

*Hon. Speaker
for Oppose
for Labour
CAB
4/11/25*

*Approved
SNA
4/12/25*



**REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY**


**PARLIAMENT
OF KENYA
LIBRARY**

THIRTEENTH PARLIAMENT - FOURTH SESSION

DEPARTMENTAL COMMITTEE ON LABOUR

REPORT ON: -

**CONSIDERATION OF THE INDUSTRIAL TRAINING (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 50 OF 2024),**

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 04 DEC 2025	DAY: THURSDAY
TABLED BY:	HON RICHARD KITI CHONGA, MP CHAIR-LABOUR COMMITTEE
CLERK-AT TABLE:	FINLAT December 2025

**The Directorate of Departmental Committees
Clerk's Chambers
Parliament Buildings
NAIROBI**

**NATIONAL ASSEMBLY
RECEIVED
04 DEC 2025
SPEAKER'S OFFICE
P. O. Box 41842, NAIROBI.**

Table of Contents

LIST OF ANNEXURES.....	3
PART I.....	6
1.0 PREFACE.....	6
1.1 Mandate of the Committee	6
1.2 Oversight.....	6
1.3 Committee Composition	8
1.4 Committee Secretariat.....	8
PART II	10
2.0 CONSIDERATION OF THE INDUSTRIAL TRAINING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2024)	10
2.1 Background Information	10
2.2 Summary of Legal Provisions	10
2.3 Analysis of the Bill.....	10
2.4 Public participation in the review of the Bill.....	11
PART III	12
3.0 SUBMISSIONS FROM STAKEHOLDERS ON THE INDUSTRIAL TRAINING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2024).....	12
3.1 National Industrial Training Authority (NITA).....	12
3.2 Kenya National Qualification Authority (KNQA)	13
3.3 National Gender and Equality Commission.....	13
3.4 Kenya Law Reform Commission	14
3.5 Office of the Attorney General and Department of Justice	14
3.6 United Disabled Persons of Kenya (UDPK)	15
PART IV.....	18
4.0 COMMITTEE OBSERVATIONS AND RESOLUTIONS ON PROPOSED AMENDMENTS.....	18
PART V.....	19
5.0 COMMITTEE RECOMMENDATION.....	19

LIST OF ANNEXURES

- Annexure 1: Report adoption list
- Annexure 2: Minutes
- Annexure 3: Newspaper advertisement inviting the public to submit memoranda on the Bill
- Annexure 4: Written submissions from stakeholders
- Annexure 5: Copy of the Bill

CHAIRPERSON'S FOREWORD

The Industrial Training (Amendment) Bill (National Assembly Bill No. 50 of 2024), sponsored by Hon. Joshua Odongo Oron, M.P, seeks to amend specific provisions of the Industrial Training Act (Cap 237) in order to recognise prior learning as a framework that acknowledges the skills, knowledge, performance outcomes, and learning achieved through informal and non-formal learning pathways.

Prior learning recognizes the fact that people who work in formal, informal, non-formal and even jua kali sectors gain knowledge, skills, and attributes through practice, and should have an opportunity for the recognition of their acquired knowledge and skills

The Bill therefore seeks to provide an avenue through which a person who acquires knowledge and skills through learning methods outside the academic environment can apply for recognition of the skills.

The Bill was published on 8th November 2024 and Read a first time in the House on 20th April 2025. Pursuant to Standing Order 127 (1), the Bill was committed to the Departmental Committee on Labour for consideration and facilitation of public participation pursuant to Standing Order 127.

The Committee placed advertisements in the print media on 9th May 2025 seeking public views on the Bill as required by Article 118 of the Constitution of Kenya and National Assembly Standing Order 127(3). The Committee received written and oral submissions on the Industrial Training (Amendment) Bill (National Assembly Bill No. 50 of 2024) from the following stakeholders.

- i. National Industrial Training Authority, through the State Department for Labour and Skills Development;
- ii. Kenya National Qualification Authority;
- iii. National Gender and Equality Commission;
- iv. Kenya Law Reform Commission;
- v. Office of the Attorney General and Department of Justice; and
- vi. United Disabled Persons of Kenya (UDPK)

The Committee is grateful to the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support accorded to it during the consideration of the Bill. I wish to express appreciation to the Honourable Members of the Committee and the Committee Secretariat for their resilience and commitment to duty, which made the consideration of the Bill successful. May I also on behalf of the Committee thank and appreciate the stakeholders who submitted memoranda on the Bill. Indeed, their views informed the consideration of the Bill.

