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THE NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT – THIRD SESSION

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23/10/2015
Leg

DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

REPORT ON

THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL, 2015

Clerks Chambers,
National Assembly,
Parliament Buildings,
Nairobi

October, 2015

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A REPORT OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS ON THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL, 2015

1. PREFACE

Hon Speaker,

On behalf of the Departmental Committee on Justice and Legal Affairs, and pursuant to provisions of Standing Order 199(6), it is my pleasant privilege and honour to present to this House a report of the Committee on the Legal Aid Bill, 2015.

The Committee derives its mandate from Standing Order No. 216(5) which provides as follows:-

- 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 of ministries and departments and the effectiveness of their 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 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 may be deemed necessary, and as may be referred to it by the House or a minister; and*
- f) *To make reports and recommendations to the House as often as possible, including recommendations of proposed legislation.*

The Second Schedule of the Standing Orders on Departmental Committees further states the subjects which the Committee is supposed to deal with while discharging its mandate. The subjects are as follows:-

- (a) Constitutional affairs;
- (b) The administration of law and Justice, including the Judiciary, public prosecutions, elections, ethics, integrity and anti-corruption; and
- (c) Human rights.

1.1. Committee Membership

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

1. Hon. Samuel Chepkong'a, M.P. - **Chairperson**
2. Hon. Priscilla Nyokabi, M.P. - **Vice Chairperson**
3. Hon. Njoroge Baiya, M.P.
4. Hon. Muriithi Waiganjo, M.P.
5. Hon. Ndirangu Waihenya, M.P.
6. Hon. Florence Kajuju, M.P.
7. Hon. Kang'ata Irungu, M.P.
8. Hon. Benson Mutura, M.P.
9. Hon. John Njoroge Chege, M.P.
10. Hon. William Cheptumo, M.P.
11. Hon. Mohamed Abdi Haji, M.P.
12. Hon. Sammy Koech, M.P.
13. Hon. Moses Cheboi, M.P.
14. Hon. Paul Bii, M.P.
15. Hon. Charles Gimose, M.P.
16. Hon. Johanna Ng'eno, MP.
17. Hon. Boniface Otsiula, M.P.
18. Hon. David Ouma, M.P.
19. Hon. Neto Agostinho, M.P.
20. Hon. Kaluma Peter, M.P.
21. Hon. Fatuma Ibrahim Ali, M.P.
22. Hon. Ben Momanyi Orari, M.P.
23. Hon. Tom J. Kajwang', M.P.
24. Hon. (Bishop) Mutua Mutemi, M.P.
25. Hon. Olago Aluoch, M.P.
26. Hon. (Dr) Christine Oduor Ombaka, M.P.
27. Hon. Munuve G. Mati, M.P.
28. Hon. Mwamkale William Kamoti, M.P.
29. Hon. James Bett, M.P.

1.3. First Reading of the Statute Law (Miscellaneous Amendments) Bill, 2015

The Statute Law (Miscellaneous Amendments) Bill, 2015 was read for the first time on 7th October, 2015 and immediately committed to the Departmental Committee on Justice and Legal Affairs for scrutiny in line with Standing Order 127 (1) which states as follows:-

“A Bill having been read a First Time shall stand committed to the relevant Departmental Committee without question being put to it”

1.4. Public participation in the consideration of the Bill

Standing Order 127(3) states as follows:-

“The Departmental Committee to which a Bill is committed shall facilitate public participation and shall take into account the views and recommendations of the public when the Committee makes its recommendations to the House”

Pursuant to this Standing Order, the Committee invited the public through the Daily Nation and Standard newspapers of 9th October, 2015 (See appendix 3) to make representations on the Bill in form of memoranda. The Committee received memoranda from the following:-

- (i) The Parliamentary Initiatives Networks; and
- (ii) The Commission in Implementation of the Constitution;
- (iii) The Independent Medical Legal Unit.

