not made within the proposed 90days the tribunal will have breached the law.

CLAUSE 5: Amendment of Section 45

Recommendation: Agreed to

Justification: It informs an aggrieved candidate of right to appeal.

MIN.NO.DC.D/372/2016: CONSIDERATION OF KENYA NATIONAL EXAMINATION COUNCIL (AMENDMENT) BILL, (NO. 38 OF 2016) BY HON. ALFRED MASADIA, M.P

The Committee was informed that;

- I. The Principal object of the Bill was to amend the Kenya National Examination Council Act.
- II. The Bill proposes to provide for disciplinary procedure before nullification of examinations, the enhancement of the quality and control of examinations and to protect the basic rights of candidates as well as providing professionalism in investigation of examination irregularities.
- III. The Bill further provides for appeal mechanism on decisions relating to examination irregularities hence establishing an Appeal Tribunal.

Recommendation and Way forward

The Committee resolved to drop amendments by Hon. Agoi Alfred Masadia, M.P and adopt the The Kenya National Examinations Council (Amendment) (No. 2) Bill, 2015 (Senate Bill No. 14 of 2015) since it was more elaborate and comprehensive. The Committee however adopted the following Clauses from Hon. Agoi Alfred's Bill which were to be merged with the Clauses in Senate Bill;

45E (3) The Appeals Tribunal shall within thirty days determine an appeal relating to examination result at primary level.

(4) The Appeals Tribunal shall within sixty days determine an appeal relating to examination result at secondary level.

45F A member, officer, agent or staff of the Council whose omission and or commission leads to an examination irregularity commits an offence and is liable upon conviction, to imprisonment for five year term, or a fine not exceeding five million shillings or both.

That Clause 45F should be moved to clause on offences.

MIN.NO.DC.D/373/2016: CONSIDERATION OF KENYA NATIONAL EXAMINATION COUNCIL (AMENDMENT) SENATE BILL NO. 7 OF 2015

Members were informed that;

The Bill sought to amend the Kenya National Examinations Council Act, No. 29 of 2012, to ensure that every candidate who has sat for examinations at the primary and secondary school level is issued with the certificate awarded to him or her by the Kenya National Examinations Council. Article 43 (1) (f) of the Constitution confers on every person the right to education.

In addition, Article 53(l)(b) of the Constitution confers on every child the right to free and compulsory basic education. The right to education includes the right to receive a certificate as evidence of such education. The withholding of a certificate issued to a child would therefore fetter the right of the child to education which culminates in the submission of a certificate to the child. Similarly, the withholding of such certificate hampers the ability of the child to pursue further education should the child intend to undertake further education. The state should therefore take measures to ensure that certificates awarded are issued to candidates.

CLAUSE 1: Short title –Kenya National Examinations Council (Amendment) Act, 2015.

Recommendation: Agreed to

CLAUSE 2: proposal- new definition

Section 2 of the Kenya National Examinations Council Act, hereafter referred to as “the principle Act”, is amended by inserting the following new definition immediately after the definition of the word “Examination”

“examination centre” means a school or any other institution or premises used to administer examinations conducted b or on behalf of the Council with regard to candidates at the primary or secondary school level;

Recommendation: Agreed to

Justification: Institution or premises approved and registered by the Council for purposes of administering Council Examinations

CLAUSE 3: Proposal- new subsection (3)

The principal Act is amended in section 10 by inserting the following new subsection immediately after subsection (2) –

(3) A person who contravenes the provisions of subsection (1)(b) commits an offence and shall be liable, upon conviction, to a fine not exceeding two hundred thousand shillings or to imprisonment for a term not exceeding six months or both.

Recommendation: Amendment Dropped

Justification: Provided for in Clause 7

CLAUSE 4: Proposal- new section 45A

The principal Act is amended by inserting the following new sections immediately after section 45 –

45A. (1) The Council shall, upon releasing the Kenya Certificate of Primary Education or the Kenya Certificate of Primary Education or the Kenya Certificate of Secondary Education examination results, transmit the result slips of all candidates to the respective examination centers within a period of one month from the date of release of the results.

(2) A head-teacher or principal of an examination centre shall release to the respective candidates, the result slip received under subsection (1).

Recommendation: Agreed to

Justification: to specify the that result slips be released and transmitted within a specified timeline. KNEC will be mandated to transmit the result slips to examination centres within one month from the date of release of national examination results (it specifies KCPE and KCSE). Reconsider an amendment to cover other exams offered by KNEC.

