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REPUBLIC OF KENYA

Rt. Hon. Speaker
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J. M. Nyegenye, C.B.S.,
Clerk of the senate/secretary, PSC
Date: 09/09/26

THIRTEENTH PARLIAMENT – FIFTH SESSION

THE SENATE

PARLIAMENT
OF KENYA
LIBRARY

STANDING COMMITTEE ON EDUCATION

REPORT ON THE CONSIDERATION OF THE NATIONAL ASSEMBLY
AMENDMENTS ON THE KENYA SIGN LANGUAGE BILL, 2023 (SENATE
BILLS NO. 9 OF 2023)

15/9/26
APPROVED
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Clerk's Chambers,
The Senate,
Parliament Buildings,
NAIROBI.

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DATE	15/9/2026	
TABLED BY	Sen. Kingi	
COMMITTEE	—	
CLERK AT THE TABLE	Faustin	

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LIST OF ABBREVIATIONS

CS	—	Cabinet Secretary
KSL	—	Kenyan Sign Language
NA	—	National Assembly
NCPWD	—	National Council for Persons with Disabilities

PRELIMINARIES

ESTABLISHMENT AND MANDATE OF THE COMMITTEE

The Standing Committee on Education is established pursuant to standing order 228(1) and (3) and the Fourth Schedule of the Senate Standing Orders. The Committee is mandated to consider all matters relating to education and training.

In carrying out its duties, the Committee oversees the following Ministries, Departments and county functions:

1. Ministry of Education;
 - i. The State Department for Basic Education;
 - ii. The State Department for Technical and Vocational Education and Training;
 - iii. The State Department for Higher Education; and
 - iv. The State Department for Research and Innovation.
2. County Governments;
 - i. Pre-Primary Education/Early Childhood Development Education;
 - ii. Village Polytechnics/Vocational Education Centres;
 - iii. Home craft centres; and
 - iv. Childcare facilities.

MEMBERSHIP OF THE COMMITTEE

The Members of the Committee include:

	Name	Designation
1.	Sen. Betty Montet, MP	Chairperson
2.	Sen. (Prof.) Margaret Kamar, EGH, MP	Vice-Chairperson
3.	Sen. John Kinyua Nderitu, MP	Member
4.	Sen. Johnes M. Mwaruma, CBS, MP	Member
5.	Sen. Agnes Kavindu Muthama, MP	Member
6.	Sen. Catherine Mumma, CBS, MP	Member
7.	Sen. James Kamau Murango, MP	Member
8.	Sen. Lenku Ole Kanar Seki, MP	Member
9.	Sen. John Methu, MP	Member

CHAIRPERSON'S FOREWORD

Mr. Speaker, Sir,

The Report contains the proceedings of the Standing Committee on Education on its consideration of the National Assembly amendments to the Kenya Sign Language Bill, 2023 (Senate Bills No. 9 of 2023). The Bill is jointly sponsored by Sen. (Prof.) Margaret Kamar, EGH, MP, and Sen. Crystal Asige, MP.

The Bill seeks to provide for the use of sign language in judicial proceedings, schools and public institutions to ensure that deaf and hard to hear, are given the same opportunities as other learners and other members of society to be productive.

Mr. Speaker, Sir,

The Senate considered the Bill and passed it with amendments on 21st February, 2024. The Bill was thereafter forwarded to the National Assembly for consideration and passage pursuant to Article 110(4) of the Constitution.

The National Assembly considered the Bill and passed it with amendments on Wednesday, 24th June, 2026. The Bill was thereafter returned to the Senate through a Message dated 2nd July, 2026.

On 14th July, 2026, the Speaker of the Senate conveyed the Message on the National Assembly's passage of the Bill with amendments and referred the amendments to the Standing Committee on Education for consideration.

Mr. Speaker, Sir,

Having examined the amendments proposed by the National Assembly, the Standing Committee on Education recommends that the Senate **REJECTS** the amendments to the Bill. The detailed observations and recommendations are set out in Chapters Two and Three of this Report.

Mr. Speaker, Sir,

I wish to thank the Members of the Committee on Education and the co-sponsors of the Kenya Sign Language Bill, 2023 for their contributions during the consideration of the National Assembly amendments and the preparation of this Report.

The Committee also thanks the Offices of the Speaker and the Clerk of the Senate for the support extended to it in the execution of its mandate.

It is now my pleasant duty to present, pursuant to standing order 165(4) of the Senate Standing Orders, the Report of the Senate Standing Committee on Education on its consideration of the National Assembly amendments to the Kenya Sign Language Bill, 2023 (Senate Bills No. 9 of 2023).

I thank you.

Signed..........

Date..........

**SEN. BETTY MONTET, MP,
CHAIRPERSON,
STANDING COMMITTEE ON EDUCATION**

CHAPTER ONE: INTRODUCTION

1.1 Introduction

The Kenya Sign Language Bill, 2023 (Senate Bills No. 9 of 2023) is jointly sponsored by Sen. (Prof.) Margaret Kamar, EGH, MP, and Sen. Crystal Asige, MP. The Bill seeks to provide for the use of Kenyan Sign Language in judicial proceedings, schools and public institutions and to ensure that deaf and hard to hear are given the same opportunities as other members of society to be productive.

The Senate considered the Bill and passed it with amendments on 21st February, 2024. The Bill was thereafter forwarded to the National Assembly for consideration and passage pursuant to the provisions of Article 110(4) of the Constitution. The National Assembly considered the Bill and passed it with amendments on Wednesday, 24th June, 2026.

The Bill was subsequently returned to the Senate pursuant to Article 112(1)(b) of the Constitution through a Message dated 2nd July, 2026. On 14th July, 2026, the Speaker of the Senate conveyed the Message on the National Assembly's passage of the Bill with amendments and referred the same to the Standing Committee on Education for consideration.

The Committee now presents this Report pursuant to standing order 223(6) of the Senate Standing Orders. Its observations and recommendations are submitted for the Senate's consideration of the National Assembly amendments under Article 112(2) of the Constitution and standing order 165(4) of the senate standing orders.

CHAPTER TWO: CONSIDERATION OF THE NATIONAL ASSEMBLY AMENDMENTS TO THE BILL

2.1 Introduction

This Chapter presents an overview of the National Assembly amendments to the Bill, the deliberations of the Committee on the said amendments, as well as its observations and recommendations to the Senate.

2.2 Clause by Clause Consideration

Part Heading

New Part I: Preliminary

National Assembly Amendment

The National Assembly proposed the insertion of a new Part heading as follows:-

“THAT, the Bill be amended by inserting the following heading immediately before clause 1—

“PART I—PRELIMINARY””

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The proposed division into Parts is unnecessary for the arrangement of the Bill.

Clause 2 - Interpretation

(a) Insertion of interpretive qualification

National Assembly Amendment

The National Assembly proposed the amendment of the opening statement of clause 2 as follows:-

“THAT, Clause 2 be amended, by—

(a) inserting the expression “unless the context otherwise requires” in the opening statement immediately after the word “Act”;

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The expression reflects a drafting convention and adds no clarity or substantive value to the text.

(b) Substitution of definition of Council

National Assembly Amendment

The National Assembly proposed the substitution of the definition of “Council” in clause 2 as follows:-

“THAT, Clause 2 be amended, by—

(b) deleting the definition of the term “Council” and substituting therefor the following new definition—

“Council” means the Kenya Sign Language Council established under section 5A;”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The definition presupposes the establishment of a Council by the Act while the preferred architecture relies on the National Council for Persons with Disabilities and the Cabinet secretary in charge of education.

(c) New definitions

i) Deafblind

National Assembly Amendment

The National Assembly proposed the insertion of the definition of “deafblind” in clause 2 as follows:-

“THAT, Clause 2 be amended, by—

(c) inserting the following new definitions in their proper alphabetical sequence—

“deafblind” means a person who is either born deaf and blind or became deaf and blind due to illness or a condition at a later stage of life and uses tactile and Braille as a means of communication;”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The definition is unnecessary because the Bill already accommodates tactile forms of sign language, including communication used by deaf persons. Its express reference to blindness and Braille would broaden the Bill beyond the objects of the legislation. Matters relating to Braille and other communication formats should be addressed within the appropriate statutory framework.

ii) Registrar

National Assembly Amendment

The National Assembly further proposed the insertion of the following definition in clause 2:-

““Registrar” means the person appointed as such under section 5K”.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. Appointment through the proposed Council is unnecessary as there is a Registrar as per clause 11 of the Bill.

New Part II: Kenya Sign Language Council

National Assembly Amendment

The National Assembly proposed the insertion of a new Part immediately after clause 5, titled: “PART II—KENYA SIGN LANGUAGE COUNCIL”.

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The heading would serve no purpose without the proposed Council.

(a) New Section 5A - Establishment of the Council

National Assembly Amendment

The National Assembly proposed the insertion of a new section 5A as follows:-

“5A. (1) There is established the Kenya Sign Language Council.

(2) The Council is a body corporate with perpetual succession and common seal and shall, in its corporate name, be capable of—

- (a) suing and being sued;
- (b) purchasing or otherwise acquiring, holding, charging and disposing of movable and immovable property;
- (c) entering into contracts; and
- (d) doing or performing all other things or acts necessary for the proper performance of its functions under this Act, which may lawfully be done or performed by a body corporate.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The proposal duplicates functions that can be discharged through the Ministry and the National Council for Persons with Disabilities. A separate Council would add administrative costs, fragment disability governance and encourage similar bodies for other disability groups. The Bill’s objectives, being improved access and inclusion for the deaf, do not require an autonomous language regulator.

(b) New Section 5B - Headquarters of the Council

National Assembly Amendment

The National Assembly proposed the insertion of a new section 5B as follows:-

“5B. (1) The headquarters of the Council shall be in the Nairobi, but the Council shall ensure access to its services in all parts of the Republic in accordance with Article 6(3) of the Constitution.

(2) Notwithstanding subsection (1), the Council may establish such units as it considers necessary for the proper discharge of its functions.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. In the absence of the Council, there is no need for headquarters or subsidiary units.

(c) New Section 5C - Functions of the Council

National Assembly Amendment

The National Assembly proposed the insertion of a new section 5C as follows:-

“5C. The functions of the Council shall be to—

- (a) regulate the use and development of sign language in Kenya;
- (b) put in place measures for the recognition and preservation of the use of Kenyan Sign Language;
- (c) undertake research and create awareness on the culture and heritage of the deaf community in Kenya;
- (d) set and enforce standards for the training, practice and use of Kenyan sign language and Kenya Sign Language interpretation;
- (e) register and license sign language interpreters in Kenya;
- (f) maintain a register and keep a record of all sign language interpreters registered under this Act;
- (g) protect and promote the right of the deaf, hard of hearing and deafblind community to equal access to information and communication, including the right to access to justice;
- (h) determine the minimum fees chargeable for the provision of services under this Act;
- (i) advise the Cabinet Secretary and county governments on matters relating to sign language;
- (j) develop and regulate ethical and disciplinary standards for sign language interpreters;
- (k) collaborate with other relevant government agencies in the use and development of sign language in Kenya; and
- (l) perform such other functions as may be prescribed by any other law or as necessary for the promotion of the objects of this Act.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The functions can be discharged through the Registrar and existing disability institutions without a separate Council.

(d) New Section 5D - Powers of the Council

National Assembly Amendment

The National Assembly proposed the insertion of a new section 5D as follows:-

“5D. (1) The Council shall have all the powers necessary for the proper performance of its functions under this Act or any other written law.

(2) Without prejudice to the generality of the foregoing, the Council shall have the power to—

- (a) manage, control and administer the assets of the Council in such manner and for such purposes as best promotes the purpose for which the Council is established;
- (b) open such bank accounts for the funds of the Council as may be necessary;
- (c) determine the provisions to be made for capital and recurrent expenditure and for the reserves of the Council;
- (d) subject to approval of the Cabinet Secretary for the time being responsible for matters relating to finance, invest any surplus funds of the Council not immediately required for its purposes, in such a manner as it may determine;
- (e) receive gifts, grants, donations or endowments made to the Council and make legitimate disbursements therefrom;
- (f) enter into association with such other bodies or organizations within or outside Kenya as it may consider appropriate and in furtherance of the purposes for which the Council is established; and
- (g) undertake any activity necessary for the fulfilment of any of its functions.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. In the absence of the Council, the powers incidental to its corporate status have no application.