On behalf of the Committee and pursuant to provisions of Standing Order 137 (1) and 199 (6), it is my pleasant privilege and honour to present to this House the report of the Committee on its consideration of the Industrial Training (Amendment) Bill (National Assembly Bill No. 50 of 2024).

CHAIRPERSON

PART I

I.0 PREFACE

I.1 Mandate of the Committee

1. The Departmental Committee on Labour of the 13th Parliament was constituted on 27th October, 2022 and is established under provisions of National Assembly Standing Order 216. Standing Order No. 216(5) grants, the Committee, amongst other functions to:
 - a) *investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments;*
 - b) *study the programme and policy objectives of Ministries and departments and the effectiveness of the implementation;*
(ba) *on a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate;*
 - c) *study and review all legislation referred to it;*
 - d) *study, assess and analyze the relative success of the Ministries and departments as measured by the results obtained as compared with their stated objectives;*
 - e) *investigate and inquire into all matters relating to the assigned Ministries and departments as they may deem necessary, and as may be referred to them by the House;*
 - f) *vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (Committee on Appointments);*
(fa) *examine treaties, agreements and conventions;*
 - g) *make reports and recommendations to the House as often as possible, including recommendation of propose legislation;*
 - h) *consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and*
 - i) *examine any questions raised by Members on a matter within its mandate.*
2. Further, the Second Schedule to the Standing Orders mandates the Committee to consider matters relating to labour, human capital and remuneration, trade union relations, and public service.

I.2 Oversight

3. In line with the assigned subject matter, and in executing this mandate, the Committee oversees the following Ministries, Departments, and Agencies (MDAs):

- i. The State Department for Public Service and Human Capital Development and its Autonomous and Semi-Autonomous Government Agencies which include;
 - a) Kenya School of Government; and
 - b) Institute of Human Resource Management
- ii. The State Department for Labour and Skills Development and its Autonomous and Semi-Autonomous Government Agencies, which include;
 - a) National Industrial Training Authority (NITA);
 - b) National Productivity and Competitiveness Centre (NPCC);
 - c) Kenya National Labour Board and the Wages Council;
 - d) National Employment Authority (NEA);
 - e) Migrant Workers Welfare Fund
 - f) Department of Labour Migration Management;
- iii. Public Service Commission;
- iv. Salaries and Remuneration Commission;

