

REPUBLIC OF KENYA



**NATIONAL ASSEMBLY OF KENYA  
NINTH PARLIAMENT – SIXTH SESSION**

**DEPARTMENTAL COMMITTEE ON ENERGY,  
COMMUNICATIONS AND PUBLIC WORKS**

**REPORT ON THE MEDIA BILL (Bill  
No. 14), 2007**

**CLERK'S CHAMBER,  
PARLIAMENT BUILDINGS,  
NAIROBI**

**June, 2007**



## 1.0 PREFACE

**Mr. Speaker, Sir,**

The Departmental Committee on Energy, Communications and Public Works was constituted at the commencement of the Ninth Parliament pursuant to the provisions of Standing Order No. 151. The said Standing Order No. 151 (1) (c) mandates the Committee, among other things:-

**(c) to study and review all legislation after the First Reading subject to the exemptions under Standing Order No. 101 A (4)**

## 2.0 SUBJECTS

The Committee's subjects are as follows:-

- (a) Energy production and distribution;
- (b) Transport, information, broadcasting and Communications;
- (c) Construction and Maintenance of public roads, rails and Buildings; and
- (d) Air and sea ports.

The Committee oversees the performance of the following Ministries:-

- (a) Energy;
- (b) Information and Communications;
- (c) Roads and Public Works; and
- (d) Transport.

