

Approved for tabling

6/10/15 N/A



PARLIAMENT OF KENYA

THE NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT – THIRD SESSION

*paper laid*  
08 OCT 2015  
*By the Chairperson*  
*of the Department*  
*Committee on*  
*and Legal Affairs*  
*Hon. Samuel*  
*On Tuesday*  
*6/10/2015*

DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

REPORT ON

THE MAGISTRATES' COURTS BILL, 2015

Clerks Chambers,  
National Assembly,  
Parliament Buildings,  
Nairobi.

September, 2015

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**A REPORT OF THE DEPARTMENTAL COMMITTEE ON JUSTICE  
AND LEGAL AFFAIRS ON THE MAGISTRATES' COURTS 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 Magistrates' Courts 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 currently comprises the following:-

- |  |   |                         |
|--|---|-------------------------|
| 1. Hon. Samuel Chepkong'a, M.P.            | - | <b>Chairperson</b>      |
| 2. Hon. Priscilla Nyokabi, M.P.            | - | <b>Vice Chairperson</b> |
| 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 Magistrates' Courts Bill, 2015**

The Magistrates' Courts Bill, 2015 was read for the first time on 18<sup>th</sup> August, 2015 and immediately committed to the Departmental Committee on Justice and Legal Affairs for scrutiny pursuant to Standing Order 127 (1) which provides 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 20<sup>th</sup> August, 2015 (Refer to appendix 3) to make give their views on the Bill in form of memoranda. There was however no response from the public.

### **1.5 Sittings of the Committee and adoption of report**

The Committee discussed the Bill on 23<sup>rd</sup> September, 2015 at the Swahili Beach Hotel in Diani, Kwale County. The Committee considered and adopted its report on Tuesday, 6<sup>th</sup> October, 2015 at a sitting held in the Boardroom on 2<sup>nd</sup> floor, Continental House, Parliament Buildings. The adoption of the report was proposed by Hon. Boniface Otsiula and seconded by Hon. Benson Mutura. 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 commends Members of the Committee for their devotion and commitment to duty which made the scrutiny of this Bill a success. 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 a reality.

**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..........

## **2.0. BACKGROUND**

### **(i) Memorandum of objects and reasons of the Bill**

The Bill is dated 22<sup>nd</sup> July, 2015 and is sponsored by Hon. Aden Duale, the House Majority Party Leader. The principal objective of the Bill is to give effect to Articles 23(2) and 169(1)(a) and (2) of the Constitution of Kenya.

Part I of the Bill contains preliminary provisions. Part II of the Bill provides for the constitution of Magistrates' Courts and specifies the officers to preside over the Courts. It also confers criminal and civil jurisdiction on Magistrates' Courts.

Part III of the Bill provides for the administration of Magistrates' Courts. The Part provides for the appointment of a court administrator and sets out his/her functions. Part IV of the Bill deals with general matters, including sittings of Magistrates' courts, procedure, supervision and record keeping. The Part also repeals the Magistrates' Act, Cap 10 of the Laws of Kenya.

The Bill does not limit fundamental rights and freedoms. The Bill does not concern County Governments. The enactment of the Bill will occasion additional expenditure of public funds which are expected to be provided through the annual estimates.

## **3.0. PUBLIC PARTICIPATION IN THE CONSIDERATION OF THE BILL**

Article 118 (1) (b) of the Constitution of Kenya states as follows:-

*“Parliament shall facilitate public participation and involvement in the legislative and other business of Parliament and its Committees”*

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”*

Pursuant to the foregoing, the Committee invited the public through the Daily Nation and Standard newspapers of 20<sup>th</sup> August, 2015 to make representations on the Bill by way of memoranda. The newspaper advertisement is annexed hereto as appendix 3. There was however no response.

#### **4.0. CONSIDERATION OF THE BILL AND PROPOSED AMENDMENTS**

The Committee during a retreat held on 22<sup>nd</sup> September, 2015 at Swahili Beach Hotel in Diani, Kwale County discussed the Bill and proposed the following amendments:

##### **CLAUSE 7**

THAT, clause 7 of the Bill be amended in—

- (a) subclause (1) (a) by deleting the word “seven” and substituting therefor the word “twenty”;
- (b) subclause (1) (b) by deleting the word “five” and substituting therefor the word “fifteen”;
- (c) subclause (1) (c) by deleting the word “four” and substituting therefor the word “ten”;
- (d) subclause (1) (d) by deleting the word “three” and substituting therefor the word “seven”;
- (e) subclause (1) (e) by deleting the word “two” and substituting therefor the word “five”;
- (f) subclause (3) by deleting paragraph (e) and substituting therefor the following paragraph—  
“(e) matters affecting status, and in particular the status of widows and children including guardianship, custody, adoption and legitimacy; and”