(e) New Section 5E - Composition of the Council

National Assembly Amendment

The National Assembly proposed the insertion of a new section 5E as follows:-

“5E. (1) The Council consists of—

- (a) a chairperson, who shall be appointed by the Cabinet Secretary;
 - (b) the Principal Secretary in the Ministry for the time being responsible for matters relating to education or a representative designated in writing;
 - (c) the Principal Secretary in the Ministry for the time being responsible for matters relating to culture or a representative designated in writing;
 - (d) the chairperson of the National Council for Persons with Disabilities or a representative designated in writing;
 - (e) three persons nominated by the most representative registered national association of the deaf community in Kenya;
 - (f) two persons nominated by the most representative registered national association for sign language interpreters in Kenya; and
 - (g) the Registrar who shall be an ex-officio member of the Council.
- (2) A person qualifies for appointment as the chairperson of the Council if the person—
- (a) holds a degree from a university recognized in Kenya;
 - (b) has proven knowledge and experience of at least ten years in matters of—
 - (i) Kenyan Sign Language;
 - (ii) deaf and hard of hearing communications and other communications formats; and
 - (iii) disability rights;
 - (c) meets the requirements of Chapter Six of the Constitution.
- (3) A person qualifies for appointment as a member of the Council under subsection (1)(e) and (f) if the person—
- (a) holds a degree from a university recognized in Kenya;
 - (b) has knowledge and experience of at least five years in any of the following matters of—
 - (i) Kenyan Sign Language;

- (ii) deaf and hard of hearing communications and other communications formats;
 - (iii) disability;
 - (iv) human rights; or
 - (v) social sciences;
- (c) meets the requirements of Chapter Six of the Constitution.
- (4) The Cabinet Secretary shall make regulations to prescribe the criteria for nomination of members referred to in subsection (1)(e) and (f).
- (5) A person shall not qualify for appointment as a chairperson or a member of the Council, if the person—
- (a) is a member of Parliament or County Assembly;
 - (b) is an official of a governing body of a political party;
 - (c) is an undischarged bankrupt;
 - (d) has been convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months;
 - (e) has been removed from office for contravening the provisions of the Constitution or any other written law; or
 - (f) in the case of members referred to in subsection 1(f), has been and remains removed from the register or his or her practicing certificate has been suspended under section 9H.
- (6) The appointment of the chairperson and members under subsection 1(e) and (f) shall be by name and by notice in the Gazette.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. Composition and qualifications are relevant only where the Council is established.

(f) New Section 5F - Term of office

National Assembly Amendment

The National Assembly proposed the insertion of a new section 5F as follows:-

“5F. (1) The chairperson and members shall serve on part-time basis.

(2) The members appointed under section 5E (1)(a), (e) and (f) shall hold office for a term of three years and shall be eligible for re-appointment for a further term.

(3) The members appointed under section 5E (1)(b), (c) and (d) shall hold office during their tenure of office unless removed from office by the appointing authority.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. There are no offices for which to prescribe terms in the absence of the Council.

(g) New Section 5G - Vacation of office

National Assembly Amendment

The National Assembly proposed the insertion of a new section 5G as follows:-

“5G. (1) A member of the Council, other than an ex officio member, shall cease to be a member of the Council, if the person—

- (a) is unable to perform the functions of the office by reason of mental or physical infirmity;
- (b) is incompetent or has neglected duty;
- (c) is adjudged bankrupt;
- (d) is convicted of a criminal offence and sentenced to a term of imprisonment of more than six months;
- (e) is absent from three consecutive meetings of the Council without good cause;
- (f) resigns in writing by a notice addressed to the Cabinet Secretary;
- (g) dies; or
- (h) is removed from office in accordance with the provisions of the Constitution.

(2) Whenever a vacancy arises under section 5E (1)(e) and (f), the Cabinet Secretary shall within seven days of such vacancy, notify the respective associations to submit the names of their nominees within fourteen days from the date of receipt of the notification.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. Vacancy procedures have no application without a Council membership.

(h) New Section 5H - Committees of the Council

National Assembly Amendment

The National Assembly proposed the insertion of a new section 5H as follows:-

“5H. (1) The Council may establish Committees for the effective performance of its functions under this Act.

(2) The Council may co-opt into the membership of a Committee established under subsection (1), any person whose knowledge and expertise may be necessary for the effective performance of the functions of the Council.

(3) A person co-opted into a Committee under subsection (2), may attend the meetings of the Committee and participate in its deliberations, but shall not vote at such meetings.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. There is no need for subsidiary committees in the absence of the Council.

(i) New Section 5J - Conduct of affairs and business of the Council

National Assembly Amendment

The National Assembly proposed the insertion of a new section 5J as follows:-

“5J. (1) The Council shall conduct its business and affairs in accordance with the provisions of the Schedule.

(2) Without prejudice to subsection (1), the Council may regulate its own procedure.

(3) Despite subsections (1) and (2), all Council meetings shall be conducted in both spoken and sign language.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. Without the Council, there is no business for these procedures to govern.

(j) New Section 5K - Registrar of the Council

National Assembly Amendment

The National Assembly proposed the insertion of a new section 5K as follows:-

“5K. (1) The Council shall, through an open, transparent and competitive recruitment process, appoint a suitably qualified person to be the Registrar of the Council.

(2) A person is qualified for appointment as the Registrar of the Council if the person—

(a) is a citizen of Kenya;

(b) holds a degree in social sciences or its equivalent, from a university recognized in Kenya;

(c) has had at least ten years proven experience at management level;

(d) has had at least five years' experience in sign language proficiency in Kenya; and

(e) meets the requirements of Chapter Six of the Constitution.

(3) The Registrar shall serve on such terms and conditions as the Council may determine.

(4) The Registrar shall hold office for a period not exceeding five years and may be eligible for re-appointment for a further and final term of five years

(5) The Registrar shall, in the performance of the functions and duties of the office, be responsible to the Council.

(6) The Registrar shall—

(a) be the Secretary and Chief Executive Officer of the Council;

(b) be responsible for—

(i) implementing the decisions of the Council regarding all matters relating to the registration and regulation of sign language interpretation;

(ii) the day-to-day administration and management of the affairs of the Council;

(iii) coordination and supervision of the staff of the Council;

(iv) keeping and maintaining the register of persons registered as sign language interpreters in accordance with this Act;

(v) subject to the directions of the Council, make the necessary alterations or corrections in the register;

(c) perform any other duties as may be assigned by law or the Council.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. No need has been demonstrated for a separate appointment outside the Ministry.

(k) New Section 5L - Removal of the Registrar from office

National Assembly Amendment

The National Assembly proposed the insertion of a new section 5L as follows:-

“5L. (1) The Registrar may be removed from office by the Council in accordance with the terms and condition of service, for—

- (a) inability to perform the functions of the office arising out of physical or mental infirmity;
- (b) gross misconduct or misbehaviour;
- (c) incompetence or negligence of duty;
- (d) violation of the Constitution or any other written law; or
- (e) any other grounds specified in the terms and conditions of service of the Registrar.

(2) Where the question of the removal of the Registrar under subsection (1) arises, the Council shall act in accordance with the principles of fair administrative action prescribed under Article 47 of the Constitution and the Fair Administrative Action Act.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The removal procedure depends on an appointment by the proposed Council.

(l) New Section 5M - Staff of the Council

National Assembly Amendment

The National Assembly proposed the insertion of a new section 5M as follows:-

“5M. (1) The Council shall, through a competitive and transparent process, employ such officers, agents and other staff as may be necessary for the proper discharge of its functions under this Act, upon such terms and conditions of service as the Council may determine.

(2) The staff referred to in subsection (1) may, upon the request of the Council, be seconded by the Public Service Commission to the Council.

(3) The Council shall, in the appointment of staff, ensure—

- (a) equalization of opportunity for the deaf community;
- (b) equalization of opportunities for the youth;
- (c) that not more than two thirds of its staff are of the same gender; and
- (d) that the appointment of staff reflects the ethnic and regional diversity of the people of Kenya.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. Existing Ministry staffing arrangements make a separate staff establishment unnecessary.

(m) New Section 5N - Remuneration

National Assembly Amendment

The National Assembly proposed the insertion of a new section 5N as follows:-

“5N. (1) The members of the Council shall be paid such remuneration, allowances and disbursements as may be approved by the Cabinet Secretary in consultation with the Salaries and Remuneration Commission.

(2) The Registrar and staff of the Council shall be paid such salary or allowances as shall be determined by the Council in consultation with the Salaries and Remuneration Commission.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. Separate remuneration would add expenditure without an established need for the institution.

(n) New Section 5O - Common seal

National Assembly Amendment

The National Assembly proposed the insertion of a new section 5O as follows:-

“5O. (1) The common seal of the Council shall be kept in the custody of the Registrar or such other person as the Council may direct, and shall not be used except on the order of the Council.

(2) The affixing of the common seal of the Council shall be authenticated by the signature of the chairperson and the Registrar.

(3) The Council shall in the absence of either the chairperson or the Registrar, in any particular matter, nominate one member of the Council to authenticate the seal of the Council on behalf of either the chairperson or the Registrar.

(4) The common seal of the Council when affixed to a document and duly authenticated, shall be judicially and officially noticed, and unless the contrary is proved, any necessary order by the Council under this section shall be presumed to have been duly given.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. A common seal is unnecessary in the absence of a corporate body.

(o) New Section 5P - Protection from personal liability

National Assembly Amendment

The National Assembly proposed the insertion of a new section 5P as follows:-

“5P. (1) A matter or thing done by a member of the Council or by any officer, member of staff, or agent of the Council shall not, if the matter or thing is done bona fide for executing the functions, powers or duties of the Council under this Act or any other written law, render the member, officer, employee or agent or any person acting on their directions personally liable to any action, claim or demand whatsoever.

(2) Any expenses incurred by any person in any suit or prosecution brought against him or her in any court, in respect of any act which is done or purported to be done by him or her under the direction of the Council, shall, if the court holds that such act was done bona fide, be paid out of the general funds of the Council, unless such expenses are recovered by him or her in such suit or prosecution.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The protection has no application where there is no Council on whose behalf to act.

(p) New Section 5Q - Liability for damages

National Assembly Amendment

The National Assembly proposed the insertion of a new section 5Q as follows:-

“5Q. The provisions of section 5P shall not relieve the Council of the liability to pay compensation or damages to any person for any injury to him or her, his or her property or any of his or her interests caused by the exercise of any power conferred by this Act or any other written law or by the failure, wholly or partially, of any works.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The liability is incidental to a corporate body whose establishment has been rejected.

Part Heading

New Part III: Access and Non-Discrimination

National Assembly Amendment

The National Assembly proposed the insertion of a heading titled: “PART III—ACCESS AND NON-DISCRIMINATION” immediately before clause 6.

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The proposed division into Parts is unnecessary for the arrangement of the Bill.

Clause 7 - Kenyan Sign Language in education

National Assembly Amendment

The National Assembly proposed the deletion of clause 7 and its substitution with a new clause as follows:-

“7. The Cabinet Secretary for the time being responsible for matters relating to basic education shall for the purposes of giving effect to Article 53(1)(b) of the Constitution—

- (a) so far as is reasonably practical, establish a mechanism for the provision of Kenyan Sign Language lessons to—
 - (i) the parents, siblings and grandparents of a child who is Deaf, hard of hearing or Deafblind; or
 - (ii) other persons who serve as guardians to a child who is Deaf, hard of hearing or Deafblind;
- (b) ensure that Deaf learners and learners who are hard of hearing are taught in a manner that they are able to understand and use the dominant language of instruction in the education system;
- (c) ensure development of appropriate instruction materials for the education of Deaf learners and learners who are hard of hearing;
- (d) ensure that learning institutions for the Deaf and hard of hearing provide formal and non-formal education, skills development and self-reliance for Deaf learners as appropriate;
- (e) ensure that there is a sufficient number of learning institutions offering Kenyan Sign Language training for the Deaf, hard of hearing or Deafblind children attending public or private schools;
- (f) ensure the provision of education and support services to children who are Deaf, hard of hearing or Deafblind who are attending accredited schools by determining, from time to time, the minimum placement and qualifications of the teachers of such children;

- (g) ensure that public institutions of higher learning undertake continuous research in the development and use of sign language;
- (h) ensure that Kenyan Sign Language is integrated in the basic education curriculum and is taught to all learners as one of the languages recognized under Article 7 of the Constitution;
- (i) ensure that the training and education of teachers offering basic education includes training and education on Kenyan Sign Language and interpretation;
- (j) ensure that Kenyan Sign Language is integrated in early childhood education generally and in particular, that Kenyan Sign Language is taught to the Deaf learners and hearing learners in public and private early childhood education centres; and
- (k) ensure that public institutions offering tertiary education shall do all that is reasonable and necessary to provide free interpretation services as may be needed by Deaf, hard of hearing, and Deafblind.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. Educational support is already provided for, making substitution unnecessary.

New Section 8A - Media services

National Assembly Amendment

The National Assembly proposed the insertion of a new section 8A as follows:-

“8A. (1) Television stations shall provide closed captioning and a Kenyan Sign Language inset covering at least one-third of the size of the television screen, in all newscasts, educational and national programmes, for the purpose of ensuring equality and respect for human dignity in the promotion and broadcasting of such programmes. (2) Without prejudice to the generality of subsection (1), content on television including content transmitted through the internet shall be made accessible to the Deaf, hard of hearing, and Deafblind community through the provision of closed captioning and transcripts on all content.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The input of affected media operators and other industry stakeholders was not obtained on the proposed obligations.

New Section 8B - Telecommunication services

National Assembly Amendment

The National Assembly proposed the insertion of a new section 8B as follows:-

“8B. Telecommunication service providers shall make their services accessible to the Deaf, hard of hearing, and Deafblind community through establishment and provision of relay services, including text relay, video relay, captioned telephone relay, and communication facilitators for the Deaf, hard of hearing or Deafblind.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. Affected telecommunications providers and other industry stakeholders did not give their input on the proposed obligations.