## 3.0 MEMBERSHIP

The Committee comprises the following Members:-

The Hon. Gideon K. Moi, MP – **Chairman**

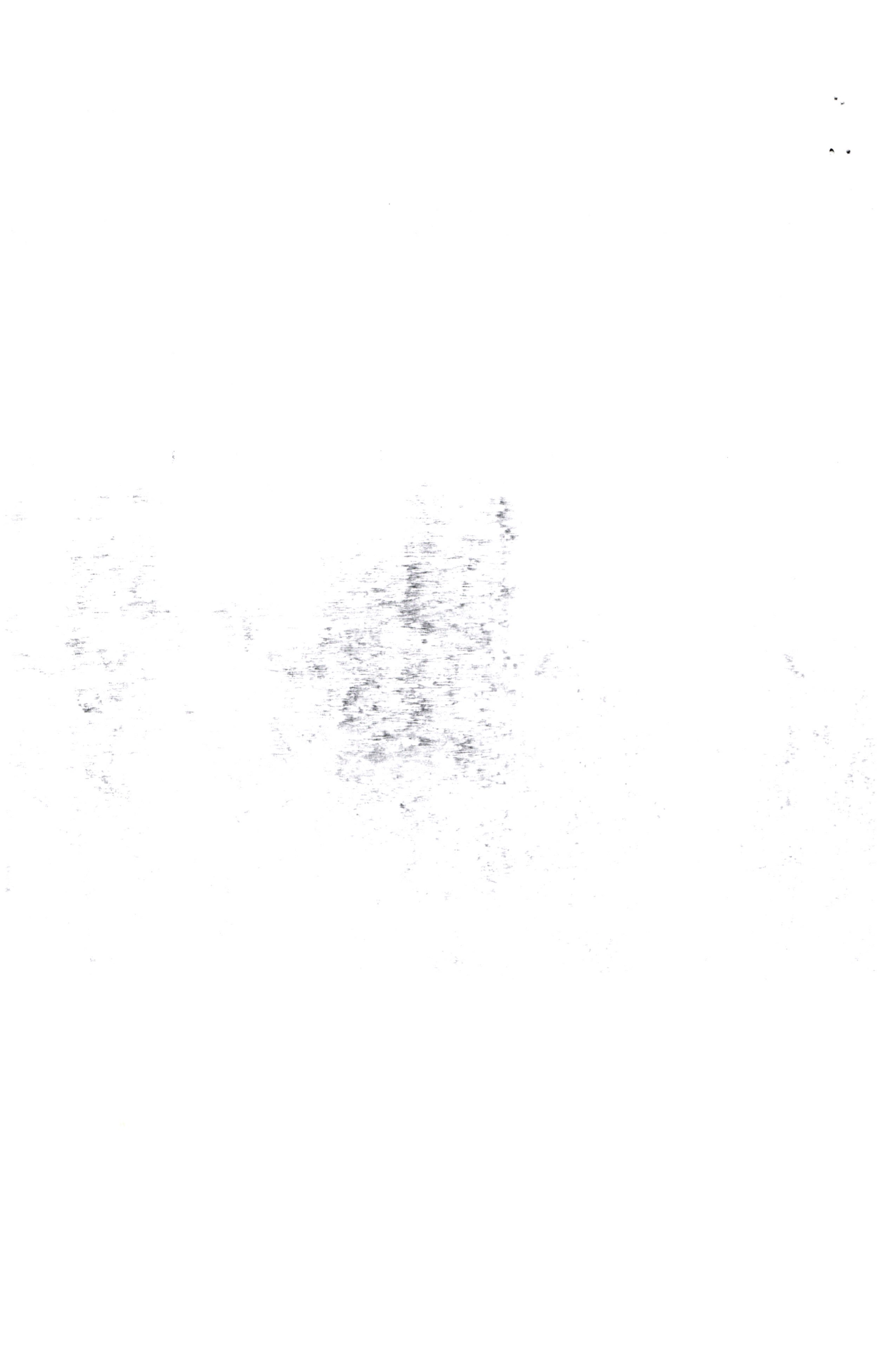
The Hon. Maoka Maore, MP

The Hon. Jimmy Angwenyi, MP

The Hon. Gonzi S. Rai, MP

The Hon. Lucas Maitha, MP

The Hon. Wafula Wamunyinyi, MP



The Hon. Julius Arungah, MP  
The Hon. Elias Mbau, MP  
The Hon. Mohamed Abdi Haji, MP  
The Hon. (Eng.) Philip Okundi, MP  
The Hon. Viscount Kimathi, MP

#### **4.0 SUMMARY**

**Mr. Speaker, Sir,**

On behalf of the Departmental Committee on Energy, Communications and Public Works, I am pleased to present to the House the Committee's recommendations on the Media Bill, 2007, pursuant to the provisions of Standing Order 162. The Bill was referred to the Committee after it was read a First Time in the House on May 16, 2007.

I take this opportunity to thank all Members of the Committee and the secretariat for their dedication and hard work and their desire to improve the Bill.

The Committee held 3 sittings, where a number of stakeholders, to deliberate on the Bill. The stakeholders' views have been incorporated in the form of proposed amendments.

#### **5.0 BACKGROUND**

**Mr. Speaker, Sir,**

The Media Bill seeks to provide for the establishment of the Media Council of Kenya, self - regulations of the media; conduct and discipline of journalists and media houses; practice of journalism and for connected purposes.

**Mr. Speaker, Sir,**

#### **5.0 OUTLINE OF THE AMENDMENTS**

The following is summary of the proposed amendments: -

- Proposed to change title of the Bill to the Media Council of Kenya, 2007;

- Proposed the qualification of who should be called a journalist;
- Reduced the number of bodies or person to be nominated to the Council;
- Did away with the Media Advisory Council;

Signed ..... *G. Moi* .....

**HON. GIDEON KIPSIELE MOI, MP  
CHAIRPERSON,  
DEPARTMENTAL COMMITTEE ON ENERGY COMMUNICATIONS  
AND PUBLIC WORKS**

Date.....JUNE 20, 2007.....

**PROPOSED AMENDMENTS TO THE MEDIA BILL, 2007**



## PROPOSED AMENDMENTS TO THE MEDIA BILL, 2007

**TITLE:** That the Title of the Bill be amended as follows:

- (i) That the word "**Media**" appearing after the word '**The**' be deleted and substituted therefor with the words "**Media Council of Kenya**" before the word '**Bill**'

**LONG TITLE:** That Long Title of the Bill be amended as follows:

- (i) That the words "**and the Media Advisory Board**" appearing after the word '**Kenya**' be deleted;

