



KENYA NATIONAL ASSEMBLY  
TENTH PARLIAMENT – THIRD SESSION (2009)



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REPORT OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL  
AFFAIRS ON THE ARBITRATION (AMMENDMENT) BILL, 2009

Clerks Chambers,  
Parliament Buildings,  
NAIROBI.

DECEMBER, 2009

## PREFACE

### **Mandate of the Committee**

**Mr. Speaker Sir,**

The Departmental Committee on Justice and Legal Affairs derives its mandate from the provisions of Standing order 198(3) which states that the function of the Committee shall be:

- a) to investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and Departments;
- b) to Study the programme and policy objectives on Ministries and Departments and the effectiveness of the implementation;
- c) to Study and review all legislation referred to it;
- d) to study, assess and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;
- e) to investigate and enquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House or a Minister; and
- f) to make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.

According to Schedule II of the Standing Orders, the Committee is mandated to consider:-

- Constitutional Affairs.

- The administration of law and order(Judiciary, police and prisons department, community service orders).
- Public prosecutions.
- Elections.
- Integrity and
- Anti-corruption and human rights.

### **The Committee oversees the following Ministries/Departments**

- i) Ministry of Justice, National Cohesion and Constitutional Affairs
- ii) State Law Office
- iii) The Judiciary
- iv) Kenya Anti-Corruption Commission
- v) Interim Independent Electoral Commission
- vi) Interim Independent Boundaries Commission

### **Committee Membership**

The Committee comprises of the following members:-

Hon. Abdikadir Mohammed, M.P	Chairperson
Hon. Millie Odhiambo-Mabona, M.P	Vice-Chairperson
Hon. George Nyamweya, M.P.	
Hon. Amina Abdalla, M.P.	
Hon. Olago Aluoch, M.P.	
Hon. Isaac K.Ruto, M.P.	
Hon. Sophia Noor Abdi, M.P.	
Hon. (Prof) Philip Kaloki, M.P.	
Hon. Mutava Musyimi, M.P	
Hon. Ababu Namwamba, M.P.	
Hon. Njoroge Baiya, M.P.	

CONSIDERATION OF THE ARBITRATION (AMMENDMENT) BILL, 2009

The Committee has deliberated on the bill, and after extensive consultations with the State Law Office and other stakeholders, the Committee adopted the bill in its current form without amendments.

**Acknowledgements**

The Committee wishes to thank the Offices of the Speaker and the Clerk of the National Assembly for the support extended to it in the execution of its mandate.

**Mr. Speaker, Sir,**

It is our pleasant duty and privilege, on behalf of the Departmental Committee on Justice and Legal Affairs to present and commend this report to the House for adoption pursuant to Standing Order 181.

Thank you

Signed.....

HON. ABDIKADIR MOHAMMED, MP

CHAIRPERSON, DEPARTMENTAL COMMITTEE ON JUSTICE & LEGAL  
AFFAIRS

Date: 03 - 12 - 2009 .....

**MINUTES OF THE SIXTEENTH SITTING OF THE DEPARTMENTAL COMMITTEE  
H - ON JUSTICE AND LEGAL AFFAIRS HELD ON THURSDAY DECEMBER 03,  
2009 IN COMMITTEE ROOM, 5TH FLOOR, CONTINENTAL HOUSE  
PARLIAMENT BUILDINGS AT 10.00 AM.**

**PRESENT**

Hon. Abdikadir Mohamed, M.P. - Chairperson  
Hon. Millie Odhiambo-Mabona, M.P. - Vice-Chairperson  
Hon. Amina Abdalla, M.P.  
Hon. Mutava Musyimi, M.P.  
Hon. Ababu Namwamba, M.P.  
Hon. Isaac Ruto, M.P.

**ABSENT WITH APOLOGY**

Hon. Nyamweya George, M.P.  
Hon. Olago Aluoch, M.P.  
Hon. Baiya Njoroge, M.P.

**ABSENT**

Hon. Sophia Abdir Noor, M.P.  
Hon. (Prof) Philip Kaloki, M.P.

**IN ATTENDANCE**

**NATIONAL ASSEMBLY**

Mr. Julius Ariwomoi

Clerk Assistant

**MIN.NO.49/2009 -REMARKS BY THE CHAIRPERSON**

The Chairman welcomed the members and informed them that the only agenda before the Committee was adoption of the Report on Arbitration (Amendment) Bill, 2009. He reminded the Committee that the Bill was due for Committee Stage in the House on 3<sup>rd</sup> December 2009. He therefore called for the need for the Committee to adopt its report on the Bill in order to present the Committee's position in the House.

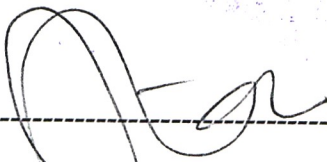
**MIN.NO.50/2009 :ADOPTION OF THE REPORT ON THE ARBITRATION  
(AMENDMENT) BILL, 2009**

The Members present considered its report and unanimously adopted it (by consensus).

**MIN.NO.51/2009      ADJOURNMENT**

And there being no other business the Chairman adjourned the meeting at twenty minutes past ten O'clock.

SIGNED

  
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CHAIRPERSON

DATE

3<sup>rd</sup> Dec. 09  
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