**Rationale: To enhance the pecuniary jurisdiction of the various levels of Magistrates’ Courts.**

##### **CLAUSE 9**

THAT, the Bill be amended by deleting the clause and substituting therefor the following clause—

“Claims in employment, labour relations and environment cases. 9. A magistrate’s court shall—  
(a) in the exercise of the jurisdiction conferred upon it by section 26 of the Environment and Land Court Act and subject to the pecuniary limits under section 7(1), hear and determine claims relating to—



No. 20 of  
2011.

- (i) *environmental planning and protection, climate issues, land use planning, title, tenure, boundaries, rates, rents, valuations, mining, minerals and other natural resources;*
  - (ii) *compulsory acquisition of land;*
  - (iii) *land administration and management;*
  - (iv) *public, private and community land and contracts, choses in action or other instruments granting any enforceable interests in land; and*
  - (v) *environment and land generally;*
- (b) *in the exercise of the jurisdiction conferred upon it by section 29 of the Industrial Court Act, 2011 and subject to the pecuniary limits under section 7(1), hear and determine claims relating to employment and labor relations. ’*

**Rationale: To allow Magistrates’ Courts to determine claims related to employment and labour relations and environment and land matters subject to the limits of the pecuniary jurisdiction.**

**CLAUSE 10**

THAT, the Bill be amended by deleting clause 10 and substituting therefor the following clause—

- ‘Contempt of Court. **10.** (1) *Subject to the provisions of any other law, the Court shall have power to punish for contempt.*
- (2) *A person who, in the face of the Court—*
    - (a) *assaults, threatens, intimidates, or insults a magistrate, court administrator, judicial officer, or a witness, during a sitting or attendance in Court, or in going to or returning from the Court;*
    - (b) *interrupts or obstructs the proceedings of the Court; or*
    - (c) *without lawful excuse disobeys an order or direction of the Court in the course of the*

*hearing of a proceeding,  
commits an offence.*

*(3) In the case of civil proceedings, the willful disobedience of any judgment, decree, direction, order, or other process of a court or willful breach of an undertaking given to a court constitutes contempt of court.*

*(4) In the case of criminal proceedings, the publication, whether by words, spoken or written, by signs, visible representation, or otherwise, of any matters or the doing of any other act which—*

*(a) scandalizes or tends to scandalize, or lowers or tends to lower the judicial authority or dignity of the court*

*(b) prejudices, or interferes or tends to interfere with, the due course of any judicial proceeding;  
or*

*(c) interferes or tends to interfere with, or obstructs or tends to obstruct the administration of justice,*

*constitutes contempt of court.*

*(5) A police officer, with or without the assistance of any other person, may, by order of a judge of the Court, take into custody and detain a person who commits an offence under subsection (2) until the rising of the Court.*

*(6) The Court may sentence a person who commits an offence under subsection (1) to imprisonment for a term not exceeding five days, or a fine not exceeding one hundred thousand shillings, or both.*

*(7) A person may appeal against an order of the Court made by way of punishment for contempt of court as if it were a conviction and sentence made in the exercise of the ordinary original criminal jurisdiction of the Court.*

*(8) The Chief Justice may make Rules to regulate procedures relating to contempt of court.’’*

**Rationale: To allow the Court to punish for contempt of Court and harmonize the definition of contempt of court with the definitions in the High Court**

**Organization and Administration Bill, 2015 and the Court of Appeal (Organization and Administration) Bill, 2015.**

**CLAUSE 11**

THAT, clause 11 of the Bill be amended in subclause (2) by deleting the words “*the magistrate’s court*” appearing immediately after the words “*administrator by*”.

**Rationale: To correct an error of grammar.**

**CLAUSE 12**

THAT, clause 12 of the Bill be amended in subclause (1) by deleting the words “*the magistrate’s court*” appearing immediately after the words “*Chief Registrar*”.

**Rationale: To correct an error of grammar.**

**CLAUSE 15**

THAT, clause 15 of the Bill be amended—

(a) in the prefatory statement by deleting the word “*under*” appearing immediately after the word “*specified*” and substituting therefor the words “*by written law.*”

(b) by deleting paragraphs (a), (b) and (c).