**CLAUSE 1: - SHORT TITTLE** – be amended as follows: -

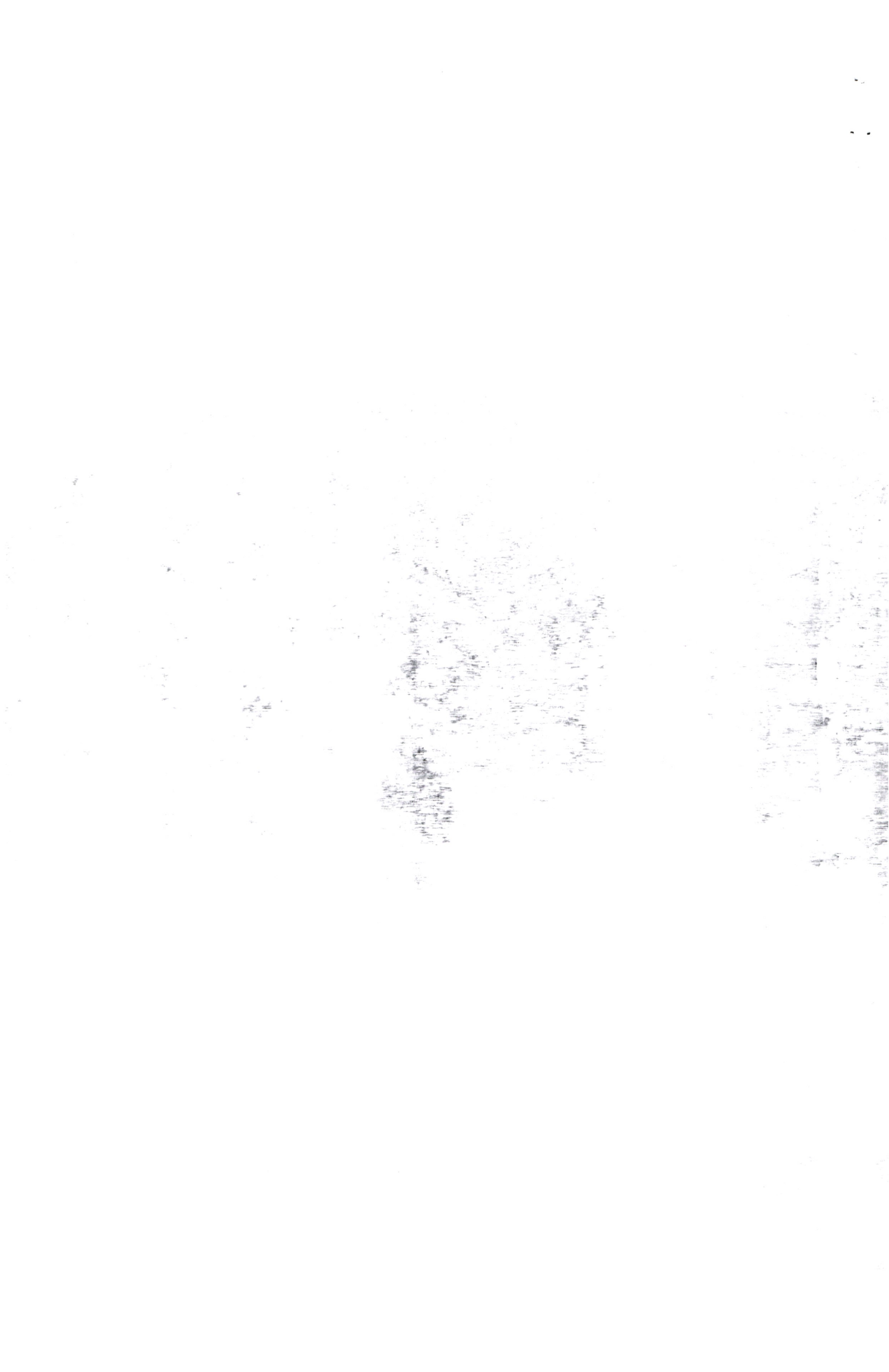
- (i) That the words '**Council of Kenya**' be inserted after the word '**Media**'

**CLAUSE 2: -** That Clause 2 be amended as follows:-

- (i) That the interpretation of "**Board**" be amended by deleting it entirely;
- (ii) That the interpretation of "**Journalist**" be amended by deleting the words '**earns a living from the practice of journalism,**' appearing after the word '**who**' on the first line and substituting therefor the words "**spends 50% of their working time on activities and at least 50% of their income is so derived, and holds a degree or postgraduate diploma in journalism or both**".
- (iii) And that a new interpretation of '**Journalism**' be inserted and defined as '**the practice/profession of gathering, editing, and publishing news reports and related articles for newspapers, magazines, television, or radio** ;
- (iv) That a new interpretation of '**Media Enterprise**' be inserted and defined as '**means and includes a organized media business/commercial company or activities aimed specifically at growth and profit**';
- (v) That a new interpretation of '**Publication**' be inserted and defined as "**the act of making printed material, especially books, newspapers available for sale to the public**"

**Part II. TITLES** be amended as follows: -





- (i) That the words "**AND MEDIA ADVISORY BOARD**" appearing under Part II subtitles be deleted;

**CLAUSE 4:** that clause 4 be deleted entirely;

**CLAUSE 5:** That Clause 5 be amended as follows:-

- (i) That sub clause 5 (c) be deleted entirely and then re-number the subsequent sub clauses accordingly;
- (ii) That a new sub clause 5 (j) be inserted to read as follows  
*'Compile and maintain a register of journalists and such other registers as may deem fit'*;

**CLAUSE 7:** That Clause 7 be amended as follows:

- (i) That sub clause (1)(a), be amended by deleting the word "**appointed by the Minister from amongst the Members appointed to the Council**" after the word "**chairperson**";
- (ii) That sub clause (1)(b), be amended by deleting the word "**fourteen**" appearing at the beginning of the clause and substituting therefor the word "**Nine**";
- (iii) That sub clause (1)(b) (iv), be deleted entirely;
- (iv) That sub clause (1)(b) (v), be amended by deleting the words '**Media Educators and Trainers Association**' and substituting therefor the words "**University of Nairobi School of Journalism or Kenya Institute of Mass Communications**";
- (v) That sub clause (1)(b) (vii), (viii), (x), (xi), (xii), (xiii) and (xiv) be deleted entirely and substitute therefor the words '**Representative of the Ministry of Information and Communications**' in sub clause (vii);
- (vi) That the entire sub clause(2) (b) and (c) be deleted and the subsequent sub clause be re-numbered accordingly;
- (vii) That the entire sub clause (3) be deleted;

**CLAUSE 9: -** That clause 9 be amended as follows: -

- (i) That the entire sub clause 3 be deleted and the subsequent sub clause be re-numbered accordingly;