1.5 Sittings of the Committee and adoption of report

The Committee considered the Bill and adopted its report on Tuesday the 27th of October, 2015 at Commonwealth Parliamentary Association (CPA) Room in the Main Parliament Buildings. The adoption of the report was proposed by Hon Priscilla Nyokabi and seconded by Hon. John Waiganjo. There was no dissenting voice to the adoption of the report. Minutes of the Committee's sitting adopting the report are annexed hereto as appendix 1. A list of Members who attended the sitting is also annexed hereto as appendix 2.

1.6. Acknowledgement

The Chairperson wishes to commend Committee Members for their devotion and commitment to duty which made the consideration of this Bill a reality. The Committee further wishes to thank the Offices of the Speaker and Clerk of the National Assembly for providing guidance and technical support without which its work would not have been possible.

Hon. Speaker Sir,

On behalf of the Committee, I now wish to table this report in the House.

SIGNED.....

Hon. Samuel Chepkong'a, MP
(Vice Chairperson)

Departmental Committee on Justice and Legal Affairs

DATE..... 28th October 2015

2.0. MEMORANDUM, OBJECTS AND REASONS OF THE BILL

The Bill is dated 18th September, 2015 and is sponsored by Hon. Aden Duale, Leader Majority Party. The principle objective of the Bill is keeping with the practice of making minor amendments which do not merit the publication of separate Bills.

The Bill seeks to amend the following Acts of Parliament:-

- (i) The Criminal Procedure Code (Cap 75);
- (ii) The Prisons Act (Cap 90);
- (iii) The Registration of Persons Act (Cap 107);
- (iv) The Firearms Act (Cap 114);
- (v) The Pharmacy and Poisons Act (Cap 244);
- (vi) The Valuation for Rating Act (Cap 266);
- (vii) The Rent Registration Act (Cap 296);
- (viii) The Landlord and Tenant (Shops, Hotels and Catering Establishments) Act (Cap 301);
- (ix) The State Corporations Act (Cap 446);
- (x) The Air Passenger Service Charge Act (Cap 475);
- (xi) The Kenya Information and Communications Act, 1998 (No.2 of 1998);
- (xii) The Environment Management and Co-ordination Act 1999 (No 8 of 1999);
- (xiii) The Anti-Counterfeit Act 2008 (No.13 of 2008);
- (xiv) The Competition Act (No.12 of 2010);
- (xv) The Judicial Service Act, 2011 (No. 1 of 2011);
- (xvi) The National Police Service Act, 2011 (No. 11A of 2011);
- (xvii) The Kenya Citizenship and Immigration Act, 2011 (No. 12 of 2011);
- (xviii) The Environment and Land Court Act, 2011 (No. 19 of 2011);
- (xix) The National Cohesion and Integration Act, 2008 (No 12 of 2008);
- (xx) The Power of Mercy Act, 2011 (No. 21 of 2011);
- (xxi) The Ethics and Anti-Corruption Commission Act, 2015 (No. 22 of 2011);
- (xxii) The Public Appointments (Parliamentary Approval) Act, 2011, (No. 33 of 2011);
- (xxiii) The Independent Policing Oversight Authority Act, 2011 (No. 35/2011);
- (xxiv) The Land Registration Act, 2012 (No 6 of 2012);
- (xxv) The Land Act 2012 (No. 6 of 2012);
- (xxvi) The Kenya School of Law Act 2012 (No. 26 of 2012);
- (xxvii) The Prevention of Terrorism Act, 2012 (No 30 of 2012)
- (xxviii) The Universities Act, 2012 (No. 42 of 2012);
- (xxix) The Treaty Making and Ratification Act 2010 (No 45 of 2012);
- (xxx) The Kenya Medical Supplies Authority, 2013 (No. 20 of 2013);

(xxxi)The Statutory Instrument Act, 2013 (No. 23 of 2013)

3.0. PUBLIC PARTICIPATION IN THE CONSIDERATION OF THE BILL

Standing Order 127(3) provides as follows:-

“The Departmental Committee to which a Bill is committed shall facilitate public participation and shall take into account the views and recommendations of the public when the Committee makes its recommendations to the House”

As required by this Standing Order, the Committee invited the public through the Daily Nation and Standard newspapers of 9th October, 2015 to make representations on the Bill by way of submission of memoranda. The newspaper advertisement is annexed hereto as appendix 3. The Committee received memoranda from:-

- (i) The Parliamentary Initiatives Networks;
- (ii) The Commission on Implementation of the Constitution (CIC); and
- (iii) The Independent Medical Legal Unit.