CLAUSE 5: Proposal- new section 45AA

45AA. (1) The Council shall, within a period of two months from the date of release of the Kenya Certificate of Primary Education or the Kenya Certificate of Secondary Education examination results, transit to the examination centres, the certificates of the respective candidates who sat for the examinations.

(2) The head-teacher or principal of an examination centre shall not withhold the certificate awarded to a candidate under this Act.

(3) A candidate shall, in collecting his or her certificate, verify the accuracy of the particulars as set out in the certificate including –

- (a) the candidate's name and index number;
- (b) the name and code of the examination centre; and
- (c) the grades of the respective subjects and the mean score.

(4) A candidate who identifies a discrepancy in the certificate issued shall notify the Council of such discrepancy within thirty days of the receipts of the certificate.

(5) The Council shall rectify any discrepancy notified by a candidate under subsection (4) within a period of thirty days from the date of such notification.

(6) The Council shall meet the costs of rectifying any discrepancy notified by a candidate under subsection (4).

(7) A person who contravenes the provisions of this section commits an offence and shall be liable, on conviction, to a fine not exceeding two hundred thousand shillings or to imprisonment for a term not exceeding six month or to both.

Recommendation: Agreed to with amendments in sections (3) insert “(d) photograph”; (4) insert the phrase “by writing” immediately after the word “Council”; (5) delete “thirty days” and substitute with “three months”

Justification: The proposal relates to issuance of certificates after release of KCPE and KCSE examination results. The effect will be that the KNEC will be require to transmit certificates of candidates who sat the exams within a period of two months from exam results release dates. In case of any discrepancy it is proposed that a complaint may be lodged with KNEC within 30 days of receipt of the certificate. KNEC will then have 30 days to make any rectification. KNEC will bear any costs incidental to the rectification.

CLAUSE 6: Proposal- new section 45B

45B. (1) The Council shall for the purpose of facilitating the identification of the candidate to whom a certificate is to be issued under section 45A, emboss on each certificate awarded by it to a candidate, the photograph of the candidate with respect to whom the certificate is awarded.

(2) Every head teacher or Principal of an examination centre in which an examination at the primary or secondary school level is administered shall, for purposes of subsection (1), submit to the Council the photographs of candidates who have been registered to undertake examinations in that examinations centre in such form and within such time as the Council may direct.

(3) A person who contravenes the provisions of subsection (2) commits an offence and shall be liable, on conviction, to a fine not exceeding eight hundred thousand shillings or to imprisonment for a term not exceeding one year or to both.

Recommendation: Amendment Dropped

Justification: Provided for under clause 45AA(3)

Way forward: The Clauses should be renumbered and insert New Clause 44A on verification of result slip.

MIN.NO.DC.D/374/2016: CONSIDERATION OF THE BASIC EDUCATION (AMENDMENT) BILL, (No. 35 of 2016) BY HON. GRACE JEMUTAI KIPTUI, M.P

Members were informed that;

The Bill sought to amend the Basic Education Act, No. 14 of 2013 to provide for the distribution of free sanitary towels to every girl child registered and enrolled in a public basic education institution.

CLAUSE 1: Short title – The Basic Education (Amendment) Act, 2016.

Recommendation: Agreed to

Justification:

CLAUSE 2: The Basic Education Act is amended in Section 39 by –

(a) deleting the word “and” appearing in paragraph (i);

Recommendation: Agreed to

(b) inserting the following new paragraph (j) –

(k) provide free, sufficient and quality disposable sanitary towels to every girl child registered and enrolled in a public basic institution who has reached puberty.

Recommendation: Agreed to

Justification: The proposal is in furtherance of Article 43(1)(b) on the right of every person to the highest attainable standard of health. Also A. 53(1)(b) on the right of every child to free and compulsory education and 53(1)(c) on the right of every child to basic nutrition, shelter and health.

Many needy girls miss school during menstruation due to lack of access to disposable sanitary products. While there are several projects geared towards assisting girls who have attained puberty with sanitary products, it is notable that these projects are mainly spearheaded by private individuals and institutions while the Government has not played an active role in addressing the challenge.

CLAUSE 2: Section 88 of the Principal Act is amended in subsection (2) by –

(a) inserting the word “and” immediately after the word “development” appearing in paragraph (f);

Recommendation: Agreed to

(b) inserting the following new paragraph immediately after paragraph (f)

(g) the acquisition of sufficient and quality disposable sanitary towels to every girl child registered and enrolled in a public basic education institution who has reached puberty.