**CLAUSE 10:** That Clause 10 be amended as follows: -



- (ii) That sub clause (1) be amended by inserting the following words: -

*The Minister shall, within fifteen days of the appointment of the Council, convene the first meeting of the council at which the council shall elect from amongst their number:-*

- (i) (a) chairperson  
(ii) (b) vice-chairperson

*Who shall be of opposite gender.*

**CLAUSE 11:** That Clause 11 be amended as follows:

- (i) That the entire sub clause (1) (a) be deleted and subsequent sub clause be re-numbered accordingly;  
(ii) That sub clause (d) and (e) be merged and subsequent sub clause be re-numbered accordingly;  
(iii) That the entire sub clause (g) be deleted and the subsequent sub clause be re-numbered accordingly;

**CLAUSE 14**

That **Clause 14:** That Clause 14 be amended as follows:

- (i) That the sub clause (2) (c) be amended by deleting the words "**compile and maintain**" appearing at the beginning of the first line and substituting therefor the word '**keep**';

**CLAUSES 19 to 24:** That Clause 19, 20, 21, 22, 23 and 24 be deleted in their entirety and the subsequent clauses be re-numbered accordingly;

**CLAUSE 27:** - That clause 27 be amended as follows: -

- (i) That the sub clause (2) (e) be amended by deleting the words '**and the members of the Board**' appearing on the Second line ;

**CLAUSE 29**

That **Clause 29** be amended as follows: -

- (i) That the sub clause (1) be amended by deleting the words '**not less than**' appearing on the second line and substituting therefor the word '**five**';  
(ii) That sub clause (1) be amended by inserting the word '**Two**' after the word "**be**" appearing on the third line; and deleting

the word 'a member of the public' appearing after the word 'and' on the fourth line and substituting the words 'two other person with knowledge and experience in the field of journalism''

(iii) Marginal notes to read "functions of the Committee"

(iv) That a new sub clause (3) be inserted as follows: -

- (3) The functions of the Complaints Committee shall be:**
- a) to investigate any allegation or complaints regarding a matter under s. 32 of the Act; and**
  - b) to perform such other functions and exercise such other powers as may be assigned to it by the Council.**

**CLAUSE 30:** That Clause 30 be amended as follows:

- (i) That sub clause (1) be amended by deleting the words "chairperson of the" appearing after the word "The" in the first line.

**CLAUSE 31:** That Clause 31 be amended as follows:

- (i) That sub clause (1) (b) be amended by inserting the words "enterprise" appearing after the word 'Media' on the fourth line.

**CLAUSE 32:** That Clause 32 be amended as follows:-

- (i) That sub clause (2) be amended by deleting the words "may" appearing after the word 'and' on the fourth line and substituting therefor the word 'shall';
- (ii) That sub clause (4) be amended by deleting the word "private" appearing after the word 'in' on the third line and substituting thereof the word 'public';

**CLAUSE 33:** That clause 33(3) be amended by inserting the following words: -

**33. (3)**

**(a) The Complaints Committee may, by notice in writing, require any person to -**

- (i) Give to the Complaints Committee all reasonable assistance in connection with the investigation of any complaint under clause 32; or
- (ii) Appear before the Complaints Committee for examination concerning matters relevant to the investigation of any complaint under clause 32.

(b) A person who -

- (i) Refuses or fails to comply with the requirement of the Complaints Committee which is applicable to him, to the extent to which he is able to comply with it; or
  - (ii) Obstructs or hinders the Complaints Committee in the exercise of its powers under this Act; or
  - (iii) Furnishes information or makes a statement to the Complaints Committee which he knows to be false or misleading in any material particular; or
  - (iv) When appearing before the Complaints Committee for examination, makes a statement which he knows to be false or misleading in any material particular commits an offence.
- (c) A person convicted of an offence under subsection (2) shall be liable to a fine not exceeding fifty thousand shillings or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.
- (d) Where an offence under subsection (2) is a continuing offence, the person convicted shall, in addition to the penalty prescribed in subsection (3), be liable to a fine of one thousand shillings for each day during which the offence continues or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.
- (e) The Committee shall not be bound by the rules of evidence as set out in Evidence Act.
- (f) Except as expressly provided in this Act or any regulations made thereunder, the Committee shall regulate its proceedings as it deems fit.