The representations were duly considered while arriving at the proposed amendments.

4.0. PROPOSED AMENDMENTS TO THE BILL AND RATIONALE FOR THE AMENDMENTS

After considering the Bill, the Committee proposes the following amendments:-

SCHEDULE

A. THE CRIMINAL PROCEDURE CODE, CAP. 75

THAT, the Bill be amended in the Schedule in the proposed amendments to section 364 (1) of the Criminal Procedure Code, Cap. 75 in the proposed new paragraph (c) by inserting the words *“the Sexual Offences Act”* immediately after the words *“Laundering Act”*.

Justification: to include offences under the Sexual Offences Act as those which may grant a stay of bail or bond pending review of an order by the Director of Public Prosecution.

B. THE PRISONS ACT, CAP. 90

THAT, the Bill be amended in the Schedule in the proposed new section 46 of the Prisons Act, Cap. 90—

- (a) in subsection (1) (ii) by deleting the word “office” appearing immediately after the words “or for an” and substituting therefor the word “offence”;
- (b) in subsection (3) by deleting the words “or while malingering” appearing immediately after the word “fault”;
- (c) in subsection (4) (b) by deleting the word “if” appearing immediately after the words “considers that” and substituting therefor the word “it”;
- (d) in subsection (5) by deleting the words “on the recommendation of the Commissioner, the CS” appearing immediately after the words “of this section” and substituting therefor the words “the Commissioner”.

Justification: (i) to correct a grammatical error; (ii) to remove arbitrary conditions for the loss of the right to remission. The provision does not define what “malingering” means; and (iii) to grant powers to the Commissioner of Prisons and the Power of Mercy Committee to grant further remission to prisoners on the ground of exceptional merit, permanent ill-health or other special ground.

C. THE JUDICIAL SERVICE ACT, No. 1 of 2011

THAT, the Bill be amended in the Schedule in the proposed amendment to the Judicial Service Act, No. 1 of 2011 in the proposed amendment to section 30—

- (a) by deleting the proposed new subsection (3) and substituting therefor the following subsection—

“(3) The provisions of this section shall apply to the appointment of the Chief Justice and Deputy Chief Justice except that-

- (a) the Secretary shall, within three days of the Commission’s vote, forward the names of three qualified persons for each vacant position to the President;*
- (b) the President shall, within fourteen days of receipt of the names forwarded select the person to fill the each vacant position and forward the name of the person to the National Assembly for approval;*
- (c) the National Assembly shall, within twenty-one days of the day it next sits after receipt of the name of a person nominated for appointment to the post of Chief Justice or Deputy Chief Justice vet and consider the person;*
- (d) where the National Assembly approves of the appointment of a person to the post of Chief Justice or Deputy Chief Justice, the Speaker of the National Assembly shall forward the name of the person to the President for appointment.*
- (e) where the National Assembly rejects the nomination of a person for appointment to the post of Chief Justice or Deputy Chief Justice, the Speaker shall within three days communicate its*

decision to the President and request the President to submit a fresh nomination.

- (f) where a nominee is rejected by the National Assembly the President shall within seven days, submit to the National Assembly a fresh nomination from amongst the three persons shortlisted and forwarded by the Commission under paragraph (a);*
- (g) if the National Assembly rejects all of the subsequent nominees submitted by the President for approval the Commission shall constitute a different selection panel and conduct the recruitment afresh”.*

(b) by inserting the following amendment—

“Insert the following new subsection immediately after subsection (4)—

(5) Judges appointed under this Act and the Constitution shall retire from office on attaining the age of seventy years, but may elect to retire at any time after attaining the age of sixty-five years.”