I.3 Committee Composition

4. The Departmental Committee on Labour comprises of the following Members:

Chairperson

Hon. Richard Kiti Chonga, MP
Kilifi South Constituency
ODM Party

Vice-Chairperson

Hon. Fabian Kyule Muli, MP
Kangundo Constituency
GDDP

Members

Hon. Omboko Milemba, CBS, MP
Emuhaya Constituency
ANC Party

Hon. James Onyango K'Oyoo, MP
Muhoroni Constituency
ODM Party

Hon. Joseph Samal Lomwa, MP
Isiolo North Constituency
Jubilee Party

Hon. Ernest Ogesi Kivai Kagesi, MP
Vihiga Constituency
ANC Party

Hon. George Aladwa Omwera, MP
Makadara Constituency
ODM Party

Hon. Catherine Wambiliaga, MP
Bungoma County
FORD-K

Hon. Njoroge, Mary Wamaua MP
Maragua Constituency
UDA Party

Hon. Amina Dika Abdullahi, MP
Tana River County
KANU

Hon. Dorice Aburi Donya, MP
Kisii County
WDM-K

Hon. Patrick Simiyu Barasa, MP
Cherangany Constituency
DAP-K Party

Hon. Wachira, Rahab Mukami, MP
Nyeri County
UDA Party

Hon. Peter Irungu Kihungi, MP
Kangema Constituency
UDA Party

Hon. Lilian Chebet Siyoi, MP
Trans Nzoia County
UDA Party

I.4 Committee Secretariat

5. The Committee has the following technical staff, representing the Office of the Clerk:

Mr. Abenayo Wasike
Principal Clerk Assistant I/Head of Secretariat/HOD

Mr. Joseph Ndirangu
Fiscal Analyst I

Mr. Samuel Wanjiru
Clerk Assistant III

Ms. Colletah Sigilai
Senior Legal Counsel

Ms. Josephine Osiba
Hansard reporter III

Ms. Wambui Nyachae
Research Officer III

Mr. Timothy C. Tsungulah
Research Officer III

Ms. Yasmin Hassan
Serjeant-At-Arms I

Ms. Mercylyn Kerubo
Audio Officer III

Mr. Ambrose Nguti
Media Relations Officer III

Ms. Michelle Wanjau
Intern

PART II

2.0 CONSIDERATION OF THE INDUSTRIAL TRAINING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2024)

2.1 Background Information

6. The Industrial Training (Amendment) Bill (National Assembly Bill No. 50 of 2024), sponsored by Hon. Joshua Odongo Oron, M.P, was read a First Time on 20th April 2025 and thereafter referred to the Committee on Labour for consideration and reporting to the House.

2.2 Summary of Legal Provisions

7. The principal object of this Bill is to amend specific provisions of the Industrial Training Act (Cap 237) in order to recognise prior learning as a framework that acknowledges the skills, knowledge, performance outcomes, and learning achieved through informal and non-formal learning pathways.
8. Prior learning recognizes the fact that people who work in formal, informal, non-formal and even jua kali sectors gain knowledge, skills, and attributes through practice, and should have an opportunity for the recognition of their acquired knowledge and skills
9. The Bill therefore, seeks to provide an avenue through which a person who acquires knowledge and skills through learning methods outside the academic environment can apply for recognition of the skills.

2.3 Analysis of the Bill

The Bill contains four (4) clauses for consideration

10. **Clause 1** of the Bill provides for the short title.
11. **Clause 2** of the Bill provides for the amendment of Section 2 of Cap. 237 on the interpretation of terms.
12. **Clause 3** of the Bill provides for the amendment of Section 3A of Cap. 237 on powers and functions of the Authority.
13. **Clause 4** of the Bill provides for the amendment of Section 5 of Cap. 237 on duties and functions of the Board:
14. The Bill does not delegate legislative powers nor does it limit any fundamental rights and freedoms as provided under the Constitution.
15. The Bill concerns county governments in terms of Article 110 of the Constitution. It will affect the functions of the County Governments as set out in the Fourth Schedule and relates to village polytechnics and home craft centres.
16. The enactment of the Bill may occasion public expenditure.

2.4 Public participation in the review of the Bill

17. Article 118 (1) (b) of the Constitution provides as follows: -

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

Standing Order 127(3) provides as follows-

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

18. In line with the Constitution and Standing Orders, the National Assembly in the local daily newspapers of **9th May 2025** invited the public to make submissions on the proposed Bill as per annexure 3 of the report. In addition, the Committee on 13th May 2025 wrote to Key Stakeholders, requesting their views on the Bill.

19. The Committee received written and oral submissions on the Industrial Training (Amendment) Bill (National Assembly Bill No. 50 of 2024) from the following stakeholders.

- i. National Industrial Training Authority, through the State Department for Labour and Skills Development;
- ii. Kenya National Qualification Authority;
- iii. National Gender and Equality Commission;
- iv. Kenya Law Reform Commission;
- v. Office of the Attorney General and Department of Justice; and
- vi. United Disabled Persons of Kenya (UDPK)

PART III

3.0 SUBMISSIONS FROM STAKEHOLDERS ON THE INDUSTRIAL TRAINING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2024)

20. Hon. Joshua Odongo Oron, MP appeared before the Committee on Thursday, 7th March 2024, during the pre-publication scrutiny and submitted his views and rationale for the proposed amendments.

21. The Committee further received written and oral submissions on the Bill as detailed below:

3.1 National Industrial Training Authority (NITA)

22. The National Industrial Training Authority, in its written and oral presentation before the Committee on 7th August 2025, submitted as follows:

23. The proposed amendments are necessary as it provide a clear legal mandate to operationalize and implement the National Recognition of Prior Learning Policy. In addition, embedding Recognition of Prior Learning into the legal framework will enhance socio-economic inclusion, skills development, employability and upward progression on the Kenya National Qualification Framework.