**CLAUSE 36:** That Clause 36 be amended as follows:-

- (i) That sub clause (3) be amended by deleting the words "on point of law" appearing after the word 'and' on the third line;
- (ii) That the proviso on sub clause (3) be deleted entirely;

## MISCELLANEOUS

**CLAUSE 38:** That clause 38 be amended as follows:

- (i) Marginal note to read: **Penalty;**
- (ii) That a new subsection be insert as (4) to reads as follows: -

*(4) "Any person who commits an offence against any provision of this Act or of regulations made thereunder for which no other penalty is specifically provided is liable, upon conviction, to imprisonment for a term of not more than six months or to a fine of not more than Two hundred thousands shillings or to both such fine and imprisonment"*

**CLAUSE 39:** That Clause 39 be amended as follows:-

- (i) That sub clause (2) be amended by deleting the words "shall" appearing after the word 'and' on the third line and substituting therefor the word 'may';
- (ii) That the sub clause (3) be amended by deleting entirely;

**FIRST SCHEDULE:** - That the FIRST SCHEDULE be amended as follows:

- (i) That the sub clause (5) be amended by deleting the word "seven" appearing after the word "be" and substituting therefor the word "five";

**SECOND SCHEDULE:** - That the Second schedule be deleted entirely and the subsequent schedules be re- numbered accordingly:

### **THIRD SCHEDULE**

That the Third schedule be amended as follows: -

- (i) That the Third Schedule becomes the Second Schedule as already recommended above;
- (ii) That all the parts be numbered accordingly as follows

1. Accuracy and Fairness;
2. Independence;

3. Integrity;
4. Accountability
5. Opportunity to reply;
6. Unnamed sources;
7. Confidentiality;
8. Misrepresentation;
9. Obscenity, Taste and Tone in Reporting;
10. Paying for news and Articles;
11. Covering ethnic, Religious and Sectarian conflict;
12. Recording interviews and Telephone conversations;
13. Privacy;
14. Intrusion into grief and shock;
15. Gender discrimination;
16. Financial Journalism;
17. Letters to the Editor;
18. Protection of children;
19. Victims of sex crimes;
20. Use of pictures and Names;
21. Innocent Relatives and Friends;
22. Acts of violence;
23. Editor's Responsibilities;
24. Advertisements.

(iii) That the following new provision in the schedules be inserted

**17. Letters to the Editor;**

*An editor who decides to open his/her columns on a controversial subject is not obliged to publish all the letters received in regard to that subject. He/she may select and publish only some of them either in their entirety or the gist thereof. However, in exercising this right, he/she should make an honest attempt to ensure that what is published is not one-sided but presents a fair balance between the pros and cons of the principal issue. The editor has the discretion to decide at which point to end the debate in the event of a rejoinder upon rejoinder being sent by two or more parties on a controversial subject.*

**18. Protection of children;**

*Children should not be identified in cases concerning sexual offences, whether as victims, witnesses, or defendants. Except in matters of public interest, e.g. cases of child abuse or abandonment, journalists should not normally interview or photograph children on subjects involving their personal welfare*



*in the absence or without the consent of a parent or other adult who is responsible for the children. Children should not be approached or photographed while at school and other formal institutions without the permission of school authorities.*

*In adhering to this principle, a journalist should always take into account specific cases of children in difficult circumstances.*

**19. Victims of sex crimes;**

*The media should not identify victims of sexual assault or publish material likely to contribute to such identification. Such publication does not serve any legitimate journalistic or public need and may bring social opprobrium to the victims and social embarrassment to their relations, family, friends, community, religious order to the institutions to which they belong*

**20. Use of Pictures and Names;**

*As a general rule, the media should apply caution in the use of pictures and names and avoid publication or anywhere there is a possibility of harming the persons concerned. Manipulation of pictures in a manner that distorts reality should be avoided. Pictures of grief, disaster and those that embarrass and promote sexism should be discouraged.*

**21. Innocent Relatives and Friends;**

*The media should generally avoid identifying relatives or friends of persons convicted or accused of crime unless the reference to them is necessary for the full, fair and accurate reporting of the crime or legal proceedings.*

**22. Acts of Violence;**

*The media should avoid presenting acts of violence, armed robberies, banditry and terrorist activity in a manner that glorifies such anti-social conduct. Also newspapers should not allow their columns to be used for writings which tend to encourage or glorify social evils, warlike activities, ethnic, racial and religious hostilities.*

**23. Editor's Responsibilities;**

*The editor shall assume responsibility for all content, including advertisements published in the electronic or print media. If responsibility is disclaimed, this shall be explicitly stated before hand.*

#### **24. Advertisements**

*The editor should not allow any advertisement, which is contrary to any aspect of this Code of Conduct. In this regard, and to the extent applicable, the editor should be guided by the Advertiser's Code of Conduct.*



**MINUTES OF THE FIRST SITTING OF THE DEPARTMENTAL  
COMMITTEE ON ENERGY, COMMUNICATIONS AND PUBLIC  
WORKS HELD ON TUESDAY, MAY 22, 2007 IN THE COMMITTEE  
ROOM, ON SECOND FLOOR, CONTINENTAL HOUSE,  
PARLIAMENT BUILDINGS AT 10.00 A.M.**

**PRESENT:**

The Hon. Julius Arunga, MP. - **Ag. Chairman**  
The Hon. Jimmy Angwenyi, MP.  
The Hon. Viscount Kimathi, MP.  
The Hon. Elias Mbau, MP.  
The Hon. Mohammed Abdi Haji, MP.  
The Hon. Lucas Maitha, MP.  
The Hon. Wafula Wamunyinyi, MP.