Justification: (i) to prescribe a nomination and approval process for the appointment of the Chief Justice or Deputy Chief Justice which allow the President to nominate from a shortlist of at least three qualified persons for parliamentary approval; and (ii) to provide the retirement age for judges appointed under the Act and the Constitution.

D. ENVIRONMENT AND LAND CONTROL ACT, NO 19 OF 2011

THAT, the Bill be amended in the Schedule in the proposed amendments to the Environment and Land Court Act, No. 19 of 2011—

in the proposed new section 16A (2) by deleting the word “*our*” appearing immediately after the words “*be admitted*” and substituting therefor the word “*out*”;

in the proposed new section 26 (4) (b) by deleting the words “*of the Chief Magistrate as set out in section 5 of*” appearing immediately after the words “*pecuniary jurisdiction*” and substituting therefor the words “*as set out in*”.

Justification: (i) to correct a grammatical error; and (i) to align the proposed enhancement of jurisdiction of magistrates to handle land cases to the Committee’s proposed amendments to the Magistrate’s Court Bill, 2015 which is yet to be passed into law.

E. THE POWER OF MERCY ACT, No. 21 of 2011

THAT, the Bill be amended in the Schedule in the proposed amendments to the Power of Mercy Act, No. 21 of 2011 by deleting the proposed amendment to section 23 (1) and substituting therefor the following amendment—

“Delete the word “thirty” appearing immediately after the word “within” and substitute therefor the word “sixty”

Justification: to allow the President a sixty day period to make a decision on a recommendation received from the Advisory Committee on the Power of Mercy.

F. THE PUBLIC APPOINTMENTS (PARLIAMENTARY APPROVAL) ACT, No. 33 of 2011

THAT, the Bill be amended in the Schedule in the proposed amendments to the Public Appointments (Parliamentary Approval) Act, No. 33 of 2011 by—

- (a) deleting the proposed amendment to section 2;
- (b) deleting the proposed new section 7A.

Justification: To allow for the fresh vetting of persons previously vetted when they seek reappointment to the same or another public office. Public officers are vetted by the House to determine their suitability to specific positions and as such, fresh vetting is necessary to determine whether the House approves of a reappointment or redeployment of such an officer.

G. THE INDEPENDENT POLICING OVERSIGHT AUTHORITY ACT, No. 35 of 2011

THAT, the Bill be amended in the Schedule in the proposed amendments to the Independent Policing Oversight Authority Act, No. 35 of 2011 by deleting the proposed amendments to section 14

Justification: To protect the independence of the Board of the Authority.

H. THE KENYA SCHOOL OF LAW ACT, No. 26 of 2012

THAT, the Bill be amended in the Schedule in the proposed amendments to the Kenya School of Law Act, No. 26 of 2012 in the proposed new paragraph 6 (2) (e) by deleting the words “of Higher” appearing immediately after the word “Commission” and substituting therefor the words “for University”.

Justification: To correct an error in the name of the commission responsible for University Education.

I. THE PREVENTION OF TERRORISM ACT, No. 30 of 2012

THAT, the Bill be amended in the Schedule in the proposed amendments to the Prevention of Terrorism Act, No. 20 of 2012 by deleting the proposed new subsection 12A (2) and substituting therefor the following—

“(2) Without prejudice to subsection (1) unlawful possession of a weapon, an improvised explosive device or component of an improvised explosive device shall be presumed to be for terrorist or criminal purposes.”

Justification: To correct grammatical errors.

J. THE UNIVERSITIES ACT, No. 42 of 2012

THAT, the Bill be amended in the Schedule in the proposed amendments to the Universities Act, No. 43 of 2012—

- (a) in the proposed new section 39 (1A) by inserting the words *“in regulations”* immediately after the word *“prescribed”*;
- (b) by deleting the proposed amendment to section 51A.