24. The Authority further proposed the following amendments;

i. Section 2 of the Bill be amended in the definition of "*prior learning*" to mean "*knowledge, skill or competence acquired through formal or experimental training*".

The justification is that this leaves the implementing body with latitude to make rules for the better carrying out of the provision.

ii. Section 2 of Cap. 237 be amended in the interpretation of "*Cabinet Secretary*" to mean "*the Cabinet Secretary for the time being responsible for matters relating to industrial training*".

The Justification is that it may not always be that the Cabinet Secretary for Labour is also responsible for Industrial Training, and this will provide for flexibility in role assignment.

iii. Section 3A (ia) of the Bill be amended to read to "*establishing a system to assess and certify persons who have acquired skills and or competencies through informal or experimental training in any vocational trade, skill or craft*".

The Justification is that informal is basically non-formal and more easily aligns with industrial training.

iv. Section 5(da)of the Bill be amended to read "*it shall establish a system or structure for the recognition, assessment and certification of prior learning*".

The Justification is that the end result of recognition of prior learning must be certification and the structure must align with the Kenya National Qualification Framework.

3.2 Kenya National Qualification Authority (KNQA)

25. The Kenya National Qualification Authority (KNQA) in their written and oral submissions, recommended the following amendments:

- i. Amendment to Section 2 of Cap 237 to review the definition of prior learning by replacing the phrase '*outside the traditional academic environment*' with "*regardless of how and where they have been obtained*".

The justification is that informal learning can take place in a traditional learning environment e.g through peer interaction

- ii. Amendment to Section 3A of Cap 237 Clause 3(ia) and Clause 4(da) to delete the word 'system' and replace the word "*any vocational trade or craft*" with "*industrial training*".

The justification being that there is already an established national system of assessing and certifying prior learning, and to ensure clarity of the scope of NITA's mandate.

Further, to replace the word 'establish' with 'maintain' to ensure clarity of the scope of NITA's mandate. The justification is that there is an already established national system of assessing prior learning.

3.3 National Gender and Equality Commission

26. The Commission in its written Memoranda, recommended the following amendments.

- i. Amendment to Section 2 of Cap 237 to provide for a new definition, "*Special needs*" to mean *any of the various difficulties (such as a Physical, emotional, behavioural, learning disability or impairment) that cause an individual to require additional or specialized services or accommodations (such as in education or recreation)*.

The Justification is that the proposal for the special mention is to ensure that special needs are mainstreamed in all the operations of the NITA.

- ii. Amendment of Section 3A(ia) by substituting the phrase "*person who has*" with "*all persons. including those with special needs, who have*".

The basis is the provisions in Section 21 of the Persons with Disabilities Act 2025, Paragraph 2.5 of the Persons with Disabilities National Policy 2024 on training persons with disabilities, the Convention on the Rights of Persons with Disabilities (CRPD), and the Prohibition of Discrimination in the Employment Act. The proposed amendment will ensure that persons with special needs are not left behind.

3.4 Kenya Law Reform Commission

27. The Kenya Law Reform Commission, in its written memoranda, submitted that the Ministry of Education formulated a policy on the recognition of prior learning in 2021.
28. The Recognition of Prior Learning Policy Framework in Kenya, 2021, aims at guiding the implementation of recognition of prior learning for improved employability, mobility, self-esteem and advanced learning as well as mitigating the challenges faced by disadvantaged individuals who possess competencies but lack certification thereby depriving them of fair opportunities with those who have attained competencies through the formal education system.
29. Following the adoption of the policy framework, the Ministry promulgated the National Standards for Recognition of Prior Learning, 2021. The Kenya National Qualifications Authority followed that with the Guidelines for Implementation of Recognition of Prior Learning in Kenya, 2024. This is the framework within which the provisions on the Bill, if enacted, will apply.
30. The legislative proposal, if enacted, will not be the first in Kenya's legal framework. Section 8 (3) (c) of the Legal Education Act, Cap. 16B requires the Council of Legal Education to formulate a system for recognizing prior learning and experience in law to facilitate progression in legal education from lower levels of learning to higher levels.
31. On the proposed amendment of Section 2 of the Industrial Training Act, Cap. 237, to define the term 'prior learning', the Commission agreed, indicating that the definition captures the generally accepted meaning of the term.
32. On the proposed amendment to Section 3A of Cap. 237 to mandate the National Industrial Training Authority to establish systems to assess and certify persons who have acquired skills through prior learning, the Commission was in agreement. The proposed mandate is in line with the general mandate of the National Industrial Training Authority.
33. On the proposed amendment to Section 5 of Cap. 237 to require the Board of the National Industrial Training Authority to establish systems and processes to recognise prior learning, the Commission agreed, indicating that the Board is required to implement the mandate of the Authority.