New Part IV: Registration and Regulation of Sign Language Interpreters

National Assembly Amendment

The National Assembly proposed the insertion of a new Part immediately after clause 9, titled: “PART IV—REGISTRATION AND REGULATION OF SIGN LANGUAGE INTERPRETERS”.

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The heading introduces a separate Part for a regulatory structure that has been rejected.

(a) New Section 9A - Registration

National Assembly Amendment

The National Assembly proposed the insertion of a new section 9A as follows:-

“9A. (1) A person who wishes to provide Kenyan Sign Language interpretation services shall apply for registration to the Council in the prescribed manner.

(2) The Registrar shall, upon receipt of the application and as soon as is practicable bring every application before the Council for consideration.

(3) Where the Council has determined that a person has complied with the provisions of this Act, the person shall be registered and is eligible to provide Kenyan Sign Language interpretation services.

(4) The Council may issue a person who has been registered under this Act with such identification document in the prescribed manner, and which shall be valid for such period as the Council may specify.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. No inadequacy in registration through the Ministry has been demonstrated to warrant a separate authority.

(b) New Section 9B - Qualifications for registration

National Assembly Amendment

The National Assembly proposed the insertion of a new section 9B as follows:-

“9B. A person is qualified to be registered to provide Kenyan Sign Language interpretation services under this Act, if the person—

- (a) has proficiency in English or Kiswahili languages as contemplated under Article 7(1) and (2) of the Constitution;
- (b) possesses such professional qualifications from an institution recognized by the Council;
- (c) has obtained practical experience and skills in Kenyan Sign Language interpretation as may be prescribed by the Council; and
- (d) has successfully passed the continuing professional development examination or such other requirements as may be conducted by the Council, from time to time.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. No deficiency in the existing arrangements for prescribing qualifications has been demonstrated.

(c) New Section 9C - Application for registration**National Assembly Amendment**

The National Assembly proposed the insertion of a new section 9C as follows:-

“9C. (1) A person who meets the requirements under section 9B of this Act, may apply to the Registrar for registration to provide Kenyan Sign Language interpretation services.

(2) The application referred to under subsection (1), shall be in the prescribed manner, accompanied with—

- (a) copies of professional and educational certificates;
- (b) such registration fees as may be determined by the Council; and
- (c) any other document as may be necessary to prove qualification for registration.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. No inadequacy in the Ministry’s application process has been demonstrated to justify its replacement.

(d) New Section 9D - Effect of registration**National Assembly Amendment**

The National Assembly proposed the insertion of a new section 9D as follows:-

“9D. A person whose name has been entered in the register as a licensed Kenyan Sign Language interpreter, shall, for as long as his or her name remains in the register, be entitled to adopt and use the style and title “professional sign language interpreter”.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The proposed placement separates the professional designation from the provisions on the register and certificates of registration.

(e) New Section 9E - Certificate of registration

National Assembly Amendment

The National Assembly proposed the insertion of a new section 9E as follows:-

“9E. The Registrar shall issue to every person registered under this Act, a certificate of registration in the prescribed form.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. Certificates of registration are already provided for.

(f) New Section 9F - Register

National Assembly Amendment

The National Assembly proposed the insertion of a new section 9F as follows:-

“9F. (1) The Registrar shall keep and maintain a register in which the name of every person registered by the Council to provide Kenya Sign Language interpretation services of all the registered sign language interpreters under this Act shall be entered showing—

- (a) the date of the entry in the register;
- (b) the registration number of the person;
- (c) the address of the person registered;
- (d) the nationality of the person;
- (e) the qualifications of the person; and
- (f) such other particulars as the Council may prescribe.

(2) A person whose name is entered in the register under subsection (1) shall inform the Registrar of any changes in the particulars set out under subsection (1).

- (3) A person may, during normal office hours and on payment of the prescribed fee, inspect the register and any document relating to an entry and may obtain from the Registrar a copy or extract from the register of any such document.
- (4) The Registrar shall cause to be published in electronic or print media, not later than the 30th day of April of every year, particulars of licensed Kenya Sign Language interpreters duly registered under this Act.
- (5) A publication made under this subsection (4) shall be prima facie evidence—
- (a) that a person whose name has been entered in the register under this Act is qualified to provide Kenyan Sign Language interpretation services; or
 - (b) that a person, whose name does not appear in such publication or has been deleted from the register as notified by such publication is not licensed to provide Kenyan Sign Language interpretation services.
- (6) The Registrar may remove from the register—
- (a) the name of a deceased member in a manner prescribed by Council;
 - (b) any entry which has been incorrectly or fraudulently made;
 - (c) the name of a person convicted of an offence under this Act or any other law and sentenced to imprisonment for a term exceeding six months;
 - (d) a person whose name the Council has directed that it should be removed from the register for breach of the provisions of this Act;
 - (e) the name of a person who has been declared bankrupt; or
 - (f) the name of a person who has failed to satisfy the requirements for the continuing professional development programme for the time being in force.
- (7) Where the Registrar establishes that an entry has been erroneously or incorrectly entered in the register, the Registrar may correct the error and notify the affected person of such corrections.
- (8) The Registrar shall cause the name and address of a person whose name is removed from the register under this section, to be published in the Gazette within one month from the date of such removal.
- (9) Upon the removal of a name from the register, the Registrar shall inform the person of the removal by registered mail to the person's last recorded postal address, or through the person's last known email address.

(10) Where the name of any person has been removed from the register under this Act, it shall not be reinstated except by the direction of the Council.

(11) A person whose name has been removed from the register shall cease to be registered for the purpose of this Act from the date of such removal.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The register and its inspection are already provided for.

(g) New Section 9G - Practising certificate

National Assembly Amendment

The National Assembly proposed the insertion of a new section 9G as follows:-

“9G. (1) A person shall not provide Kenyan Sign Language interpretation services unless that person has been issued with a practicing certificate under this Act.

(2) A person wishing to obtain a practicing certificate shall apply to the Council through the Registrar.

(3) An application under this section shall be in the prescribed form and shall be accompanied by the prescribed fee.

(4) Where an application is made by a person in accordance with this section, the Registrar shall, upon direction by the Council, issue such a person a practicing certificate if satisfied that the person—

(a) is registered under this Act; and

(b) meets such other requirements as may be prescribed.

(5) A practicing certificate issued under subsection (1), shall be valid for a period of one year running from the 1st of January to the 31st of December of each year and may, upon expiry, be renewed on making an application for renewal.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The requirement depends on licensing by a Council whose establishment has been rejected.

(h) New Section 9H - Renewal of practising certificate

National Assembly Amendment

The National Assembly proposed the insertion of a new section 9H as follows:-

“9H. (1) A person who holds a practicing certificate may on the expiry of the practicing certificate apply to the Council for a renewal of the certificate.

(2) An application made under subsection (1), shall be accompanied with—

- (a) a declaration in the prescribed form;
- (b) fees for the current practicing period and subject to the approval by the Council, any unpaid fees, including penalties as prescribed by the Council; and
- (c) proof of fulfillment of all applicable conditions for renewal of a certificate.

(3) The Council may, with sufficient cause, refuse to issue or renew a practicing certificate and shall communicate the refusal and give reasons for such refusal to the applicant within twenty-one days of making the decision.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. Renewal depends on the proposed Council’s licensing authority.

(i) New Section 9I - Suspension and cancellation of practising certificate

National Assembly Amendment

The National Assembly proposed the insertion of a new section 9I as follows:-

“9I. (1) The Council may suspend or cancel a practising certificate issued under this Act where—

- (a) allegations of misconduct have been investigated and proven against a sign language interpreter;
 - (b) a sign language interpreter has been convicted of an offence under this Act;
 - (c) a false declaration was made in an application for a practising certificate; or
 - (d) a sign language interpreter has contravened any of the provisions of this Act.
- (2) The cancellation or suspension of a practising certificate under subsection (1) shall be subject to the principles of fair administrative action prescribed under Article 47 of the Constitution and the Fair Administrative Action Act.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The disciplinary powers depend on the rejected Council and licensing scheme.

(j) New Section 9J - Effect of removal of name, suspension or cancellation of a practising certificate

National Assembly Amendment

The National Assembly proposed the insertion of a new section 9J as follows:-

“9J. A person whose name has been removed from the register or whose certificate has been suspended or cancelled, shall not provide Kenyan Sign Language interpretation services during the period of removal of name, suspension or cancellation of his or her practising certificate.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The provision depends on registration and licensing arrangements that have been rejected.

Clause 10 - Application for registration**National Assembly Amendment**

The National Assembly proposed the deletion of clause 10 as follows:-

“THAT, Clause 10 be deleted.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The existing registration process remains necessary, and no basis for its removal has been demonstrated.

Clause 11 - Registrar**National Assembly Amendment**

The National Assembly proposed the deletion of clause 11 as follows:-

“THAT, Clause 11 be deleted.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The Registrar remains necessary for administration within the Ministry.

Clause 12 - Register**National Assembly Amendment**

The National Assembly proposed the deletion of clause 12 as follows:-

“THAT, Clause 12 be deleted.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The register remains necessary for the administration of registered interpreters.

Clause 13 - Certificate of registration**National Assembly Amendment**

The National Assembly proposed the deletion of clause 13 as follows:-

“THAT, Clause 13 be deleted.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. Authority to issue certificates of registration remains necessary.

Clause 15 - Code of conduct**National Assembly Amendment**

The National Assembly proposed the amendment of clause 15 as follows:-

“THAT, Clause 15 be amended by deleting the expression “Cabinet Secretary shall, in consultation with the most representative registered association of sign language interpreters” and substituting therefor the word “Council”.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. No deficiency in the existing responsibility for the code of conduct has been demonstrated. The substitution also removes the obligatory word “shall”.

New Part V: Financial Provisions

National Assembly Amendment

The National Assembly proposed the insertion of a new Part immediately after clause 16, titled: “PART V—FINANCIAL PROVISIONS”.

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The heading would have no operative provisions following rejection of the Council’s financial arrangements.

(a) New Section 16A - Funds of the Council

National Assembly Amendment

The National Assembly proposed the insertion of a new section 16A as follows:-

“16A. (1) The funds of the Council shall comprise of —

- (a) such monies as may accrue to or vest in the Council in the course of the exercise of its powers or the performance of its functions under this Act;
- (b) monies as may be payable to the Council pursuant to this Act or any other written law;
- (c) gifts, grants, donations or endowments as may be given to the Council; and
- (d) all moneys from any other lawful source provided, donated or lent to the Council.

(2) All the funds donated, lent or issued to the Council under this Act shall be accounted for and appropriated in accordance with the Public Finance Management Act.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. Separate funding is unnecessary in the absence of the Council.

(b) New Section 16B - Financial year

National Assembly Amendment

The National Assembly proposed the insertion of a new section 16B as follows:-

“16B. The financial year of the Council shall be the period of twelve months ending on the thirtieth day of June in each year.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. There is no need to prescribe a financial year for a Council that will not be established.

(c) New Section 16C - Annual estimates

National Assembly Amendment

The National Assembly proposed the insertion of a new section 16C as follows:-

“16C. (1) At least three months before the commencement of the financial year, the Council shall cause to be prepared estimates of its revenue and expenditure for that financial year.

(2) The annual estimates shall make provision for all estimated expenditure of the Council for the financial year concerned, and in particular shall provide for the—

- (a) the payment of salaries, allowances and other charges in respect of the staff of the Council;
- (b) the payment of pensions, gratuities and other charges in respect of retirement benefits which are payable out of the funds of the Council;
- (c) the proper maintenance of buildings and grounds of the Council;
- (d) the acquisition, maintenance, repair and replacement of the equipment and other movable property of the Council; or
- (e) the creation of such reserve funds to meet future or contingent liabilities in respect of retirement benefits, insurance or replacement of buildings or equipment, or in respect of such other matters as the Council may consider appropriate.

(3) The annual estimates shall be approved by the Council before the commencement of the financial year to which they relate and, once approved, the sum provided in the estimates shall be submitted to the Cabinet Secretary for approval.

(4) Expenditure shall not be incurred for the purposes of the Council except in accordance with the annual estimates approved under subsection (3), or in pursuance of an authorisation of the Council given with prior written approval of the Cabinet Secretary.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. There is no separate institution for which annual estimates would be required.

(d) New Section 16D - Accounts and audit

National Assembly Amendment

The National Assembly proposed the insertion of a new section 16D as follows:-

“16D. (1) The Council shall cause to be kept proper books and records of accounts of its income, expenditure, assets and liabilities.

(2) Within a period of three months after the end of each financial year, the Council shall submit to the Auditor-General, the audited accounts of the Council together with—

(a) a statement of income and expenditure of the Council during the year; and

(b) a statement of the assets and liabilities of the Council on the last day of that year.

(3) The accounts of the Council shall be audited and reported upon in accordance with the provisions of the Public Audit Act.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. Without the Council, there are no accounts to which the provision would apply.

(e) New Section 16E - Annual report

National Assembly Amendment

The National Assembly proposed the insertion of a new section 16E as follows:-

“16E. The Council shall, within three months after the end of each financial year, prepare and submit to the Cabinet Secretary a report of the operations of the Council for the immediately preceding year.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. There would be no Council operations on which to report.