Justification: (i) to ensure that the Cabinet Secretary prescribes the qualifications criteria in regulations that must be approved by the House; and (ii) No rationale has been provided for the deletion of Section 51A of the Act which allows private universities to enter into financing agreements.

Justification: To correct an error in the name of the commission responsible for University Education.

I. THE PREVENTION OF TERRORISM ACT, No. 30 of 2012

THAT, the Bill be amended in the Schedule in the proposed amendments to the Prevention of Terrorism Act, No. 20 of 2012 by deleting the proposed new subsection 12A (2) and substituting therefor the following—

“(2) Without prejudice to subsection (1) unlawful possession of a weapon, an improvised explosive device or component of an improvised explosive device shall be presumed to be for terrorist or criminal purposes.”

Justification: To correct grammatical errors.

J. THE UNIVERSITIES ACT, No. 42 of 2012

THAT, the Bill be amended in the Schedule in the proposed amendments to the Universities Act, No. 43 of 2012—

- (a) in the proposed new section 39 (1A) by inserting the words “*in regulations*” immediately after the word “*prescribed*”;
- (b) by deleting the proposed amendment to section 51A.

Justification: (i) to ensure that the Cabinet Secretary prescribes the qualifications criteria in regulations that must be approved by the House; and (ii) No rationale has been provided for the deletion of Section 51A of the Act which allows private universities to enter into financing agreements.

APPENDIX 1

MINUTES OF THE SIXTY SEVENTH SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS HELD ON TUESDAY, 27TH OCTOBER, 2015 AT 10.30 A.M. AT THE COMMONWEALTH PARLIAMNETARY ASSOCIATION (CPA) CENTRE, MAIN PARLIAMENT BUILDING

PRESENT:-

Hon. Samuel Chepkonga, M.P. - **Chairperson**
Hon. Priscilla Nyokabi, M.P. - **Vice Chairperson**
Hon. Benson Mutura, M.P.
Hon. John M. Waiganjo, M.P.
Hon. Olago Aluoch, M.P.
Hon. Ndirangu Waihenya, M.P.
Hon. Mohamed Abdi Haji, M.P.
Hon. Moses Cheboi, M.P.
Hon. (Bishop) Robert Mutemi, M.P.
Hon. John Njoroge Chege, M.P.
Hon. Florence Kajuju, M.P.
Hon. Fatuma Ibrahim, M.P.
Hon. Sammy Koech, M.P.
Hon. Paul K. Bii, M.P.
Hon. Peter Kaluma, M.P.

ABSENT:-

Hon. Njoroge Baiya, M.P.
Hon. David Ochieng, M.P.
Hon. James Bett, M.P.
Hon. Boniface Otsiula, M.P.
Hon. Dr. Christine Ombaka, M.P.
Hon. Munuve Mati John, M.P.
Hon. William Cheptumo, M.P.
Hon. Neto Agostinho, M.P.
Hon. Ben Momanyi, M.P.
Hon. Charles Gimose, M.P.
Hon. Kang'ata Irungu, M.P.
Hon. Johanna Ngeno, M.P.
Hon. Kamoti Mwamkale William, M.P.
Hon. Tom J. Kajwang', M.P.

SECRETARIAT:-

Mr. George Gazemba - Senior Clerk Assistant
Mr. Ahmed Salim - Clerk Assistant III
Mr. Ronald Walala - Legal Counsel II

MIN No. 229/2015:- **PRELIMINARIES**

The Chairperson called the meeting to order at 10.39 a.m. with a word of prayer from Hon. (Bishop) Robert Mutemi.

MIN No. 230/2015:- **CONSIDERATION AND ADOPTION OF REPORTS ON BILLS**

(i) The Legal Aid Bill, 2015.

The Committee considered and adopted its report on the Legal Aid Bill, 2015. The adoption of the report was proposed by Hon. (Bishop) Robert Mutemi and seconded by Hon. Florence Kajuju. There was no dissenting voice to the adoption of the report.