**Rationale: To require the Court to employ the rules of practice and procedure prescribed under any Act of Parliament as the circumstances may require.**

**NEW CLAUSE**

THAT, the Bill be amended by inserting the following clause immediately after clause 20—

*‘Rules. 40. (1) The Chief Justice may make rules generally for the effective organization and administration of the Magistrates’ Court.  
(2) Without prejudice to the generality of subsection (1), such Rules may provide for the—*

- (a) procedure of handling claims relating to violation of human rights;
  - (b) general practice and procedure of Magistrates' Courts;
  - (c) supervision and inspection of Magistrates' Courts;
  - (d) automation of Court records, case management, protection and sharing of Court information and the use of information communication technology;
  - (e) form, style, storage, maintenance and retrieval of Court records; and
  - (f) procedure relating to contempt of court.
- (3) For the purposes of Article 94 (6) of the Constitution—
- (a) the purpose and objective of the delegation under this section is to enable the Chief Justice to make rules to provide for the better administration and organization of the Court;
  - (b) the authority of the Chief Justice to make rules under this Act is limited to bringing into effect the provisions of this Act and fulfilment of the objectives specified under this section;
  - (c) the principles and standard applicable to the rules made under this section are those set out in the Interpretations and General Provisions Act and the Statutory Instruments Act, 2013.''

Cap. 2.  
No. 23  
of 2013

**Rationale:** (i) To grant the Chief Justice the power to make rules; and (ii) to prescribe the limits of the exercise by the Chief Justice of the powers to make delegated legislation as required by Article 94 (6) of the Constitution.

### **CLAUSE 21**

THAT, clause 21 of the Bill be amended in the proposed new section 48 (1) of the Law of Succession Act by deleting the expression "2013 Provided that for the purpose of this section in any place where both the High Court and a magistrates' courts are reasonably accessible, the High Court shall have exclusive jurisdiction to make all grants of representation and determine all disputes under this Act"

appearing immediately after the words “Magistrates’ Courts Act” and substituting therefor the expression “2015”

**Rationale: To amend an erroneous reference and delete an unnecessary proviso.**

**CLAUSE 22**

THAT, clause 22 of the Bill be amended in paragraph (b) of the proposed amendments to section 49 of the Law of Succession Act by deleting the expression “5(1) of the Magistrates’ Courts Act, 2013” and substituting therefor the expression “7(1) of the Magistrates’ Courts Act, 2015”.

**Rationale: To amend erroneous references.**

***NEW CLAUSE***

THAT, the Bill be amended by inserting the following new clause immediately after clause 22—

*‘Amendment of section 26 of Cap. 12A*     **22A.** *Section 26 of the Environment and Land Court Act is amended by inserting the following subsections immediately after subsection (2)—*

*“(3) The Chief Justice may, by notice in the Gazette, appoint certain magistrates to preside over cases involving employment and labour relations in respect of any area of the country.*

*(4) Appeals on matters from the designated magistrate’s courts shall lie with the Court.”*

**Rationale: To effect a consequential amendment to the Environment and Land Court Act which gives the Environment and Land Court exclusive jurisdiction over all matters related to the environment and land.**

**5.0. RECOMMENDATIONS**

The Committee recommends that the House passes the Bill with the proposed amendments.

XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

# APPENDIX 1

**MINUTES OF THE SIXTY THIRD SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS HELD ON TUESDAY, 6<sup>TH</sup> OCTOBER, 2015 AT 10.00 A.M. IN THE BOARDROOM ON 2<sup>ND</sup> FLOOR, CONTINENTAL HOUSE, PARLIAMENT BUILDINGS**

**PRESENT:-**

Hon. Samuel Chepkonga, M.P. - **Chairperson**  
Hon. Benson Mutura, M.P.  
Hon. Boniface Otsiula, M.P.  
Hon. John M. Waiganjo, M.P.  
Hon. Moses Cheboi, M.P.  
Hon. Paul K. Bii, M.P.  
Hon. (Bishop) Robert Mutemi, M.P.  
Hon. Sammy Koech, M.P.  
Hon. Tom J. Kajwang', M.P.  
Hon. Johanna Ngeno, M.P.  
Hon. James Bett, M.P.  
Hon. Ben Momanyi, M.P.  
Hon. David Ochieng, M.P.  
Hon. Fatuma Ibrahim, M.P.  
Hon. Florence Kajuju, M.P.  
Hon. Kang'ata Irungu, M.P.  
Hon. John Njoroge Chege, M.P.  
Hon. John Olago Aluoch, M.P.