Part Heading

New Part VI: Miscellaneous Provisions

National Assembly Amendment

The National Assembly proposed the insertion of a heading titled: “PART VI— MISCELLANEOUS PROVISIONS” immediately before clause 17.

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The proposed division into Parts is unnecessary for the arrangement of the Bill.

New Schedule - Conduct of Business and Affairs of the Council

National Assembly Amendment

The National Assembly proposed the insertion of a new Schedule immediately after clause 19, titled: “PROVISIONS AS TO THE CONDUCT OF BUSINESS AND AFFAIRS OF THE COUNCIL”.

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The Schedule has no application in the absence of the Council.

(a) Paragraph 1 - Meetings

National Assembly Amendment

The National Assembly proposed the insertion of paragraph 1 of the new Schedule as follows:-

“1. (1) The Council shall meet not less than four times in every financial year and not more than four months shall elapse between the date of one meeting and the date of the next meeting.

(2) Notwithstanding the provisions of subparagraph (1), the chairperson may, and upon requisition in writing by at least five members shall, convene a special meeting of the Council at any time for the transaction of the business of the Council.

(3) Unless three-quarters of the total members of the Council otherwise agree, at least fourteen days’ written notice of every meeting of the Council shall be given to every member of the Council.

(4) The quorum for the conduct of the business of the Council shall be five members including the chairperson or the person presiding.

(5) The chairperson shall preside at every meeting of the Council at which he is present but, in his absence, the members present shall elect one of their numbers to preside, who shall, with respect to that meeting and the business transacted thereat, have all the powers of the chairperson.

(6) Unless a unanimous decision is reached, a decision on any matter before the Council shall be by a majority of votes of the members present and voting and, in the case of an equality of votes, the chairperson or the person presiding shall have a casting vote.

(7) Subject to subparagraph (4), no proceedings of the Council shall be invalid by reason only of a vacancy among the members thereof.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. Meeting procedures have no application in the absence of the Council.

(b) Paragraph 2 - Disclosure of interest by Council members

National Assembly Amendment

The National Assembly proposed the insertion of paragraph 2 of the new Schedule as follows:-

“2. (1) If a member is directly or indirectly interested in any contract, proposed contract or other matter before the Council and is present at a meeting of the Council at which the contract, proposed contract or other matter is the subject of consideration, that member shall, at the meeting and as soon as practicable after the commencement thereof, disclose the fact and shall not take part in the consideration or discussion of, or vote on, any questions with respect to the contract or other matter, or be counted in the quorum of the meeting during consideration of the matter:

Provided that, if the majority of the members present are of the opinion that the experience or expertise of such member is vital to the deliberations of the meeting, the Council may permit the member to participate in the deliberations subject to such restrictions as it may impose but such member shall not have the right to vote on the matter in question.

(2) A disclosure of interest made under this paragraph shall be recorded in the minutes of the meeting at which it is made.

(3) A member of the Council who contravenes subparagraph (1) commits an offence and is liable to imprisonment for a term not exceeding six months, or to a fine not exceeding one hundred thousand shillings, or both.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. Disclosure obligations and the related offence depend on membership of the proposed Council.

(c) Paragraph 3 - Execution of instruments

National Assembly Amendment

The National Assembly proposed the insertion of paragraph 3 of the new Schedule as follows:-

“3. Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not require to be under seal, may be entered into or executed on behalf of the Council by any person generally or specially authorized by the Council for that purpose.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. The authority to execute instruments is incidental to a corporate body that will not be established.

(d) Paragraph 4 - Minutes

National Assembly Amendment

The National Assembly proposed the insertion of paragraph 4 of the new Schedule as follows:-

“4. The Council shall cause minutes of all resolutions and proceedings of meetings of the Council to be entered in books kept for that purpose.”

National Assembly Rationale

No rationale was provided.

Committee Resolution

The Committee resolved to reject the proposal. There would be no Council proceedings or resolutions to record.

CHAPTER THREE: COMMITTEE RECOMMENDATIONS

3.1 Committee Recommendations

Having considered the National Assembly amendments to the Kenya Sign Language Bill, 2023 (Senate Bills No. 9 of 2023), the Standing Committee on Education recommends that the Senate rejects the amendments to the Bill in terms of standing order 165(4)(b) of the senate standing orders.



MINUTES OF THE ONE HUNDRED AND FIFTY-FIFTH (155TH) HYBRID SITTING OF THE STANDING COMMITTEE ON EDUCATION HELD AT FOUR POINTS BY SHERATON, MACHAKOS COUNTY ON WEDNESDAY, 2ND SEPTEMBER, 2026 AT 10.00 AM.

PRESENT

- | | |
|---|---------------------------------|
| 1. Sen. Betty Montet, MP | - Chairperson (<i>Online</i>) |
| 2. Sen. (Prof.) Margaret Kamar, EGH, MP | - Vice-Chairperson |
| 3. Sen. Catherine Mumma, CBS, MP | - Member (<i>Online</i>) |
| 4. Sen. Johnes Mwaruma, CBS, MP | - Member |
| 5. Sen. John Kinyua Nderitu, MP | - Member |
| 6. Sen. Agnes Kavindu Muthama, MP | - Member |
| 7. Sen. Lenku Ole Kanar Scki, MP | - Member |
| 8. Sen. Crystal Asige, MP | - Friend of the Committee |

ABSENT WITH APOLOGY

- | | |
|---------------------------------|----------|
| 1. Sen. James Kamau Murango, MP | - Member |
| 2. Sen. John Methu, MP | - Member |

SECRETARIAT

- | | |
|-------------------------|------------------------------|
| 1. Ms. Veronicah Kibati | - Deputy Director, DSEC |
| 2. Mr. Charles Ngatia | - Clerk Assistant I |
| 3. Ms. Doris Obure | - Clerk Assistant III |
| 4. Mr. Walters Omondi | - Legal Counsel |
| 5. Ms. Valarie Chemweno | - Research Officer |
| 6. Mr. Johnstone Simiyu | - Audio Recording Officer |
| 7. Mr. John Chege | - Assistant Serjeant-At-Arms |
| 8. Mr. Kevin Lomenen | - Clerical Officer, DSEC |

MIN/SEN/SCE/556/2026

PRELIMINARIES

The Chairperson called the meeting to order at twenty-eight minutes past ten O'clock and there followed a word of prayer by Sen. (Prof.) Margaret Kamar, EGH, MP.

MIN/SEN/SCE/557/2026

ADOPTION OF THE AGENDA

The agenda of the meeting was adopted having been proposed by Sen. John Kinyua Nderitu, MP and seconded by Sen. Johnes Mwaruma, CBS, MP as follows-

1. Prayer;
2. Adoption of the Agenda;
3. **Consideration of National Assembly amendments to the Kenyan Sign Language Bill, 2023 (Senate Bills No. 9 of 2023); (*Committee Paper No. 146*); and**
4. Adjournment and Date of the Next Meeting.

MIN/SEN/SCE/558/2026: CONSIDERATION OF NATIONAL ASSEMBLY AMENDMENTS TO THE KENYAN SIGN LANGUAGE BILL, 2023 (SENATE BILLS NO. 9 OF 2023)

1. The Committee was taken through *Committee Paper No. 146* highlighting the National Assembly amendments to the Kenyan Sign Language Bill, 2023 (Senate Bills No. 9 of 2023).
2. The Committee observed that the National Assembly amendments proposed the establishment of a Kenya Sign Language Council, distinct from the National Council for Persons with Disabilities (NCPD), with responsibility for the regulation, registration, research and promotion of Kenya Sign Language and Deaf community culture. The Bill as passed by the Senate had contemplated the NCPD as the umbrella body, with sign language interpreters being regulated under a Registrar.
3. The Committee considered the respective functions proposed for the Kenya Sign Language Council and those assigned to the registrar under the Senate version of the Bill. It was noted that the National Assembly amendments contained more elaborate functions, including the setting of standards for interpreters, licensing, public awareness, research and advising the Government on matters relating to sign language.
4. The Committee noted that, while the proposed autonomous Kenya Sign Language Council would provide greater institutional autonomy, the functions provided for the Council may be discharged by the Ministry responsible for education and may cause fragmentation within the disability sector. It was further noted that retaining the registrar model would provide for consolidated oversight while allowing for the enhancement of the registrar's functions to effectively address matters relating to Kenya Sign Language.

5. The Committee further observed that the creation of the Kenya Sign Language Council had would establish a precedence where all disabilities would require the establishment of a Council on the specific disability. The proliferation of such Councils/bodies could result in fragmentation of the disability sector, weaken the role of the NCPD and potentially leave other categories of disabilities without adequate representation.
6. The Committee resolved to reject the National Assembly Amendments to the Kenyan Sign Language Bill, 2023 (Senate Bills No. 9 of 2023) and retain the registrar model within the existing disability governance framework, while strengthening the functions and powers of the registrar to adequately address the concerns raised by the Deaf community and ensure effective regulation and promotion of the Kenyan Sign Language.

MIN/SEN/SCE/559/2026

ADJORNMENT AND DATE OF NEXT MEETING

There being no other business, the meeting was adjourned at ten minutes past four o'clock. The next meeting shall be held on Thursday, 3rd September, 2026 at 10.00 a.m.

SIGNED.......... DATE..........

**SEN. BETTY MONTET, M.P.
(CHAIRPERSON, STANDING COMMITTEE ON EDUCATION)**



MINUTES OF THE ONE HUNDRED AND FIFTY-EIGHTH (158TH) HYBRID SITTING OF THE STANDING COMMITTEE ON EDUCATION HELD IN COMMITTEE ROOM 4, FIRST FLOOR, BUNGE TOWER, ON TUESDAY, 8TH SEPTEMBER, 2026 AT 9.00 AM.

PRESENT

- | | |
|---|---|
| 1. Sen. Betty Montet, MP | - Chairperson |
| 2. Sen. (Prof.) Margaret Kamar, EGH, MP | - Vice-Chairperson |
| 3. Sen. Catherine Mumma, CBS, MP | - Member |
| 4. Sen. Johnes Mwaruma, CBS, MP | - Member |
| 5. Sen. John Kinyua Nderitu, MP | - Member (<i>Online</i>) |
| 6. Sen. Agnes Kavindu Muthama, MP | - Member |
| 7. Sen. Lenku Ole Kanar Seki, MP | - Member |
| 8. Sen. Crystal Asige, MP | - Friend of the Committee (<i>Online</i>) |

ABSENT WITH APOLOGY

- | | |
|---------------------------------|----------|
| 1. Sen. James Kamau Murango, MP | - Member |
| 2. Sen. John Methu, MP | - Member |

SECRETARIAT

- | | |
|-------------------------|---------------------------------|
| 1. Mr. Charles Ngatia | - Clerk Assistant I |
| 2. Ms. Doris Obure | - Clerk Assistant III |
| 3. Mr. Walters Omondi | - Legal Counsel II |
| 4. Ms. Lorna Okatch | - Research Officer I |
| 5. Ms. Angelica Wachira | - Public Communications Officer |
| 6. Mr. Johnstone Simiyu | - Audio Recording Officer |
| 7. Ms. Lucy Mwaniki | - Assistant Serjeant-At-Arms |
| 8. Mr. John Chege | - Assistant Serjeant-At-Arms |

MIN/SEN/SCE/569/2026

PRELIMINARIES

The Chairperson called the meeting to order at twenty-eight minutes past ten O'clock and there followed a word of prayer by Sen. (Prof.) Margaret Kamar, EGH, MP.

The agenda of the meeting was adopted with amendments having been proposed by Sen. (Prof.) Margaret Kamar, EGH, MP and seconded by Sen. Agnes Kavindu Muthama, MP as follows-

1. Prayer;
2. Adoption of the Agenda;
3. **Consideration and adoption of Committee report on the National Assembly amendments to the Kenyan Sign Language Bill, 2023 (Senate Bills No. 9 of 2023); (Committee Paper No. 148);**
4. **Meeting with the Governor, Tharaka-Nithi County-arising from issuance of Summons to deliberate on the implementation status of Early Childhood Development Education (ECDE) and Vocational Education and Training Policies in the County (Committee Paper No. 136B);**
5. Any Other Business; and
6. Adjournment and Date of the Next Meeting.

MIN/SEN/SCE/571/2026: CONSIDERATION AND ADOPTION OF THE REPORT ON THE NATIONAL ASSEMBLY AMENDMENTS TO THE KENYAN SIGN LANGUAGE BILL, 2023 (SENATE BILLS NO. 9 OF 2023)

The Committee was taken through *Committee Paper No. 148* on the report of the Committee in consideration and adoption of the National Assembly amendments to the Kenyan Sign Language Bill, 2023 (Senate Bills No. 9 of 2023).

The Committee **observed** that-

- a) The objective of the Bill was inclusion of sign language in education curriculum; to provide for the use of sign language in legal proceedings and for connected purposes;
- b) The National Assembly amendments proposed the establishment of a Kenya Sign Language Council responsible for the standardisation, promotion and development of Kenyan Sign Language, including the coordination of training and accreditation;
- c) The proposed composition of the Council **did not** provide for representation of County Governments, despite their constitutional responsibilities in the provision of services and promotion of the rights and welfare of persons with disabilities, and that such exclusion could undermine effective coordination and implementation of Kenyan Sign Language services at the county level;

- d) The Senate version of the Bill provided for a Registrar under the Ministry responsible for education, while the National Assembly amendments proposed the establishment of a Council whose functions could overlap with those of the Registrar, and observed that this could result in duplication or conflict of functions.