(ii) The Statute Law (Miscellaneous Amendments) Bill, 2015

The Committee considered and adopted its report on the Statute Law (Miscellaneous Amendments) Bill, 2015. The adoption of the report was proposed by Hon. John Waiganjo and seconded by Hon. Priscilla Nyokabi. There was no dissenting voice to the adoption of the report.

(iii) The Statute Law (Miscellaneous Amendments) (No. 2) Bill, 2015

The Committee considered and adopted its report on the Statute Law (Miscellaneous Amendments) (No. 2) Bill, 2015. The adoption of the report was proposed by Hon. Sammy Koech and seconded by Hon. Fatuma Ibrahim. There was no dissenting voice to the adoption of the report.

(iv) The Constitution of Kenya (Amendment (No. 5) Bill, 2015

The Committee considered and adopted its report on the Constitution of Kenya (Amendment (No. 5) Bill, 2015. The adoption of the report was proposed by Hon. Fatuma Ibrahim and seconded by Hon. John Waiganjo. There was no dissenting voice to the adoption of the report.

MIN No. 231/2015:- **CONSIDERATION AND ADOPTION OF REPORTS ON LEGISLATIVE PROPOSALS**

(i) The Constitution of Kenya (Amendment) Bill, 2015

The Committee considered and adopted its report on the Constitution of Kenya (Amendment) Bill, 2015 Legislative Proposal. The adoption of the report was proposed by Hon. Sammy Koech and seconded by Hon. John Waiganjo. There was no dissenting voice to the adoption of the report.

(ii) The Constitution of Kenya (Amendment) (No. 6) Bill, 2015

The Committee considered and adopted its report on the Constitution of Kenya (Amendment) (No. 6) Bill, 2015 Legislative Proposal. The adoption of the report was proposed by Hon. John Waiganjo and seconded by Hon. Priscilla Nyokabi. There was no dissenting voice to the adoption of the report.

(iii) The Constitution of Kenya (Amendment) (No. 7) Bill, 2015

The Committee considered and adopted its report on the Constitution of Kenya (Amendment) (No. 7) Bill, 2015 Legislative Proposal. The adoption of the report was proposed by Hon. John Waiganjo and seconded by Hon. Sammy Koech. There was no dissenting voice to the adoption of the report.

(iv) The Institute of Directors of Kenya Bill, 2015

The Committee considered and adopted its report on the Institute of Directors of Kenya Bill, 2015, Legislative Proposal. The adoption of the report was proposed by Hon. Priscilla Nyokabi and seconded by Hon. Sammy Koech. There was no dissenting voice to the adoption of the report.

(v) The Public Benefits Organization Bill, 2015

The Committee considered and adopted its report on the Public Benefits Organization Bill, 2015 Legislative Proposal by Hon. Agostinho Netto. The adoption of the report was proposed by Hon. Fatuma Ibrahim and seconded by Hon. Sammy Koech. There was no dissenting voice to the adoption of the report.

(vi) The Ethics and Anti-Corruption Commission (Amendment) Bill, 2015

The Committee considered and adopted its report on the Ethics and Anti-Corruption Commission (Amendment) Bill, 2015 Legislative Proposal. The adoption of the report was proposed by Hon. John Waiganjo and seconded by Hon. Fatuma Ibrahim. There was no dissenting voice to the adoption of the report.

(vii) The Sexual Offences Bill, 2015

The Committee considered and adopted its report on the Sexual Offences Bill, 2015, Legislative Proposal. The adoption of the report was proposed by Hon. Priscilla Nyokabi and seconded by Hon. Sammy Koech. There was no dissenting voice to the adoption of the report.

MIN No. 232/2015:-

ADJOURNMENT

There being no other business to transact, the sitting adjourned at forty four minutes past eleven o'clock in the morning.

Signed.....


(Chairperson)

Date.....