**ABSENT:-**

Hon. Priscilla Nyokabi, M.P. - **Vice Chairperson**  
Hon. Charles Gimose, M.P.  
Hon. Dr. Christine Ombaka, M.P.  
Hon. Munuve Mati John, M.P.  
Hon. Mohamed Abdi Haji, M.P.  
Hon. Njoroge Baiya, M.P.  
Hon. Peter Kaluma, M.P.  
Hon. Ndirangu Waihenya, M.P.  
Hon. Kamoti Mwamkale William, M.P.  
Hon. William Cheptumo, M.P.  
Hon. Neto Agostinho, M.P.

**IN ATTENDANCE:-**

**SECRETARIAT**

Mr. George Gazemba - Senior Clerk Assistant

Ahmed Salim  
Ms. Mary L. Lemerelle

- Clerk Assistant III  
- Clerk Assistant III

**MIN No. 208/2015:-**

**PRELIMINARIES**

The Chairperson called the meeting to order at five minutes past ten in the morning with a word of prayer from Hon. (Bishop) Robert Mutemi.

**MIN No. 209/2015:-**

**CONSIDERATION AND ADOPTION OF REPORTS ON BILLS**

(i) **Consideration and adoption of report on the Court of Appeal Organization and Administration Bill, 2015**

The Committee considered and adopted its report on the Court of Appeal Organization and Administration Bill, 2015. The adoption of the report was proposed by Hon. Boniface Otsiula and seconded by Hon. John Waiganjo. There was no dissenting voice to the adoption of the report.

(ii) **Consideration and adoption of report on the High Court Organization and Administration Bill, 2015**

The Committee considered and adopted its report on the High Court Organization and Administration Bill, 2015. The adoption of the report was proposed by Hon. John Waiganjo and seconded by Hon. Paul K. Bii. There was no dissenting voice to the adoption of the report.

(iii) **Consideration and adoption of report on the Small Claims Court Bill, 2015**

The Committee considered and adopted its report on the Small Claims Court Bill, 2015. The adoption of the report was proposed by Hon. Benson Mutura and seconded by Hon. Johanna Ng'eno. There was no dissenting voice to the adoption of the report.

(iv) **Consideration and adoption of report on the Magistrates' Courts Bill, 2015**

The Committee considered and adopted its report on the Magistrates' Courts Bill, 2015. The adoption of the report was proposed by Hon. Boniface Otsiula and seconded by Hon. Benson Mutura. There was no dissenting voice to the adoption of the report.

**MIN No. 210/2015:-**

**PRE-PUBLICATION SCRUTINY OF THE INTERNATIONAL CRIMES (REPEAL) BILL, 2015**



Hon. Boniface Otsiula, a member of the Committee made submissions supporting the publication of the Bill. He stated that the two Houses (National Assembly and Senate) had previously passed motions supporting Kenya's withdrawal from the International Criminal Court and that his Bill's purpose was to effect the two Houses' decisions.

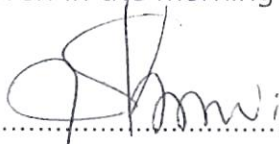
The Committee was persuaded by his argument and recommended that the Legislative Proposal be published.

**MIN No. 211/2015:-**

**ADJOURNMENT**

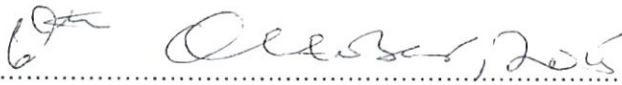
There being no other business to transact, the chair adjourned the sitting and thirty minutes past eleven in the morning till Thursday, 8<sup>th</sup> October, 2015 at ten in the morning.

Signed.....



(Chairperson)

Date.....



# **APPENDIX 2**




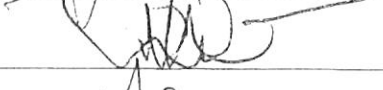
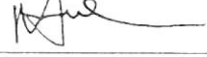





**DEPARTMENTAL COMMITTEE ON JUSTICE & LEGAL AFFAIRS**

MEMBERS ATTENDANCE

\*\*\*\*\*

Date: 06.10.2015  
 Venue: 2<sup>ND</sup> FLOOR BOARDROOM, CONTINENTAL HOUSE  
 Agenda: ADOPTION OF COURT BILLS