Following deliberations, the Committee **resolved** that the outstanding issues be subjected to mediation, with particular consideration given to the inclusion of County Government representation in the Council, harmonisation of the functions of the Council and those of the Registrar in the Senate version of the Bill to avoid duplication; and to place the Council in the relevant Ministry responsible for education.

The Committee **rejected** the National Assembly amendments to the Kenyan Sign Language Bill, 2023 and resolved to proceed with mediation on the outstanding areas of disagreement.

The Committee report on consideration of National Assembly amendments to the Kenya Sign Language Bill, 2023 (Senate Bill No. 9 of 2023) was adopted having been proposed by Sen. Agnes Kavindu Muthama, MP and seconded by Sen. Johnes Mwaruma, CBS, MP.

MIN/SEN/SCE/572/2026: MEETING WITH THE GOVERNOR, THARAKA-NITHI COUNTY ON ISSUANCE OF SUMMON TO DELIBERATE ON THE IMPLEMENTATION STATUS OF EARLY CHILDHOOD DEVELOPMENT EDUCATION (ECDE) AND VOCATIONAL EDUCATION AND TRAINING POLICIES IN THE COUNTY

3. The Committee was taken through *Committee Paper No. 136B* on the meeting with the Governor, Tharaka-Nithi County following the issuance of a summon to deliberate on the implementation status of Early Childhood development Education (ECDE) and Vocational Education and Training Policies in the County.
4. The Committee observed that the Governor, Tharaka Nithi County, Hon. Muthomi Njuki was summoned to-
 - a) appear before the Committee on Tuesday, 8th September, 2026;
 - b) pay a fine of KSh. 500, 000.00 for non-appearance on 4th August, 2026 and non-submission of response to issues sought;

5. The Committee observed that the Governor had failed to honour the summons for appearance on 8th September, 2026 and resolved to-

- a) issue further Summons for the Governor, Tharaka Nithi County, Hon. Muthomi Njuki to appear before the Committee on Thursday, 1st October 2026; and
- b) impose a further fine of KSh. 5,000,000. 00 for failure to honour the Summons for appearance on 8th September, 2026.

MIN/SEN/SCE/573/2026

ADJORNMENT AND DATE OF NEXT MEETING

The Committee was informed of a meeting scheduled with the Office of the Auditor-General on Thursday, 10th September 2026 at 9.00 a.m. to deliberate on the Auditor-General's report on the provision of Early Childhood Development Education (ECDE) by the County Government of Kilifi and to further deliberate on the following-

- a) The extent of County Government investments in ECDE and Vocational Training Centres (VTCs), particularly in light of the significant number of learners who fall outside the coverage of national programmes and the observed underinvestment in vocational education and training by County Governments;
- b) The broader role of the Office of the Auditor-General in supporting oversight of devolved education functions, including the monitoring of implementation of education policies and programmes at the county level; and
- c) The refinement of audit tools and broadening of the scope of performance audits to incorporate policy implementation and impact, with a view to informing future audit planning and strengthening oversight of devolved education functions.

SIGNED.....



DATE.....

8th SEP 2026

**SEN. BETTY MONTET, M.P.
(CHAIRPERSON, STANDING COMMITTEE ON EDUCATION)**



THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK

P. O. Box 41842-00100
Nairobi, Kenya
Main Parliament Buildings

Telephone: 2848300 Ext. 3300
Email: cna@parliament.go.ke
www.parliament.go.ke/the-national-assembly

When replying please quote

NA/DLP/TBO/MTS/2026 (011)

2nd July 2026

Mr. Jeremiah Nyegenye, CBS
Clerk of the Senate
Main Parliament Buildings
NAIROBI



Dear

Distinguished Colleague,

*ODC (MA)
Please process
03/07/26*

RE: PASSAGE OF THE KENYA SIGN LANGUAGE BILL (SENATE BILL NO. 9 OF 2023)

The above-mentioned subject matter refers.

Attached herewith, please find a Message in respect of the passage of the Kenya Sign Language Bill (Senate Bill No. 9 of 2023) with amendments by the National Assembly on Wednesday, 24th June 2026.

I have also enclosed copies of the Schedule of National Assembly amendments to the Bill as passed by the House, the Order Paper, Votes and Proceedings and Hansard Report for the relevant sitting for reference.

Yours

Sincerely,

Samuel Njoroge, CBS
CLERK OF THE NATIONAL ASSEMBLY

Encl.

(2) Mr. Amole (DLP/MTS)

PS deal promptly.

*Amole
6/7/26*

*(3) Faustine
Kaly Procs.
LAD
06/07/2026*



REPUBLIC OF KENYA
THIRTEENTH PARLIAMENT - FIFTH SESSION

THE NATIONAL ASSEMBLY

MESSAGES

MESSAGE TO THE SENATE

_____ (No. 015 of 2026) _____

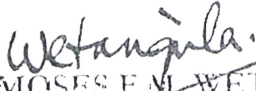
SUBJECT: PASSAGE OF THE KENYA SIGN LANGUAGE BILL (SENATE
BILL NO. 9 OF 2023)

PURSUANT to the provisions of Standing Order 41(1) and 144 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly—

WHEREAS, the Kenya Sign Language Bill (Senate Bill No. 9 of 2023) was passed by the Senate on Wednesday, 21st February 2024, and referred to the National Assembly for consideration pursuant to the provisions of Article 110(4) of the Constitution.

AND WHEREAS, the National Assembly considered and passed the said Bill on Wednesday, 24th June 2026 with amendments, as contained in the Schedule of amendments attached herewith;

NOW THEREFORE, in accordance with the provisions of Article 112(1)(b) of the Constitution and Standing Orders 41(1) and 144 of the National Assembly Standing Orders, I hereby convey the said decision of the National Assembly to the Senate.


THE RT. HON. (DR.) MOSES F. M. WETANG'ULA, SC, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Thursday, 2nd July 2026

KENYA SIGN LANGUAGE BILL, 2023

(SENATE BILL NO. 9 OF 2023)

The Bill as passed by the National Assembly on Wednesday, 24th June, 2026

**SCHEDULE OF AMENDMENTS MADE TO THE BILL BY THE NATIONAL
ASSEMBLY**

NEW PART I

THAT, the Bill be amended by inserting the following heading immediately before clause 1—

“PART I—PRELIMINARY”

CLAUSE 2

THAT, Clause 2 be amended, by—

- (a) inserting the expression “unless the context otherwise requires” in the opening statement immediately after the word “Act”;
- (b) deleting the definition of the term “Council” and substituting therefor the following new definition—

“Council” means the Kenya Sign Language Council established under section 5A;

- (c) inserting the following new definitions in their proper alphabetical sequence—

“deafblind” means a person who is either born deaf and blind or became deaf and blind due to illness or a condition at a later stage of life and uses tactile and Braille as a means of communication;

“Registrar” means the person appointed as such under section 5K”.

NEW PART II

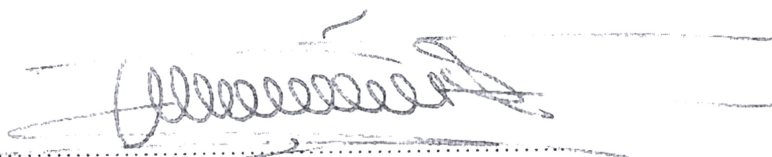
THAT, the Bill be amended by inserting the following new Part immediately after Clause 5—

PART II—KENYA SIGN LANGUAGE COUNCIL

Establishment
of the
Council.

5A. (1) There is established the Kenya Sign Language Council.

(2) The Council is a body corporate with perpetual succession and common seal and shall, in its corporate name, be capable of—



Clerk of the National Assembly

- (a) suing and being sued;
- (b) purchasing or otherwise acquiring, holding, charging and disposing of movable and immovable property;
- (c) entering into contracts; and
- (d) doing or performing all other things or acts necessary for the proper performance of its functions under this Act, which may lawfully be done or performed by a body corporate.

Headquarters
of the
Council.

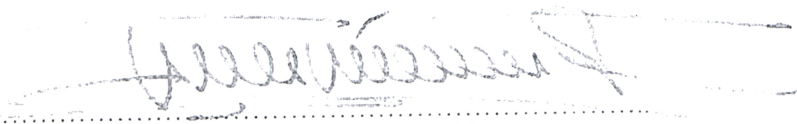
5B. (1) The headquarters of the Council shall be in the Nairobi, but the Council shall ensure access to its services in all parts of the Republic in accordance with Article 6(3) of the Constitution.

(2) Notwithstanding subsection (1), the Council may establish such units as it considers necessary for the proper discharge of its functions.

Functions of
the Council.

5C. The functions of the Council shall be to—

- (a) regulate the use and development of sign language in Kenya;
- (b) put in place measures for the recognition and preservation of the use of Kenyan Sign Language;
- (c) undertake research and create awareness on the culture and heritage of the deaf community in Kenya;
- (d) set and enforce standards for the training, practice and use of Kenyan sign language and Kenya Sign Language interpretation;
- (e) register and license sign language interpreters in Kenya;
- (f) maintain a register and keep a record of all sign language interpreters registered under this Act;
- (g) protect and promote the right of the deaf, hard of hearing and deafblind community to equal access to information and communication, including the right to access to justice;
- (h) determine the minimum fees chargeable for the provision of services under this Act;
- (i) advise the Cabinet Secretary and county governments on matters relating to sign language;
- (j) develop and regulate ethical and disciplinary standards for sign language interpreters;
- (k) collaborate with other relevant government agencies in the use and development of sign language in Kenya; and
- (l) perform such other functions as may be prescribed by any other law or as necessary for the promotion of the objects of this Act.


Clerk of the National Assembly

Powers of the
Council.

5D. (1) The Council shall have all the powers necessary for the proper performance of its functions under this Act and any other written law.

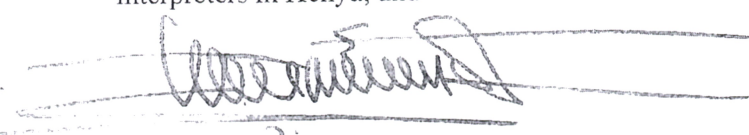
(2) Without prejudice to the generality of subsection (1), the Council shall have the power to—

- (a) manage, control and administer the assets of the Council in such manner and for such purposes as best promotes the purpose for which the Council is established;
- (b) open such bank accounts for the funds of the Council as may be necessary;
- (c) determine the provisions to be made for capital and recurrent expenditure and for the reserves of the Council;
- (d) subject to approval of the Cabinet Secretary for the time being responsible for matters relating to finance, invest any surplus funds of the Council not immediately required for the purposes of this Act, as it may determine;
- (e) receive gifts, grants, donations or endowments made to the Council and make legitimate disbursements therefrom;
- (f) enter into association with such other bodies or organizations within or outside Kenya as it may consider appropriate and in furtherance of the purposes for which the Council is established; and
- (g) undertake any activity necessary for the performance of any of its functions.

Composition
of the
Council.

5E. (1) The Council consists of—

- (a) a chairperson, who shall be appointed by the Cabinet Secretary;
- (b) the Principal Secretary in the Ministry for the time being responsible for matters relating to education or a representative designated in writing;
- (c) the Principal Secretary in the Ministry for the time being responsible for matters relating to culture or a representative designated in writing;
- (d) the chairperson of the National Council for Persons with Disabilities or a representative designated in writing;
- (e) three persons nominated by the most representative registered national association of the deaf community in Kenya;
- (f) two persons nominated by the most representative registered national association for sign language interpreters in Kenya; and


Clerk of the National Assembly

(g) the Registrar who shall be an *ex-officio* member of the Council.

(2) A person qualifies for appointment as the chairperson of the Council if the person—

- (a) holds a degree from a university recognized in Kenya;
- (b) has proven knowledge and experience of at least ten years in matters of—
 - (i) Kenyan Sign Language;
 - (ii) deaf and hard of hearing communications and other communications formats; and
 - (iii) disability rights;
- (c) meets the requirements of Chapter Six of the Constitution.

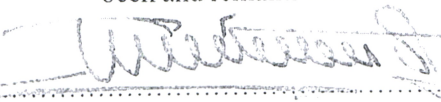
(3) A person qualifies for appointment as a member of the Council under subsection (1)(e) and (f) if the person—

- (a) holds a degree from a university recognized in Kenya;
- (b) has knowledge and experience of at least five years in any of the following matters of—
 - (i) Kenyan Sign Language;
 - (ii) deaf and hard of hearing communications and other communications formats;
 - (iii) disability;
 - (iv) human rights; or
 - (v) social sciences;
- (c) meets the requirements of Chapter Six of the Constitution.

(4) The Cabinet Secretary shall make regulations to prescribe the criteria for nomination of members referred to in subsection (1)(c) and (f).