Recommendation: Agreed to with amendment to (g); “the acquisition of sufficient and quality sanitary towels to every girl child registered and enrolled in a public basic education institution who has reached puberty, and provide comfortable and safe environment for disposal.”

Way forward:

The Bill should provide for conditional capitation to schools so that the schools can buy the Sanitary towels.

MIN.NO.DC.D/375/2016: BRIEF ON THE PROPOSED BASIC EDUCATION (AMENDMENT) BILL, 2016 BY HON. KENNETH OKOTH, M.P

Hon. Kenneth Okoth informed the Committee that the proposed legislative proposal was meant to amend the Basic Act, no. 14 of 2013 to provide for establishment of Public Private Partnership schools, as a category of schools in Kenya apart from the public and private schools.

The proposed amendment intends to improve the quality of education service delivery in Kenya since Public Private Partnership sponsored schools bring together the reach of the Government system with the innovation of the private sector so as to improve the quality of the education system as a whole.

Recommendation: The Committee recommended the Hon. Member for the initiative and resolved to deliberate on the Proposal once it's committed to the Departmental Committee on Education, Research and Technology.

MIN.NO.DC.D/376/2016: ANY OTHER BUSINESS

No any other business arose.

MIN.NO.DC.D/377/2016: ADJOURNMENT

The Chairperson adjourned the meeting at 1:30 pm.

Signed.....

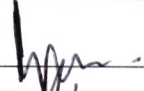


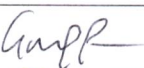
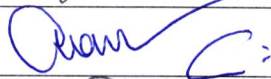








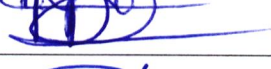




**Hon. Sabina Chege, M.P
(CHAIRPERSON)**

Date..... 7/2/17

DEPARTMENTAL COMMITTEE ON EDUCATION RESEARCH AND TECHNOLOGY

ADOPTION OF THE REPORT ON THE BASIC EDUCATION (AMENDMENT) BILL,
(NO. 35 OF 2016) BY HON. GRACE KIPTUI, MP

DATE 28/2/2017

NO.	NAME	SIGNATURE
1.	Hon. SABINA W. CHEGE	
2.	Hon J W Melly	
3.	Roni Hon Rose Mutaru	Roni
4.	Hon. Yusuf Chanzu	
5.	Hon. Geoffrey M. Odanga	
6.	Hon. Silverse L. Arani	
7.	Hon Jared Ojaro	
8.	Hon Kenneth Oboth	
9.	Hon Nange Joseph	
10.	Hon. ANDREW MWASIMO	
11.	Hon Eric Keter	
12.	Hon Nasra Iben	
13.	Hon MURUKI NTAAGUA	
14.	Hon Dr Susan Chebet	
15.	Hon. Richard Wakenge	
16.	Hon Joseph M'ereki	
17.	Hon Mohamed Aden Hira	
18.	Hon. Mary Seneta	
19.	Hon Harrison Komba	
20.		



REPUBLIC OF KENYA



NATIONAL ASSEMBLY ELEVENTH PARLIAMENT – FOURTH SESSION

In the Matter of consideration by the National Assembly - The Basic Education
(Amendment) Bill, 2016

SUBMISSION OF MEMORANDA

Article 118(1)(b) of the Constitution provides that, “Parliament shall facilitate public participation and involvement in the legislative and other business of Parliament and its Committees.” Standing Order 127(3) states that, “the Departmental Committee to which a Bill is committed shall facilitate public participation and shall take into account views and recommendations of the public when the Committee makes its report to the House”.

The Basic Education (Amendment) Bill, 2016 has undergone First Reading pursuant to Standing Order 127(3) and are now committed to the **Departmental Committee on Education, Research and Technology** for consideration and thereafter report to the House.

Pursuant to Article 118(1)(b) and Standing Order 127(3), the Committee invites interested members of the public to submit any representations they may have on the said Bill. The representations may be forwarded to the **Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi**; hand-delivered to the **Office of the Clerk, Main Parliament Buildings, Nairobi**; or emailed to **clerk@parliament.go.ke**; to be received on or before **Friday 21st October, 2016 at 5:00pm**.

A handwritten signature in black ink, appearing to read 'Justin Bundi'.

JUSTIN BUNDI, CBS
CLERK OF NATIONAL ASSEMBLY