**ABSENT WITH APOLOGY:**

The Hon. Gideon Moi, MP. - **Chairman**  
The Hon. (Eng). Philip Okundi, MP.  
The Hon. Gonzi Rai, MP.  
The Hon. Maoka Maore, MP.

**IN ATTENDANCE**

**NATIONAL ASSEMBLY:**

Mr. Rana Tiampati - Clerk Assistant.  
Mr. Joseph Odero - Parliamentary Intern

**MIN NO.1/2007: INTRODUCTION**

The Acting Chairman called the meeting to order at 10.30 a.m. and welcomed the Members and other persons present in the meeting.

**MIN NO.2/2007: CONSIDERATION OF THE COMMITTED BILLS**

The Committee considered the three Bills committed by the House as follows:

**(1) The Media Bill, 2007 (No.14)**



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The Committee agreed to invite the stake holders in the sector to give their written submissions and views on the Bill.

The Committee deliberated on stakeholders list and directed the secretariat to contact the following stakeholders:-

- i. The Media Council and Media Owners Association;
- ii. The Kenya Union of Journalists and Kenya Parliamentary Journalists Association;
- iii. EcoNews Africa;
- iv. The Association of Media Women of Kenya;
- v. The Law Society of Kenya;
- vi. The Editors Guild; and
- vii. The Ministry of Information and Communications.

**(2) The Freedom of Information Bill, 2007 (No.18)**

The Committee agreed to invite the stakeholders in the sector to give their written submissions and views on the Bill and further directed the secretariat to contact the following stake holders

- i. The Freedom of Information Network;
- ii. The International Commission of Jurists – Kenya Chapter;
- iii. The Law Society of Kenya;
- iv. The Media Owners Association; and
- v. The Ministry of Information and Communications.

**(3) The Kenya Roads Bill, 2007 (No.18)**

and

The acting chairman informed the Committee that the Kenya Roads Bill has also been committed and the stakeholders need to be identified.

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The Committee went through the Bill and resolved that the following stakeholders be invited to give their views:

- i. The Ministry of Roads and Public Works;
- ii. The Kenya Roads Board;
- iii. The Ministry of Local Government - Urban Development Department;
- iv. The Kenya Association of Manufacturers;
- v. The Association of Local Authorities of Kenya (ALGAK); and
- vi. The Kenya Private Sector Alliance.



The Committee finally resolved to conduct a consultative workshop in Mombasa from 3<sup>rd</sup> to 8th, 2007 to discuss the three Bills.

**MIN NO. 3/2007: ADJOURNMENT**

And there being no other business, the Acting Chairman adjourned the Sitting at Twelve O'clock until Thursday, May 24, 2007 in Committee room on 5<sup>th</sup> floor, Continental House, Parliament buildings at 10.00 a.m.

**SIGNATURE** \_\_\_\_\_ **HON. G. MOI, MP**  
**Chairman**

**DATE** \_\_\_\_\_ **JUNE 20, 2007** \_\_\_\_\_





**MINUTES OF THE SECOND SITTING OF THE DEPARTMENTAL COMMITTEE ON ENERGY, COMMUNICATIONS AND PUBLIC WORKS HELD ON THURSDAY, MAY 24, 2007 IN THE COMMITTEE ROOM, FIFTH FLOOR, CONTINENTAL HOUSE, PARLIAMENT BUILDINGS AT 10.00 A.M.**

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**PRESENT:**

The Hon. Gideon Moi, MP. - **Chairman**  
The Hon. Julius Arunga, MP.  
The Hon. Jimmy Angwenyi, MP.  
The Hon. Viscount Kimathi, MP.  
The Hon. Elias Mbau, MP.  
The Hon. Mohammed Abdi Haji, MP.  
The Hon. Lucas Maitha, MP.  
The Hon. Gonzi Rai, MP.

**ABSENT WITH APOLOGY**

The Hon. Maoka Maore, MP.  
The Hon. Wafula Wamunyinyi, MP.  
The Hon. (Eng). Philip Okundi, MP.

**ATTENDANCE**

**NATIONAL ASSEMBLY:**

Mr. Rana Tiampati - Clerk Assistant.  
Mr. Joseph Odero - Parliamentary Intern

**MIN NO.4/2007: INTRODUCTION**

The Chairman called the meeting to order at 10.20 a.m. and welcomed the Members and other persons present in the meeting.

**MIN NO. 5/2007: CONFIRMATION OF MINUTES OF PREVIOUS SITTING**

Minutes of the previous meeting held on Tuesday, May 22, 2007 were confirmed by Members present and signed by the Chairman as a true record.



**MIN NO.6/2007: MATTERS ARISING**

**Under Min. No. 2/2007:**

- (a). The Committee noted the public outcry made by the Media Owners Association and the Media Council and resolved to invite them to give their views and submissions. The Committee was informed that the Media Council and Media Owners Association had proposed that the Bill be withdrawn.