(5) A person shall not qualify for appointment as a chairperson or a member of the Council, if the person—

- (a) is a member of Parliament or County Assembly;
- (b) is an official of a governing body of a political party;
- (c) is an undischarged bankrupt;
- (d) has been convicted of a criminal offence and sentenced to imprisonment for a term exceeding six months;
- (e) has been removed from office for contravening the provisions of the Constitution or any other written law; or
- (f) in the case of members referred to in subsection 1(f), has been and remains removed from the register or his or her


Clerk of the National Assembly

practicing certificate has been suspended under section 9H.

(6) The appointment of the chairperson and members under subsection 1(e) and (f) shall be by name and by notice in the *Gazette*.

Term of
office.

5F. (1) The chairperson and members shall serve on part-time basis.

(2) The members appointed under section 5E (1)(a), (e) and (f) shall hold office for a term of three years and shall be eligible for re-appointment for a further term.

(3) The members appointed under section 5E (1)(b), (c) and (d) shall hold office during their tenure of office unless removed from office by the appointing authority.

Vacation of
office.

5G. (1) A member of the Council, other than an ex officio member, shall cease to be a member of the Council, if the person—

(a) is unable to perform the functions of the office by reason of mental or physical infirmity;

(b) is incompetent or has neglected duty;

(c) is adjudged bankrupt;

(d) is convicted of a criminal offence and sentenced to a term of imprisonment of more than six months;

(e) is absent from three consecutive meetings of the Council without good cause;

(f) resigns in writing by a notice addressed to the Cabinet Secretary;

(g) dies; or

(h) is removed from office in accordance with the provisions of the Constitution.

(2) Whenever a vacancy arises under section 5E (1)(e) and (f), the Cabinet Secretary shall within seven days of such vacancy, notify the respective associations to submit the names of their nominees within fourteen days from the date of receipt of the notification.

Committees of
the Council.

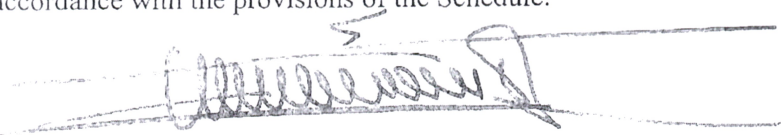
5H. (1) The Council may establish Committees for the effective performance of its functions under this Act.

(2) The Council may co-opt into the membership of a Committee established under subsection (1), any person whose knowledge and expertise may be necessary for the effective performance of the functions of the Council.

(3) A person co-opted into a Committee under subsection (2), may attend the meetings of the Committee and participate in its deliberations, but shall not vote at such meetings.

Conduct of
affairs and
business of
the Council.

5J. (1) The Council shall conduct its business and affairs in accordance with the provisions of the Schedule.


Clerk of the National Assembly

(2) Without prejudice to subsection (1), the Council may regulate its own procedure.

(3) Despite subsections (1) and (2), all Council meetings shall be conducted in both spoken and sign language.

Registrar of
the Council.

5K. (1) The Council shall, through an open, transparent and competitive recruitment process, appoint a suitably qualified person to be the Registrar of the Council.

(2) A person is qualified for appointment as the Registrar of the Council if the person—

(a) is a citizen of Kenya;

(b) holds a degree in social sciences or its equivalent, from a university recognized in Kenya;

(c) has had at least ten years proven experience at management level;

(d) has had at least five years' experience in sign language proficiency in Kenya; and

(e) meets the requirements of Chapter Six of the Constitution.

(3) The Registrar shall serve on such terms and conditions as the Council may determine.

(4) The Registrar shall hold office for a period not exceeding five years and may be eligible for re-appointment for a further and final term of five years

(5) The Registrar shall, in the performance of the functions and duties of the office, be responsible to the Council.

(6) The Registrar shall—

(a) be the Secretary and Chief Executive Officer of the Council;

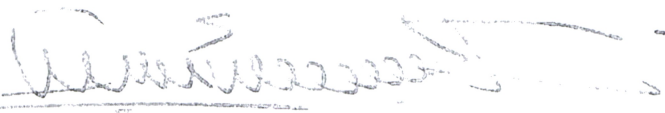
(b) be responsible for—

(i) implementing the decisions of the Council regarding all matters relating to the registration and regulation of sign language interpretation;

(ii) the day-to-day administration and management of the affairs of the Council;

(iii) coordination and supervision of the staff of the Council;

(iv) keeping and maintaining the register of persons registered as sign language interpreters in accordance with this Act;


Clerk of the National Assembly

(v) subject to the directions of the Council, make the necessary alterations or corrections in the register;

(c) perform any other duties as may be assigned by law or the Council.

Removal of
the Registrar
from office.

5L. (1) The Registrar may be removed from office by the Council in accordance with the terms and condition of service, for—

(a) inability to perform the functions of the office arising out of physical or mental infirmity;

(b) gross misconduct or misbehaviour;

(c) incompetence or negligence of duty;

(d) violation of the Constitution or any other written law; or

(e) any other grounds specified in the terms and conditions of service of the Registrar.

(2) Where the question of the removal of the Registrar under subsection (1) arises, the Council shall act in accordance with the principles of fair administrative action prescribed under Article 47 of the Constitution and the Fair Administrative Action Act.

Cap. 7L
Staff of the
Council.

5M. (1) The Council shall, through a competitive and transparent process, employ such officers, agents and other staff as may be necessary for the proper discharge of its functions under this Act, upon such terms and conditions of service as the Council may determine.

(2) The staff referred to in subsection (1) may, upon the request of the Council, be seconded by the Public Service Commission to the Council.

(3) The Council shall, in the appointment of staff, ensure—

(a) equalization of opportunity for the deaf community;

(b) equalization of opportunities for the youth;

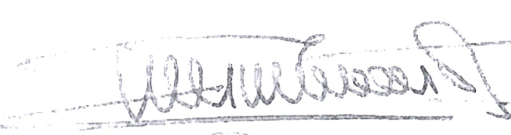
(c) that not more than two thirds of its staff are of the same gender; and

(d) that the appointment of staff reflects the ethnic and regional diversity of the people of Kenya.

Remuneration.

5N. (1) The members of the Council shall be paid such remuneration, allowances and disbursements as may be approved by the Cabinet Secretary in consultation with the Salaries and Remuneration Commission.

(2) The Registrar and staff of the Council shall be paid such salary or allowances as shall be determined by the Council in consultation with the Salaries and Remuneration Commission.


Clerk of the National Assembly

Common seal.

50. (1) The common seal of the Council shall be kept in the custody of the Registrar or such other person as the Council may direct, and shall not be used except on the order of the Council.

(2) The affixing of the common seal of the Council shall be authenticated by the signature of the chairperson and the Registrar.

(3) The Council shall in the absence of either the chairperson or the Registrar, in any particular matter, nominate one member of the Council to authenticate the seal of the Council on behalf of either the chairperson or the Registrar.

(4) The common seal of the Council when affixed to a document and duly authenticated, shall be judicially and officially noticed, and unless the contrary is proved, any necessary order by the Council under this section shall be presumed to have been duly given.

Protection from personal liability.

5P. (1) A matter or thing done by a member of the Council or by any officer, member of staff, or agent of the Council shall not, if the matter or thing is done *bona fide* for executing the functions, powers or duties of the Council under this Act or any other written law, render the member, officer, employee or agent or any person acting on their directions personally liable to any action, claim or demand whatsoever.

(2) Any expenses incurred by any person in any suit or prosecution brought against him or her in any court, in respect of any act which is done or purported to be done by him or her under the direction of the Council, shall, if the court holds that such act was done *bona fide*, be paid out of the general funds of the Council, unless such expenses are recovered by him or her in such suit or prosecution.

Liability for damages.

5Q. The provisions of section 5P shall not relieve the Council of the liability to pay compensation or damages to any person for any injury to him or her, his or her property or any of his or her interests caused by the exercise of any power conferred by this Act or any other written law or by the failure, wholly or partially, of any works.

NEW PART III

THAT, the Bill be amended by inserting the following heading immediately before clause 6—

“PART III—ACCESS AND NON-DISCRIMINATION”

CLAUSE 7

THAT, Clause 7 be deleted and replaced with the following new clause—

Kenyan Sign Language in education.

7. The Cabinet Secretary for the time being responsible for matters relating to basic education shall for the purposes of giving effect to Article 53(1)(b) of the Constitution—

(a) so far as is reasonably practical, establish a mechanism for the provision of Kenyan Sign Language lessons to—


Clerk of the National Assembly

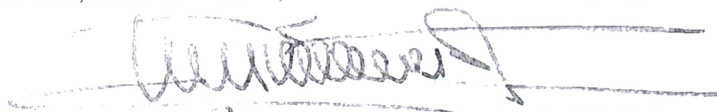
- (i) the parents, siblings and grandparents of a child who is Deaf, hard of hearing or Deafblind; or
 - (ii) other persons who serve as guardians to a child who is Deaf, hard of hearing or Deafblind;
- (b) ensure that Deaf learners and learners who are hard of hearing are taught in a manner that they are able to understand and use the dominant language of instruction in the education system;
- (c) ensure development of appropriate instruction materials for the education of Deaf learners and learners who are hard of hearing;
- (d) ensure that learning institutions for the Deaf and hard of hearing provide formal and non-formal education, skills development and self-reliance for Deaf learners as appropriate;
- (e) ensure that there is a sufficient number of learning institutions offering Kenyan Sign Language training for the Deaf, hard of hearing or Deafblind children attending public or private schools;
- (f) ensure the provision of education and support services to children who are Deaf, hard of hearing or Deafblind who are attending accredited schools by determining, from time to time, the minimum placement and qualifications of the teachers of such children;
- (g) ensure that public institutions of higher learning undertake continuous research in the development and use of sign language;
- (h) ensure that Kenyan Sign Language is integrated in the basic education curriculum and is taught to all learners as one of the languages recognized under Article 7 of the Constitution;
- (i) ensure that the training and education of teachers offering basic education includes training and education on Kenyan Sign Language and interpretation;
- (j) ensure that Kenyan Sign Language is integrated in early childhood education generally and in particular, that Kenyan Sign Language is taught to the Deaf learners and hearing learners in public and private early childhood education centres; and
- (k) ensure that public institutions offering tertiary education shall do all that is reasonable and necessary to provide free interpretation services as may be needed by Deaf, hard of hearing, and Deafblind.

NEW CLAUSE 8A

THAT, the Bill be amended by inserting the following new clauses immediately after Clause 8—

Media
services.

8A. (1) Television stations shall provide closed captioning and a Kenyan Sign Language inset covering at least one-third of the size of the television screen, in all newscasts, educational and national programmes, for the purpose



Clerk of the National Assembly

of ensuring equality and respect for human dignity in the promotion and broadcasting of such programmes.

(2) Without prejudice to the generality of subsection (1), content on television including content transmitted through the internet shall be made accessible to the Deaf, hard of hearing, and Deafblind community through the provision of closed captioning and transcripts on all content.

Telecommunication services.

8B. Telecommunication service providers shall make their services accessible to the Deaf, hard of hearing, and Deafblind community through establishment and provision of relay services, including text relay, video relay, captioned telephone relay, and communication facilitators for the Deaf, hard of hearing or Deafblind.

NEW PART IV

THAT, the Bill be amended by inserting the following new Part immediately after Clause 9—

PART IV—REGISTRATION AND REGULATION OF SIGN LANGUAGE INTERPRETERS

Registration.

9A. (1) A person who wishes to provide Kenyan Sign Language interpretation services shall apply for registration to the Council in the prescribed manner.

(2) The Registrar shall, upon receipt of the application and as soon as is practicable bring every application before the Council for consideration.

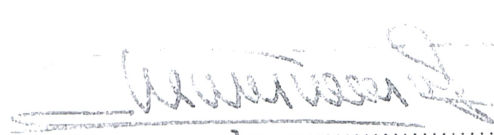
(3) Where the Council has determined that a person has complied with the provisions of this Act, the person shall be registered and is eligible to provide Kenyan Sign Language interpretation services.

(4) The Council may issue a person who has been registered under this Act with such identification document in the prescribed manner, and which shall be valid for such period as the Council may specify.

Qualifications for registration.

9B. A person is qualified to be registered to provide Kenyan Sign Language interpretation services under this Act, if the person—

- (a) has proficiency in English or Kiswahili languages as contemplated under Article 7(1) and (2) of the Constitution;
- (b) possesses such professional qualifications from an institution recognized by the Council;
- (c) has obtained practical experience and skills in Kenyan Sign Language interpretation as may be prescribed by the Council; and


Clerk of the National Assembly

- (d) has successfully passed the continuing professional development examination or such other requirements as may be conducted by the Council, from time to time.

Application for registration.

9C. (1) A person who meets the requirements under section 9B of this Act, may apply to the Registrar for registration to provide Kenyan Sign Language interpretation services.

(2) The application referred to under subsection (1), shall be in the prescribed manner, accompanied with—

- (a) copies of professional and educational certificates;
- (b) such registration fees as may be determined by the Council; and
- (c) any other document as may be necessary to prove qualification for registration.

Effect of registration.

9D. A person whose name has been entered in the register as a licensed Kenyan Sign Language interpreter, shall, for as long as his or her name remains in the register, be entitled to adopt and use the style and title “professional sign language interpreter”.

Certificate of registration.

9E. The Registrar shall issue to every person registered under this Act, a certificate of registration in the prescribed form.