28th October, 2015

APPENDIX 2



KENYA NATIONAL ASSEMBLY
ELEVENTH PARLIAMENT

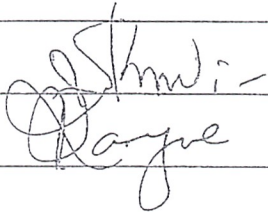

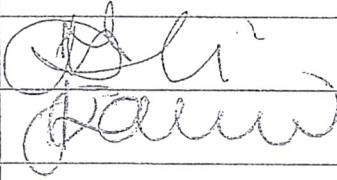
DEPARTMENTAL COMMITTEE ON JUSTICE & LEGAL AFFAIRS

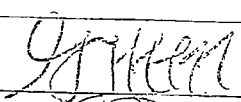
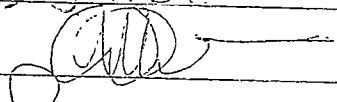
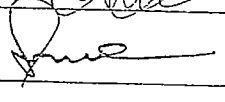
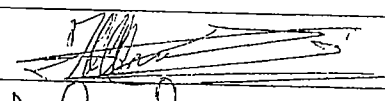


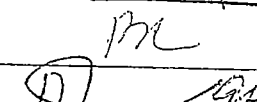
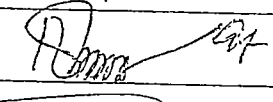
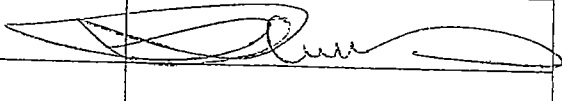
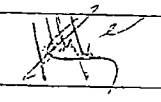
MEMBERS ATTENDANCE

Date: 27th October, 2015

Venue: CPA ROOM, MAIN PARLIAMENT BUILDING, 10AM

Agenda: CONSIDERATION OF THE STATUTE LAW (MISCELLANEOUS AMENDMENT) BILL, 2015
AND THE STATUTE LAW (MISCELLANEOUS AMENDMENT) (NO.2) BILL, 2015

	NAMES	SIGNATURE
1.	Hon. Samuel Chepkonga (Chairperson)	
2.	Hon. Priscila Nyokabi (Vice Chairperson)	
3.	Hon. Agostinho Neto	
4.	Hon. Ben Momanyi Orori	
5.	Hon. Benson Mutura	
6.	Hon. Boniface Otsiula	
7.	Hon. Charles Gimose	
8.	Hon. Christine Ombaka (Dr.)	
9.	Hon. David Ochieng'	
10.	Hon. Fatuma Ibrahim	
11.	Hon. Florence Kajuju	
12.	Hon. Irungu Kang'ata	
13.	Hon. James Bett	
14.	Hon. Johanna Ngeno	

16.	Hon. John M. Waiganjo	
17.	Hon. John Njoroge	
18.	Hon. John Olago Aluoch	
19.	Hon. Kamoti W. Mwamkale	
20.	Hon. Mohamed Abdi Haji	
21.	Hon. Moses Cheboi	
22.	Hon. Njoroge Baiya	
23.	Hon. Paul K.Bii	
24.	Hon. Peter Kaluma	
25.	Hon. Robert Mutemi (Bishop)	
26.	Hon. Sammy Koech	
27.	Hon. T.J. Kajwang	
28.	Hon. Waihenya Ndirangu	
29.	Hon. William Cheptumo	

George Gazemba

For: The Clerk of the National Assembly

APPENDIX 3



NATIONAL ASSEMBLY
ELEVENTH PARLIAMENT – THIRD SESSION

In the Matters of consideration by the National Assembly –
The Statute Law (Miscellaneous Amendments) Bill, 2015
The Statute Law (Miscellaneous Amendments) (No. 2) Bill, 2015

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 Statute Law (Miscellaneous Amendments) Bill, 2015 and the Statute Law (Miscellaneous Amendments) (No. 2) Bill, 2015 have undergone First Reading pursuant to Standing Order 127(3) and are now committed to the Departmental Committee on Justice and Legal Affairs 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 bills. 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 16th October, 2015 at 5.00 pm.

JUSTIN BUNDI, CBS
CLERK OF THE NATIONAL ASSEMBLY