	NAMES	SIGNATURE
1.	Hon. Samuel Chepkonga (Chairperson)	
2.	Hon. Priscila Nyokabi (Vice Chairperson)	
3.	Hon. Agostinho Neto	
4.	Hon. Ben Momanyi Oloo	
5.	Hon. Benson Mutua	
6.	Hon. Boniface Otsiula	
7.	Hon. Charles Gimoso	
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	
15.	Hon. John Munuve	

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**



**INVITATION TO TENDER**

Kenya Power invites tenders from interested bidders for supply of the following:-

ITEM NO.	ITEM DESCRIPTION	TENDER NO.	TENDER SALE COMMENCEMENT DATE	PRE-BID MEETING DATE	TENDER CLOSING DATE
1.	Supply of Photocopying Papers, One Year Contract - Youth, Women and Persons with Disability	KPI/9AA-3/PT/04/15-16	20.08.2015	26.08.2015 10.00 a.m.	10.09.2015
2.	Supply of Stationery Items, One Year Contract - Youth, Women and Persons with Disability	KPI/9AA-3/PT/17/15-16	20.08.2015	26.08.2015 10.00 a.m.	10.09.2015
3.	Supply of Prepayment Meters	KPI/9AA-3/PT/24/15-16	21.08.2015	25.08.2015 10.00 a.m.	15.09.2015

Tender documents detailing the requirements of the above tenders may be obtained from Kenya Power E-Procurement Portal available on Kenya Power website [www.kpic.co.ke](http://www.kpic.co.ke) from the respective dates shown above.

Prospective bidders should register for E-Procurement to enable them access the Kenya Power portal under "New Supplier Registration" found under the Tenders Tab.

Completed tenders are to be saved as PDF documents and submitted in the Kenya Power E-Procurement Website so as to be received not later than the respective closing dates shown above.

Tenders will be opened electronically promptly after closing time and Bidders or their representatives welcome to witness the opening in the Stima Plaza Auditorium.

Save when responding to Kenya Power's request for a clarification, bidders shall not contact or discuss any aspect of their tenders with Kenya Power after tender closing date before receipt of notification of award of tenders or letters of regret, as applicable. Any such contact shall lead to disqualification of the tenderer.

GENERAL MANAGER  
SUPPLY CHAIN

[www.kenyapower.co.ke](http://www.kenyapower.co.ke)

REPUBLIC OF KENYA



NATIONAL ASSEMBLY  
ELEVENTH PARLIAMENT - THIRD SESSION

In the Matter of consideration by the National Assembly of the Magistrates' Courts 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 Magistrates' Courts Bill, 2015 has undergone First Reading pursuant to Standing Order 127 and is 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 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](mailto:clerk@parliament.go.ke); to be received on or before Wednesday 26<sup>th</sup> August, 2015 at 5:00 pm.

JUSTIN N. BUNDI, CBS  
CLERK OF THE NATIONAL ASSEMBLY



ISO 9001:2008 CERTIFIED



**MaMaSe**  
Mau Mara Serengeti  
Sustainable Water Initiative

**WATER ABSTRACTION AND POLLUTION SURVEY**

The Water Resources Management Authority (WRMA) is mandated under the Water Act 2002 sec 8 (i) to be the lead Agency in water resources management in the country. The mandate includes the regulation of water use to ensure fair and equitable allocation and apportionment of the national water resources.

It is notified for public information that pursuant to the requirements of the Water Act 2002, Water Resources Management Rules 2007, the National Water Resources Management Strategy and the WRMA Strategic Plan 2012-2017 on water resources regulation, apportionment and allocation, the Lake Victoria South Catchment Area of WRMA in conjunction with the Mau Mara Serengeti Sustainable Initiative (MaMaSe) intends to carry out an Abstraction Survey of Talek Sub-catchment.

The abstraction survey is intended to provide basic information on the water availability, apportionment and utilization within the Talek River Sub-catchment and will form a 1st step in the preparation of the Water Allocation Plan for Mara River. The survey will include some of the following activities:

- Traversing along the river to identify points of the river where water abstraction will take place
- Making note of physical aspects of the diversion work and taking appropriate measurements
- Carrying out river gauging to provide insight into amounts of abstractions by the larger abstraction systems and the available flows at selected reference points.
- Taking photographs of the abstraction works or relevant aspects of the abstraction system
- Visiting supply areas to ascertain use of water and collect related information.

Water Users and other stakeholders from the Talek Sub-Catchment are requested to support this initiative.