Register.

9F. (1) The Registrar shall keep and maintain a register in which the name of every person registered by the Council to provide Kenya Sign Language interpretation services of all the registered sign language interpreters under this Act shall be entered showing—

- (a) the date of the entry in the register;
- (b) the registration number of the person;
- (c) the address of the person registered;
- (d) the nationality of the person;
- (e) the qualifications of the person; and
- (f) such other particulars as the Council may prescribe.

(2) A person whose name is entered in the register under subsection (1) shall inform the Registrar of any changes in the particulars set out under subsection (1).

(3) A person may, during normal office hours and on payment of the prescribed fee, inspect the register and any document relating to an entry and may obtain from the Registrar a copy or extract from the register of any such document.

(4) The Registrar shall cause to be published in either electronic or print media, not later than the 30th day of April of every year, particulars of licensed Kenya Sign Language interpreters duly registered under this Act.


Clerk of the National Assembly

(5) A publication made under this subsection (4) shall be prima facie evidence—

- (a) that a person whose name has been entered in the register under this Act is qualified to provide Kenyan Sign Language interpretation services; or
- (b) that a person whose name does not appear in such publication or has been deleted from the register as notified by such publication is not licensed to provide Kenyan Sign Language interpretation services.

(6) The Registrar may remove from the register—

- (a) the name of a deceased member in a manner prescribed by Council;
- (b) any entry which has been incorrectly or fraudulently made;
- (c) the name of a person convicted of an offence under this Act or any other law and sentenced to imprisonment for a term exceeding six months;
- (d) a person whose name the Council has directed that it should be removed from the register for breach of the provisions of this Act;
- (e) the name of a person who has been declared bankrupt; or
- (f) the name of a person who has failed to satisfy the requirements for the continuing professional development programme for the time being in force.

(7) Where the Registrar establishes that an entry has been erroneously or incorrectly entered in the register, the Registrar may correct the error and notify the affected person of such corrections.

(8) The Registrar shall cause the name and address of a person whose name is removed from the register under this section, to be published in the *Gazette* within one month from the date of such removal.

(9) Upon the removal of a name from the register, the Registrar shall inform the person of the removal by registered mail to the person's last recorded postal address, or through the person's last known email address.

(10) Where the name of any person has been removed from the register under this Act, it shall not be reinstated except by the direction of the Council.

(11) A person whose name has been removed from the register shall cease to be registered for the purpose of this Act from the date of such removal.


.....
Clerk of the National Assembly

Practising
certificate.

9G. (1) A person shall not provide Kenyan Sign Language interpretation services unless that person has been issued with a practicing certificate under this Act.

(2) A person wishing to obtain a practicing certificate shall apply to the Council through the Registrar.

(3) An application under this section shall be in the prescribed form and shall be accompanied by the prescribed fee.

(4) Where an application is made by a person in accordance with this section, the Registrar shall, upon direction by the Council, issue such a person a practicing certificate if satisfied that the person—

(a) is registered under this Act; and

(b) meets such other requirements as may be prescribed.

(5) A practicing certificate issued under subsection (1), shall be valid for a period of one year running from the 1st of January to the 31st of December of each year and may, upon expiry, be renewed on making an application for renewal.

Renewal of
practising
certificate.

9H. (1) A person who holds a practicing certificate may on the expiry of the practicing certificate apply to the Council for a renewal of the certificate.

(2) An application made under subsection (1), shall be accompanied with—

(a) a declaration in the prescribed form;

(b) fees for the current practicing period and subject to the approval by the Council, any unpaid fees, including penalties as prescribed by the Council; and

(c) proof of fulfillment of all applicable conditions for renewal of a certificate.

(3) The Council may, with sufficient cause, refuse to issue or renew a practicing certificate and shall communicate the refusal and give reasons for such refusal to the applicant within twenty-one days of making the decision.

Suspension and
cancellation of
practising
certificate.

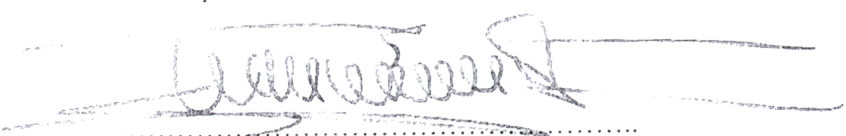
9I. (1) The Council may suspend or cancel a practising certificate issued under this Act where—

(a) allegations of misconduct have been investigated and proven against a sign language interpreter;

(b) a sign language interpreter has been convicted of an offence under this Act;

(c) a false declaration was made in an application for a practising certificate; or

(d) a sign language interpreter has contravened any of the provisions of this Act.


Clerk of the National Assembly

Cap. 7L

(2) The cancellation or suspension of a practising certificate under subsection (1) shall be subject to the principles of fair administrative action prescribed under Article 47 of the Constitution and the Fair Administrative Action Act.

Effect of
removal of
name,
suspension or
cancellation of a
practising
certificate.

9J. A person whose name has been removed from the register or whose certificate has been suspended or cancelled, shall not provide Kenyan Sign Language interpretation services during the period of removal of name, suspension or cancellation of his or her practising certificate.

CLAUSE 10

THAT, Clause 10 be deleted.

CLAUSE 11

THAT, Clause 11 be deleted.

CLAUSE 12

THAT, Clause 12 be deleted.

CLAUSE 13

THAT, Clause 13 be deleted.

CLAUSE 15

THAT, Clause 15 be amended by deleting the expression "Cabinet Secretary shall, in consultation with the most representative registered association of sign language interpreters" and substituting therefor the word "Council".

NEW PART

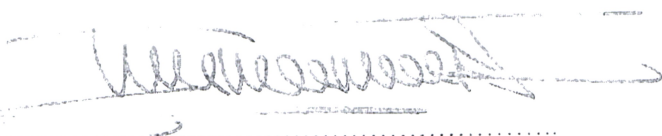
THAT, the Bill be amended by inserting the following new Part immediately after Clause 16—

PART V—FINANCIAL PROVISIONS

Funds of the
Council.

16A. (1) The funds of the Council shall comprise of —

- (a) such monies as may accrue to or vest in the Council in the course of the exercise of its powers or the performance of its functions under this Act;
- (b) monies as may be payable to the Council pursuant to this Act or any other written law;
- (c) gifts, grants, donations or endowments as may be given to the Council; and


Clerk of the National Assembly

- (d) all moneys from any other lawful source provided, donated or lent to the Council.

(2) All the funds donated, lent or issued to the Council under this Act shall be accounted for and appropriated in accordance with the Public Finance Management Act.

Cap. 412A
Financial year.

16B. The financial year of the Council shall be the period of twelve months ending on the thirtieth day of June in each year.

Annual
estimates.

16C. (1) At least three months before the commencement of the financial year, the Council shall cause to be prepared estimates of its revenue and expenditure for that financial year.

(2) The annual estimates shall make provision for all estimated expenditure of the Council for the financial year concerned, and in particular shall provide for the—

- (a) the payment of salaries, allowances and other charges in respect of the staff of the Council;
- (b) the payment of pensions, gratuities and other charges in respect of retirement benefits which are payable out of the funds of the Council;
- (c) the proper maintenance of buildings and grounds of the Council;
- (d) the acquisition, maintenance, repair and replacement of the equipment and other movable property of the Council; or
- (e) the creation of such reserve funds to meet future or contingent liabilities in respect of retirement benefits, insurance or replacement of buildings or equipment, or in respect of such other matters as the Council may consider appropriate.

(3) The annual estimates shall be approved by the Council before the commencement of the financial year to which they relate and, once approved, the sum provided in the estimates shall be submitted to the Cabinet Secretary for approval.

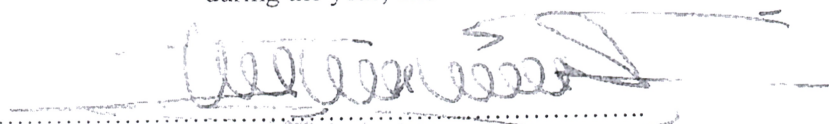
(4) Expenditure shall not be incurred for the purposes of the Council except in accordance with the annual estimates approved under subsection (3), or in pursuance of an authorisation of the Council given with prior written approval of the Cabinet Secretary.

Accounts and
audit.

16D. (1) The Council shall cause to be kept proper books and records of accounts of its income, expenditure, assets and liabilities.

(2) Within a period of three months after the end of each financial year, the Council shall submit to the Auditor-General, the audited accounts of the Council together with—

- (a) a statement of income and expenditure of the Council during the year; and


Clerk of the National Assembly

(b) a statement of the assets and liabilities of the Council on the last day of that year.

(3) The accounts of the Council shall be audited and reported upon in accordance with the provisions of the Public Audit Act.

Cap. 412B

Annual report.

16E. The Council shall, within three months after the end of each financial year, prepare and submit to the Cabinet Secretary a report of the operations of the Council for the immediately preceding year.

NEW PART VI

THAT, the Bill be amended by inserting the following heading immediately before clause 17—

“PART VI—MISCELLANEOUS PROVISIONS”

NEW SCHEDULE

THAT, the Bill be amended by inserting the following new Schedule immediately after clause 19—

SCHEDULE

PROVISIONS AS TO THE CONDUCT OF BUSINESS AND AFFAIRS OF THE COUNCIL

Meetings.

1. (1) The Council shall meet not less than four times in every financial year and not more than four months shall elapse between the date of one meeting and the date of the next meeting.

(2) Notwithstanding the provisions of subparagraph (1), the chairperson may, and upon requisition in writing by at least five members shall, convene a special meeting of the Council at any time for the transaction of the business of the Council.

(3) Unless three-quarters of the total members of the Council otherwise agree, at least fourteen days' written notice of every meeting of the Council shall be given to every member of the Council.

(4) The quorum for the conduct of the business of the Council shall be five members including the chairperson or the person presiding.

(5) The chairperson shall preside at every meeting of the Council at which he is present but, in his absence, the members present shall elect one of their numbers to preside, who shall, with respect to that meeting and the business transacted thereat, have all the powers of the chairperson.

(6) Unless a unanimous decision is reached, a decision on any matter before the Council shall be by a majority of votes of the members present and voting and, in the case of an equality of votes, the chairperson or the person presiding shall have a casting vote.


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Clerk of the National Assembly

(7) Subject to subparagraph (4), no proceedings of the Council shall be invalid by reason only of a vacancy among the members thereof.

Disclosure of
interest by
Council
members.

2. (1) If a member is directly or indirectly interested in any contract, proposed contract or other matter before the Council and is present at a meeting of the Council at which the contract, proposed contract or other matter is the subject of consideration, that member shall, at the meeting and as soon as practicable after the commencement thereof, disclose the fact and shall not take part in the consideration or discussion of, or vote on, any questions with respect to the contract or other matter, or be counted in the quorum of the meeting during consideration of the matter:

Provided that, if the majority of the members present are of the opinion that the experience or expertise of such member is vital to the deliberations of the meeting, the Council may permit the member to participate in the deliberations subject to such restrictions as it may impose but such member shall not have the right to vote on the matter in question.

(2) A disclosure of interest made under this paragraph shall be recorded in the minutes of the meeting at which it is made.

(3) A member of the Council who contravenes subparagraph (1) commits an offence and is liable to imprisonment for a term not exceeding six months, or to a fine not exceeding one hundred thousand shillings, or both.

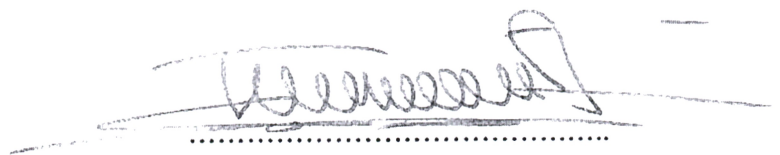
Execution of
instruments.

3. Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not require to be under seal, may be entered into or executed on behalf of the Council by any person generally or specially authorized by the Council for that purpose.

Minutes.

4. The Council shall cause minutes of all resolutions and proceedings of meetings of the Council to be entered in books kept for that purpose.

Certified



Clerk of the National Assembly

This 2nd day of July 2026

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Clerk of the National Assembly

SPECIAL ISSUE

Kenya Gazette Supplement No. 21 (Senate Bills No. 9)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

SENATE BILLS, 2023

NAIROBI, 28th February, 2023

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THE KENYAN SIGN LANGUAGE BILL, 2023
ARRANGEMENT OF CLAUSES

Clause

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- 2 — Interpretation.
- 3 — Objects.
- 4 — Recognition.
- 5 — Role of the National and county governments.
- 6 — Use of sign language in legal proceedings.
- 7 — Educational support for deaf learners.
- 8 — Curriculum development.
- 9 — Development of action plan.
- 10 — Standards, accreditation and procedures.
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- 12 — Registrar.
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- 18 — Promotion of Kenyan sign language.
- 19 — Action plan for Kenyan sign language.
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THE KENYAN SIGN LANGUAGE BILL, 2023**A Bill for**

AN ACT of Parliament to give effect to Article 7(3)(b) of the Constitution on the promotion and development of the use of Kenyan Sign language; to give effect to Article 54(1)(d); to provide for the inclusion of sign language in education curriculum; to provide for the use of sign language in legal proceedings; and for connected purposes.