3.5 Office of the Attorney General and Department of Justice

34. The Office of the Attorney General and Department of Justice, in their written submission, proposed the deletion of the proposed amendment to Section 3A of Cap. 237
35. The Justification is that Section 4 of the Kenya National Qualifications Framework Act (Cap. 214) provides that the objects of the Act include establishing standards for recognizing qualifications obtained in Kenya and outside Kenya and developing a system of competence, life-long learning and attainment of national qualifications.

36. In addition, Section 8(j) and (k) of the Kenya National Qualifications Framework Act further provide that some of the functions of the KNQA include defining the levels of qualifications and competencies and providing for the recognition of attainment of competencies including skills, knowledge, attitudes and values.
37. The proposal that the National Industrial Training Authority shall establish a system and a structure that assesses and certifies a person who has acquired skills through informal, non- formal or experiential training or education in any vocational trade or craft is inconsistent with section 4 and 8 (j) and (k) of the Kenya National Qualifications Framework Act which gives the KNQA the mandate to regulate the recognition prior learning.
38. The Office of the Attorney General and Department of Justice, further proposed the deletion of the proposed amendment to Section 5 of Cap. 237.
39. The justification is that Section 8(c) of the Kenya National Qualifications Framework Act provides that the Kenya National Qualifications Authority shall develop a system for assessment of national qualification.
40. In addition, Section 8(j) of the KNQF Act gives the KNQA the mandate to provide for the recognition of attainment of competencies including skills, knowledge, attitudes and values.
41. The proposal to provide for the establishment of systems and processes for the recognition and assessment of prior learning by the National Industrial Training Authority is inconsistent with the provisions of the KNQF Act, because that is the mandate of the Kenya National Qualifications Authority

3.6 United Disabled Persons of Kenya (UDPK)

42. The United Disabled Persons of Kenya (UDPK) in collaboration with Organizations of persons with disabilities recommended targeted amendments that will ensure the Bill's alignment with: The Constitution of Kenya, 2010 (Articles 27, 54 and 55); The United Nations Convention on the Rights of Persons with Disabilities (CRPD), and best practices in inclusive technical and vocational education and training (TVET) and recognition of prior learning globally.
43. The Association submitted that the Bill does not mention or recognize persons with disabilities as a target group, despite their well-documented marginalization in skills training, employment, and certification processes. In addition, the Bill lacks safeguards to ensure that persons with disabilities can meaningfully participate in assessments and recognition processes.
44. The association proposed the following Amendment:
 - i. Amendment of section 2 of Cap 237 to Insert the following under Section 2 (Interpretation):

“Disability” means a physical, sensory, mental, intellectual or other impairment, whether temporary or permanent, which results from the interaction between a person and physical, social, cultural, economic or attitudinal barriers that hinder full and effective participation in society on an equal basis with others.

“Reasonable accommodation” means necessary and appropriate modifications and adjustments, not imposing a disproportionate or undue burden, where needed in a particular case, to ensure persons with disabilities can enjoy or exercise on an equal basis with others all rights and freedoms, including in assessment, certification, and recognition of prior learning.