The Committee learned that even though there is a perceived public outcry against the Bill, there is absolute need to consult instead of being part of the outcry. The Committee resolved to provide a forum for all Kenyans and aggrieved parties, if any, to point out the shortcomings they see in the Bill for purposes of improving it.

The Committee was further informed that the Freedom of Information Bill, 2007 provides for the establishment of a Commission which is not suitable noting the kind of freedom needed.

- (b.) The Committee resolved to invite the Minister for Information and Communications to brief the Committee on the two Bills before the Stakeholders meeting.

The Meeting is scheduled for Monday, May 28, 2007 in Committee room on the Second Floor, Continental House at 11.00 a.m.

**MIN. NO. 7/2007: COMMITTEE ON ADMINISTRATION OF JUSTICE**

The Committee went through the letter from Hon. Paul Muite, MP, Chairman, Committee on Administration of Justice and Legal Affairs on the possibility of holding joint sessions during the review of the Media and FOI Bills.

The Committee resolved to invite four Members of the Committee on Administration of Justice and Legal Affairs during the scrutiny of the two Bills.



**MIN NO.8/2007: MEDIA BILL AND PROPOSED WORKSHOP**

The Committee went through the Bill as follows: -

- > Title of the Bill – needs to be amended to be specific with the objects of the Bill;
- > Long title – proposed to be amended to reflect the new title of the bill;
- > Clauses 1 to 4 agreed to;
- > Clauses 5 : 5 (c) be deleted;
- > Clauses 19 to 24 be deleted
- > The third schedule be expanded;

After deliberations, the Committee resolved to attend a three day workshop in Mombasa to discuss the three committed Bills and equally listen to various stakeholders invited as follows;

June 4 <sup>th</sup> , 2007	The Media Bill
June 5 <sup>th</sup> , 2007	The Freedom of Information Bill
June 6 <sup>th</sup> , 2007	The Kenya Roads bill

The Committee further resolved to invite the Hon.Prof.Anyang Nyong'o, MP to attend the workshop

**MIN NO. 8/2007: ADJOURNMENT**

And there being no other business, the Chairman adjourned the Sitting at Twelve O'clock until Monday, May 28, 2007 in Committee Room on Second Floor, Continental House, Parliament Buildings at 11.00 a.m.

SIGNATURE \_\_\_\_\_ **HON. G. MOI, MP** \_\_\_\_\_  
Chairman

DATE \_\_\_\_\_ **JUNE 20, 2007** \_\_\_\_\_



**MINUTES OF THE THIRD SITTING OF THE DEPARTMENTAL  
COMMITTEE ON ENERGY, COMMUNICATIONS AND PUBLIC  
WORKS HELD ON MONDAY, JUNE 4, 2007 IN THE WHITESANDS  
HOTEL, MOMBASA AT 8.00 A.M.**

**PRESENT:**

The Hon. Gideon Moi, MP. - **Chairman**  
The Hon. Jimmy Angwenyi, MP.  
The Hon. Viscount Kimathi, MP.  
The Hon. Mohammed Abdi Haji, MP.  
The Hon. Gonzi Rai, MP  
The Hon. Lucas Maitha, MP.  
The Hon. Wafula Wamunyinyi, MP.

**ABSENT WITH APOLOGY**

The Hon. Elias Mbau, MP.  
The Hon. Julius Arunga, MP.  
The Hon. (Eng). Philip Okundi, MP.  
The Hon. Maoka Maore, MP.