ENACTED by the Parliament of Kenya, as follows —

1. This Act may be cited as the Kenyan Sign Language Act, 2023.

Short title.

2. In this Act —

Interpretation.

“Cabinet Secretary” means the Cabinet Secretary responsible for matters relating to education;

“Council” means the National Council for Persons with Disabilities established under section 3 of the Persons with Disabilities Act;

No. 14 of 2003.

“deaf community” means a socio-linguistical cultural group who use Kenyan Sign Language in their everyday communications and as a native or mother tongue, first or preferred language;

“deaf culture” means the way deaf people interact and includes a set of social beliefs, behaviours, art, literary traditions, history, values and shared institutions of communities that are influenced by deafness;

“Kenya signed English” means manually coded English involving producing signs which correspond to an English word in an English sentence in English word order designed to facilitate communication between the deaf and hearing community;

“Kenya sign language” means sign language predominantly used in Kenya by the deaf community;

“public university” means a university established and maintained out of public funds;

“recognised schools” means schools registered under the Basic Education Act;

NFPK

“relevant public authority” means an entity established by the Constitution, an Act of Parliament or any other law; and

“sign language” means system a system of communication, both visual or tactile, as the case may be, by manual signs or symbols including body movement.

No. 14 of 2013.
Objects.

3. The objects of this Bill are to –

- (a) ensure that persons who are deaf or hard of hearing integrate into society;
- (b) protect and promote the right to justice and fair administration action with respect to persons who are deaf and hard of hearing
- (c) promote access to quality education by learners who are deaf or hard of hearing;
- (d) provide for the training, recognition and regulation of sign language interpreters;
- (e) promote access to public services by deaf persons;
- (f) promote the inclusion and diversity in the workplace by creating opportunities for persons who are deaf or hard of hearing to compete for employment opportunities; and
- (g) promote literacy development of learners who are deaf or hard of hearing;
- (h) ensure that there is compliance in the development, recognition, promotion and integration of sign language as a language in Kenya; and
- (i) promote and recognize deaf culture in Kenya.

4. (1) The Kenyan sign language is the language used by the deaf or hard of hearing in Kenya for expressing themselves and communicating with others.

Recognition.

(2) The community of deaf persons in Kenya shall have the right to use and preserve Kenyan Sign Language.

5. The national government and county governments when exercising their powers and functions under the Constitution or any other written law shall, so far as is reasonably practical, ensure that—

Role of the
National and
county
governments.

- (a) members of the deaf community are consulted on all matters related to the development, use and promotion of Kenyan sign language;
- (b) Kenyan sign language is used in the promotion to the public of government services and in the provision of information to the public;
- (c) all public bodies shall do all that is reasonable and necessary to provide free interpretation in the Kenyan Sign Language to those who wholly rely on it to access statutory entitlements or services provided by that public body;
- (d) information relating to public services shall be made accessible to the deaf community through the use of appropriate means including Kenyan sign language.

6. (1) A person whose first or preferred language is the Kenyan sign language is entitled to use the Kenyan sign language where the person is —

Use of sign language in legal proceedings.

- (a) member of a court, tribunal or body before which proceedings are being conducted;
- (b) is a party or witness in a legal proceeding;
- (c) is an Advocate of the High Court of Kenya representing a party in proceedings; or
- (d) is given leave by the judicial officer to use Kenyan Signed English.

(2) A judicial officer in a legal proceeding shall ensure that a competent and recognized interpreter is available to a person entitled under subsection (1) to use Kenyan signed English.

(3) The judicial officer shall make a determination as to the accuracy of any interpretation from the Kenyan sign language into spoken or written language or from spoken to written language into the Kenyan sign language.

(4) Any person intending to use sign language in any legal proceeding may be required under any regulations made under this Act or any other written law, give reasonable notice of that intention, and generally regulate the procedure to be followed where Kenyan Sign Language is, or is to be used in such proceedings.

(5) Any such failure may warrant an award of costs as per any regulations, rules of court or any other appropriate written rules of procedure, but no person may be denied the right to use Kenyan sign language in any legal proceedings because of any such failure.

7. The Cabinet Secretary for education shall –

Educational
support for deaf
learners.

- (a) ensure that deaf learners and learners who are hard of hearing are taught in a manner which they are able to understand and use the dominant language of instruction in the education system;
- (b) ensure that teachers of deaf children assist learners to acquire sufficient competence in the use of the English and Kiswahili language including ensuring that Kenyan sign language is taught in sign form and not written form;
- (c) ensure development of supportive instructional materials for the education of deaf learners and learners who are hard of hearing;
- (d) set aside adequate funds for the development of educational materials for deaf learners and learners who are hard of hearing;
- (e) ensure that Kenyan sign language in digital form contains inscription in standard English as a medium of instruction;
- (f) institutions of education for the deaf cater for formal and non-formal education, skills development and self-reliance for deaf learners as appropriate;
- (g) ensure that institutions offering teaching training offer, as part of their curriculum, courses on Kenyan sign language and interpretation;
- (h) ensure that there are sufficient number of placements for teachers of children who are deaf or hard of hearing and who are attending recognized schools;
- (i) establish a scheme for the provision of Kenyan sign language classes to-
 - (i) the parents, siblings and grandparents of a child who is deaf; and

(ii) other persons who may serve as a guardian or primary care giver to a child who is deaf or hard of hearing; and

(j) ensure that there are adequate reading materials in the English and Kiswahili languages for the educational support of, and that are accessible, by members of the deaf community.

8. (1) The Kenya Institute for Curriculum Development established under section 3 of the Kenya Institute for Curriculum Development Act shall develop, review and approve appropriate programmes, curricula and curriculum support materials for learners who are deaf and hard of hearing.

Curriculum
development.
No. 4 of 2013.

(2) Notwithstanding the provisions of subsection (1), the Institute shall carry out a comprehensive assessment and review of the programmes, curricula and curriculum support programmes and instructional materials for learners who are deaf and hard of hearing.

(3) In carrying out the review and assessment under subsection (2), the Institute shall invite and collaborate authors to submit published works relevant to the curriculum for deaf learners for purposes of inclusion as curriculum support materials.

(4) The Institute shall, one year after the commencement of this Act, prepare and transmit to Parliament a report of the review carried out under subsection (1).

9. (1) The Cabinet Secretary shall, in consultation with the National Council for Persons with Disabilities and the Council of County Governors, develop a Kenyan sign language action plan within one year upon the commencement of this Act.

Development of
action plan.

(2) The Cabinet Secretary shall, in developing the Kenyan sign language action plan, undertake public participation.

10. (1) The Cabinet Secretary shall, in consultation with the Kenya National Accreditation Agency established under section 4 of the Kenya Accreditation Act and members of the deaf community, develop a national system

Standards,
accreditation and
procedures.
No. 17 of 2019.

of standards, accreditation and procedures for Kenyan sign language interpretation.

(2) For purposes of subsection (1), the Cabinet Secretary shall —

- (a) regulate the provision of Kenyan sign language interpretation;
- (b) establish additional procedures and criteria for registration of Kenyan sign language interpreters;
- (c) establish and maintain a register of Kenyan sign language interpreters; and
- (d) determine the education, training and qualifications required for a person to be registered as a Kenyan sign language interpreter.

11. (1) A person who wishes to provide Kenyan sign language interpretation services shall apply for registration by the Ministry responsible for matters relating to education in accordance with such criteria and procedures as may be prescribed by the Cabinet Secretary.

Registration of
sign language
interpreters.

(2) An application under subsection (1) shall be made in a form prescribed in Regulations by the Cabinet Secretary.

12. (1) The Cabinet Secretary shall designate a public officer within the Ministry as the registrar of Kenyan sign language interpreters.

Registrar.

(2) The Cabinet Secretary shall, in consultation with the most representative registered association for sign language interpreters, determine the conditions and qualifications for registration as a sign language interpreter.

13. (1) The registrar shall keep and maintain a register in which the name of every person registered by the Cabinet Secretary to provide sign language interpretation services shall be entered showing-

Register of sign
language
interpreters.

- (a) the date of the entry in the register;
- (b) the address of the person registered;
- (c) the qualifications of the person; and
- (d) such other particulars as the Cabinet Secretary may prescribe.

(2) A person whose name is entered in the register under subsection (1) shall inform the registrar of any changes in the particulars set out under subsection (1).

14. (1) The registrar shall issue a certificate of registration to a person whose name is entered into the register.

Certificate of registration.

(2) Where the name of a person is removed from the register, the registrar shall give notice to that person, or if the person is dead, to that person's legal personal representative, requiring surrender of the certificate of registration to the registrar.

(3) A certificate of registration issued by the registrar shall be valid and shall remain in force for one year.

15. A person may, during normal office hours and on payment of the prescribed fee, inspect the register and any document relating to an entry and may obtain from the registrar a copy or extract from the register of any such document.

Inspection of register.

16. (1) The Cabinet Secretary shall, in consultation with the most representative registered association of sign language interpreters, publish in the *Gazette* a code of conduct for sign language interpreters.

Code of conduct.

(2) The code published under subsection (1) shall act as a guide for the provision of quality sign language interpretation services.

(3) A person who contravenes the provisions of the code under subsection (1) may be removed from the register of sign language interpreters.

17. (1) The National and county governments shall—

Sign language at the workplace.

- (a) take all reasonable measures to promote and encourage the use of basic Kenyan sign language among its deaf and hearing employees;
- (b) set aside adequate funds for the promotion of Kenyan sign language including funding activities to celebrate and promote awareness of the language;
- (c) conduct awareness and training seminars on the use of the Kenyan sign language;

- (d) provide sign language interpreters where necessary or requested in all national and county government offices including during all conferences, meetings cultural events, sport competitions, community affairs and activities conducted by government agencies; and
- (e) subsidize the acquisition of hearing aids and other ancillary services to the deaf community.

(2) An employer shall create reasonable opportunity for persons who are deaf or hard of hearing to be eligible for employment in the respective organization and shall promote the career progression of such employees.

18. (1) The national and county government shall take all necessary steps to propagate sign language competency among hearing people by offering sign language as a language subject in the mainstream curriculum.

Promotion of
Kenyan sign
language.

(2) Kenyan sign language shall be offered as a discipline of study at technical and vocational training institutions, public colleges and centres and public universities.

(3) Public institutions of higher learning shall undertake continuous research in the use and development of sign language.

19. (1) The Cabinet Secretary responsible for matters relating to persons with disabilities shall, in consultation with the most representative registered association for deaf persons, National Council for Persons with Disabilities and the Council of County Governors, develop a Kenyan Sign Language Action Plan six months upon the commencement of this Act.

Action plan for
Kenya sign
language.

(2) A plan developed under subsection (1) shall include –

- (a) an assessment of the approach which the national and county government entities are taking in interactions with, and the provision of its services to, members of the deaf community;
- (b) an assessment of the accessibility of national and county government services by members of the deaf community;

- (c) a statement on the actions proposed to be taken by national and county governments so as to take into consideration the needs of the deaf community in delivery of services;
- (d) details of the consultations held and proposed to be held by the national and county government with members of the deaf community in respect of delivery of services; and
- (e) details of the guidance and training which national and county government entities have given and proposed to give to staff in respect of the needs of members of the deaf community.

(2) The plan developed under section (1) shall be reviewed regularly and in any case every five years.

20. The Cabinet Secretary may make Regulations for the better carrying out of the provisions of this Act. Regulations.

MEMORANDUM OF OBJECTS AND REASONS

Statement of the Object and Reasons for the Bill

The principal objective of this Bill is to provide for the use of sign language in judicial proceedings, schools and public institutions to ensure that deaf learners are given the same opportunities as all other learners to be productive members of the society. Article 10(2) of the Constitution designates human dignity, equity and social justice, inclusiveness, equality, human rights, non-discrimination and protection of the marginalized as national values and principles of governance.

Further, article 7(3)(b) of the Constitution provides that the State shall promote the development and use of indigenous languages, Kenya sign language, braille and other communication formats and technologies accessible to persons with disabilities. Similarly article 54(1)(d) provides that a person with any disability is entitled to use Sign language, Braille or other appropriate means of communication. The Constitution therefore contemplates that public institutions shall put in place facilities to ensure the inclusion of deaf persons and person who are hard of hearing in their processes.

Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms

Clause 20 of the Bill provides that the Cabinet Secretary responsible for matters relating to education may make Regulations for the better carrying out of the provisions of the Act. The Bill therefore delegates legislative powers to the Cabinet Secretary. The Bill however does not limit fundamental rights and freedoms.

Statement on how the Bill concerns county governments

The Bill concerns county governments in terms of Articles 110(1)(a) of the Constitution in that it contains provisions that create obligations both for the national and county governments to ensure that they put in place mechanisms for efficient delivery of services to deaf persons. The Bill therefore concerns county governments in terms of Articles 110(1)(a) of the Constitution as it affects the functions and powers of the county governments as set out in Part 2 of the Fourth Schedule to the Constitution.

Statement that the Bill is not a money Bill within the meaning of Article 114 of the Constitution

This Bill is not a money Bill within the meaning of Article 114 of the Constitution.

Dated the 6th February, 2023.

MARGARET KAMAR,
Senator.

CRYSTAL ASIGE,
Senator.