45. The rationale for disability inclusion is that the current Industrial Training Act and the proposed amendments do not define disability. Including a definition harmonized with persons with disabilities Act 2025, Article 260 of the Constitution of Kenya (2010) and Article 1 of the CRPD is essential to anchor future references to persons with disabilities within the legislation. This helps avoid ambiguity and provides clarity for implementers, especially where policies and procedures must take specific barriers into account. Recognizing disability through the social model shifts focus from impairment to the disabling environment, thereby promoting inclusive design and systemic accommodations.
46. The rationale for reasonable accommodation inclusion is that the proposed amendment seeks to insert a definition of reasonable accommodation into Section 2 (Interpretation) of the Industrial Training Act to clarify the legal obligations of duty-bearers in ensuring equitable access to assessment and certification processes under the Recognition of Prior Learning (RPL) framework.
47. Currently, the Act does not provide any guidance on how to address the specific needs of persons with disabilities. This gap allows for inconsistent interpretation and implementation, often resulting in systemic exclusion.
 - ii. Amendment of section 3A of Cap 237 to insert the following in Section 3A (Functions of the Authority):

(ib) ensuring that the system and structure established under paragraph (ia) incorporates accessibility, provides reasonable accommodation, and includes appropriate support services to facilitate the effective assessment and certification of prior learning by persons with disabilities
48. The justification is that the proposed recognition framework currently assumes a uniform learner experience and assessment pathway. However, many persons with disabilities, particularly those with developmental, neurodiverse and intellectual disabilities, acquire skills through customized learning, peer modelling, or supportive environments that differ from standard informal sector practices.
49. Inclusion of PWDs as a priority group ensures that the Authority designs tools and policies that reflect universal design principles, addresses intersectional barriers (e.g., disability and poverty), and upholds the right to equal recognition in education and employment, per CRPD Article 24(5) and Article 27.

- iii. Amendment of section 5 of Cap 237 (Duties of the Board), to insert the following
- “(db) ensure that all systems and processes for the recognition, assessment, and certification of prior learning are accessible to persons with disabilities and incorporate reasonable accommodation measures in accordance with individual needs;”*
50. The justification is that persons with disabilities face invisible exclusion due to the inaccessibility of training centres, materials, and assessment methods. For instance, a skilled deaf artisan may be excluded from certification if the test is delivered only orally; a person with low vision may be unable to access written content.
- iv. Amendment of section 5 of Cap 237 Insert in Section 5 (Duties of the Board):
- “(dc) consult and involve organizations of persons with disabilities in the design, implementation, and monitoring of recognition of prior learning frameworks”.*
51. The rationale for introducing the new function of the Board is that sustainable and effective inclusion is not possible without meaningful participation. Persons with disabilities are experts in their own experiences and can inform the development of relevant, practical, and non-discriminatory standards for RPL. The amendment would help mitigate exclusionary practices and foster a sense of ownership and trust in the system.
- v. Amendment of section 5 of Cap 237 to insert in Section 5 (Duties of the Board):
- “(dd) collect and publish disaggregated data, including by disability, on participation, assessment outcomes, and certification under the recognition of prior learning framework”.*
52. Inclusive policies require reliable, disaggregated data to identify who is benefiting and who is being left behind. Currently, there is a major data gap on the participation of persons with disabilities in skills development, particularly in non-formal and informal sectors.
53. Collecting and publishing such data would support: performance tracking against inclusion targets, equity-based funding allocation, and evidence-based decision making and policy refinement. This aligns with Article 31 of the CRPD, which obliges States to collect appropriate information to support the implementation of the Convention and promote policy accountability.
- vi. Proposed Amendment No 6: Insert in Section 5 (Duties of the Board):
- “(de) develop and disseminate public awareness materials in accessible formats to inform the public including persons with disabilities about their right to recognition of prior learning”.*
54. Lack of awareness remains a key barrier to the uptake of certification programs by persons with disabilities. Many remain unaware of their rights, especially those in remote, rural, or informal settings. Disseminating accessible information (e.g., community radio, pictorial posters, easy-to-read formats) will empower persons with disabilities to engage with RPL opportunities.

PART IV

4.0 COMMITTEE OBSERVATIONS AND RESOLUTIONS ON PROPOSED AMENDMENTS

55. The Committee while considering the Bill made the following observations-

- i. On existing or potential conflict and overlap of mandates in the national qualifications landscape, the Authorities submitted that their mandates are spelt out in the legal frameworks establishing them. The Kenya National Qualifications Authority (KNQA) registers Qualification Awarding Bodies, including NITA.

However, the proposed amendments as contained in the Bill may result to overlap of mandates. The Session noted the need for amendments as proposed by the Kenya National Qualification Authority to facilitate institutionalization of the Recognition of Prior Learning by NITA, under its scope in the Industrial/Skills Pathway, and also to avoid potential overlap of mandates.