**IN ATTENDANCE**

**NATIONAL ASSEMBLY:**

Mr. Rana Tiampati - Clerk Assistant.  
Mr. Joseph Odero - Parliamentary Intern

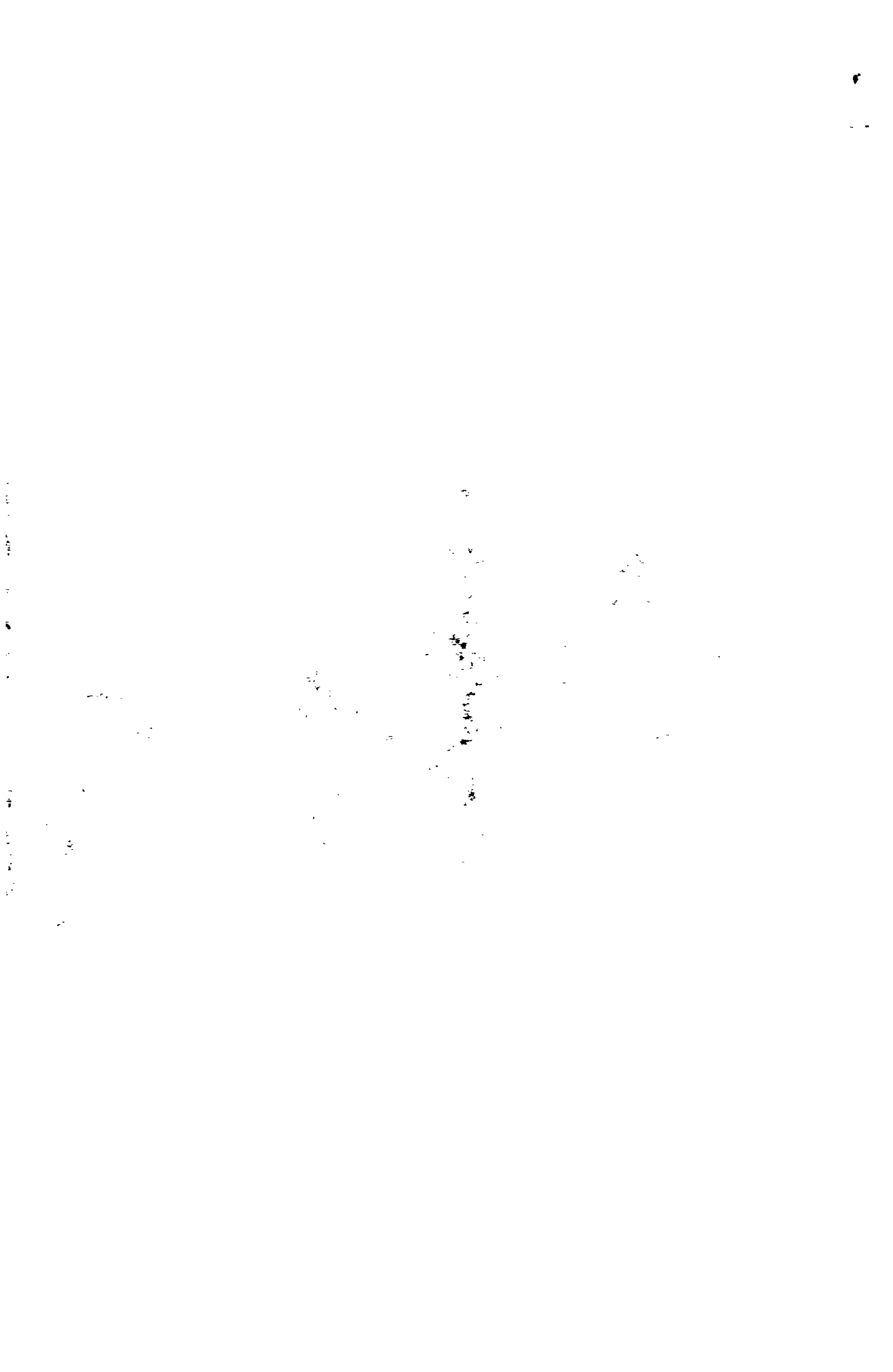
**STAKEHOLDERS**

Law Society of Kenya;  
Institute of Law and Environmental Governance;  
Ministry of Information and Communications;  
Kenya Union of Journalists;  
Media Council of Kenya; and  
International Commission of Jurists – Kenya Chapter.

**MIN NO.9/2007: INTRODUCTION**

The Chairman called the meeting to order at 8.00 a.m. and welcomed the Members and other persons present in the meeting.





He further introduced Members of the Committee and invited Stakeholders to introduce themselves.

**MIN NO. 10/2007: CONFIRMATION OF MINUTES OF PREVIOUS SITTING**

Minutes of the second sitting held on Thursday, May 24, 2007 were confirmed by Members present and signed by the Chairman as true record of the Committee meeting;

**MIN NO.11/2007: MATTERS ARISING**

**(1) Media Council of Kenya**

The Committee was informed that the Government should not play the role of funding the Media Council, instead the body should fund itself and the issue of gender should be considered in its composition.

The Committee learned that the proposed Media Bill has a number of short comings which need to be properly addressed such as; the title of the Bill needs to be changed, the Bill should provide for self regulation and not from outside.

**(2) International Commission of Jurists**

The Committee was informed that the Media Bill was provided in the Bomas Draft Constitution and therefore should not be treated as a minimum reform.

The Committee learned that the Media Bill seeks to enforce good and responsible conduct in the industry and all the Media houses should be members.

**(3) Kenya Union of Journalist**

The Committee further learnt that there is country wide complaints about the vulgar language used by the Media, and further noted that the existing Council has no teeth to discipline errant members since the same members fund the Council and might withdraw if disciplined.



The Committee was informed that 75% of the news published in through correspondence, and most of them are used by politicians for their selfish gains.

**MIN. NO. 12/2007: MEDIA BILL**

The Committee went through the Bill clause by clause;

**MIN NO. 13/2007: ADJOURNMENT**

And there being no other business, the Chairman adjourned the Sitting at Thirty minutes past six O'clock until Tuesday, June 5, 2007 in White Sands Hotel, Mombasa at 8.30 a.m.

**SIGNATURE** \_\_\_\_\_ **HON. G. MOI, MP** \_\_\_\_\_  
**Chairman**

**DATE** \_\_\_\_\_ **JUNE 20, 2007** \_\_\_\_\_