For more information, kindly contact:

Water Resources Management Authority  
Lake Victoria South Catchment Area  
Mara-Sondu Sub-Region-Kericho  
P.O Box 563-Kericho

*Accounting for every drop*

REPUBLIC OF KENYA



**TENDER NOTICE**

**OFFICE OF THE DEPUTY COUNTY COMMISSIONER'S  
SAMBURU CENTRAL, NORTH AND EAST.**

Tenders are invited from eligible and competent suppliers for the supply and delivery of goods, services and works to Government Institutions within each of the above sub-counties and when required for the fiscal years ending 30<sup>th</sup> June, 2017

TENDER NO.	ITEM DESCRIPTION	TARGET GROUP
SBU/01/2015-2017	Supply and delivery of foodstuffs	Youth/women/disabled
SBU/02/2015-2017	Supply and delivery of paints and painting materials	Open
SBU/03/2015-2017	Supply and delivery of timber	Open
SBU/04/2015-2017	Supply and delivery of hardware and building materials	Open
SBU/05/2015-2017	Prequalification of supply and delivery of pipes and fittings	Open
SBU/06/2015-2017	Supply and delivery of general stationeries	Youth/women/disabled
SBU/07/2015-2017	Supply and delivery of tyres and tubes	Open
SBU/08/2015-2017	Supply and delivery of fuels, oils and lubricants	Open
SBU/09/2015-2017	Supply and delivery of fireworks	Open
SBU/10/2015-2017	Supply and delivery of Automobile Batteries	Open
SBU/11/2015-2017	Supply and delivery of cleaning materials, detergents, and other miscellaneous stores	Youth/women/disabled
SBU/12/2015-2017	Supply and delivery of veterinary drugs	Youth/women/disabled
SBU/13/2015-2017	Provision of hotel accommodation, conference facilities and catering services.	Open
SBU/14/2015-2017	Provision of transport hire services	Open
SBU/15/2015-2017	Provision of security services	Youth/women/Disabled
SBU/16/2015-2017	Prequalification of supply and delivery of spare parts	Open
SBU/17/2015-2017	Prequalification of repair and servicing of motor vehicles, cycles, plant and equipment	Open
SBU/18/2015-2017	Prequalification of repair and services of office machines and equipments (e.g. computers, Printers, copiers etc)	Open
SBU/19/2015-2017	Prequalification of building works contractors	Open
SBU/20/2015-2017	Prequalification for contractors for water, irrigation works borehole drilling services.	Open
SBU/21/2015-2017	Prequalification of road works contractors	Open
SBU/22/2015-2017	Prequalification of supply and delivery of electrical materials	Youth/women/disabled
SBU/23/2015-2017	Supply and delivery of newspapers and magazines	Youth/women/disabled
SBU/24/2015-2017	Supply and delivery of airtime (scratch cards)	Youth/women/disabled
SBU/25/2015-2017	Prequalification for supply and delivery of office furniture and equipments	Open
SBU/26/2015-2017	Supply and delivery of toners and printing materials	Youth/women/disabled
SBU/27/2015-2017	Prequalification for supply and delivery of tree seedlings	Youth/women/disabled

Interested bidders are required submit the following:

- A copy of firm registration/incorporation certificate
- A copy of valid tax compliance certificate
- A copy of PVI certificate
- A copy of current business license (permit)
- A copy of registration certificate with relevant regulatory bodies where applicable (eg.NCA, NDISA, etc)
- Youth, women and persons with disability must provide AGPO Certificate.

Documents with detailed specifications may be obtained in person from sub-county procurement offices during normal working hours upon payment of non-refundable fee of Kshs 1000 for a set of tender documents payable to District Treasury either in cash or Bankers Cheque (Prequalification documents are not payable).

The prices quoted must be net and should be remain valid for a period of 90 days from the closing date of the notice. Fully completed tender documents in plain sealed envelopes clearly marked tender No. \_\_\_\_\_ for \_\_\_\_\_ should be deposited into the tender box situated at the entrance of the sub-counties Headquarter offices or address to:

Deputy County Commissioner  
Samburu - Central  
P.O. Box 3, Maralal

Deputy County Commissioner  
Samburu North  
P.O. Box 14, Baragoi

Deputy County Commissioner  
Samburu East  
P.O. Box 1, Wamba

So as to reach on, or before 2<sup>nd</sup> September, 2015 at 10.00a.m. The tenders will be opened immediately thereafter in the presence of the bidders or their representatives who choose to attend at the Deputy County Commissioners Boardroom.

RICHARD MURIBIRA  
SUPPLY CHAIN MANAGEMENT OFFICER  
DISTRICT COMMISSIONER'S OFFICE - SAMBURU