- ii. Noting that the Bill is a consequential amendment to the Technical & Vocational Education and Training Bill, 2023, by Hon. Joshua Odongo Oron, M.P, the meeting noted the need for uniformity in the definition of terms in the two Bills. This includes the definition of the "prior learning". The session resolved to adopt the definition as captured in the National Recognition of Prior Learning Policy, approved in 2024.
- iii. On the proposed amendments to provide for safeguards for persons with disabilities to participate in assessments and recognition processes, there are existing provisions in Kenya's legal framework for persons with disabilities in the Constitution and the Persons with Disabilities Act, 2025.

The Act ensures the rights of persons with disabilities to education, employment, healthcare, political participation, and access to buildings and public spaces. It also addresses issues such as accessibility, reasonable accommodation, and protection from discrimination.

PART V

5.0 COMMITTEE RECOMMENDATION

56. The Committee having considered the Bill and stakeholder submissions, and having made the above observations, recommends that the House approves the Bill with the following amendments:

- i) THAT, Clause 2 of the Bill be amended by deleting the definition of “prior learning” and replacing with the following new definition; “prior learning” means knowledge or skills acquired in earlier study and work or through experience.

The justification for the amendment is to define the term “ prior learning” as provided for in the National Recognition of Prior Learning Policy;

- ii) THAT, clause 3 of the Bill be amended by deleting the new paragraph (ia) and replacing with

“(ia) establishing a structure that assesses and certifies a person who has acquired skills through informal, non-formal or experiential training or education in industrial training”;

The justification is that there is already an established system of assessing prior learning. Further, the amendment is necessary to ensure clarity of the scope of the National Industrial Training Authority’s mandate.

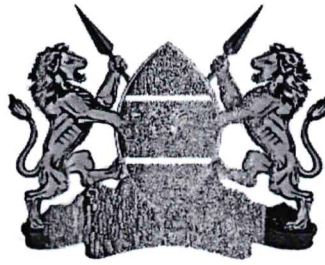
- iii) THAT, clause 4 of the Bill be amended by deleting the word “establish” and substituting it with the word “maintain”.

The justification of the amendment is there is already an established system of assessing prior learning:

SIGNED..... DATE 4/12/25

HON. RICHARD KITI CHONGA, M.P.
CHAIRPERSON, DEPARTMENTAL COMMITTEE ON LABOUR

**Annexure I:
Report adoption list**



**REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT-THIRD SESSION -2025
DEPARTMENTAL COMMITTEE ON LABOUR**

REPORT ADOPTION LIST

We, the members of the Departmental Committee on Labour, have pursuant to Standing Orders 216(5) (c) and 199, adopted this report on the Industrial Training (Amendment) Bill (National Assembly Bills No. 50 of 2024), and affix our signatures to affirm our approval and confirm its accuracy, validity and authenticity.
Date.....

	NAMES	SIGNATURE
1.	Hon. Kiti, Richard Ken Chonga, M.P.- Chairperson	
2.	Hon. Muli Fabian Kyule, MP- Vice Chairperson	
3.	Hon. Omboko Milemba, CBS, M.P.	
4.	Hon. K'Oyoo James Onyango, M.P.	
5.	Hon. Kagesi Kivai Ernest Ogesi, M.P.	
6.	Hon. Lomwa Joseph Samal, M.P.	
7.	Hon. Omwera George Aladwa, M. P.	
8.	Hon. Wambilianga Catherine Nanjala, MP	
9.	Hon. Abdullahi Amina Dika, M.P.	
10.	Hon. Aburi Donya Dorice, M.P.	
11.	Hon. Njoroge Mary Wamaua, M.P	
12.	Hon. Wachira, Rahab Mukami, M.P.	
13.	Hon. Barasa Patrick Simiyu, M.P.	
14.	Hon. Kihungi Peter Irungu, M. P.	
15.	Hon. Siyoi Lillian Chebet, M.P.	

SIGN.......... DATE 9/07/2025.....

Mr. Abenayo Wasike, Principal Clerk Assistant II HOD

Annexure 2:
Minutes

MINUTES OF THE 33rd SITTING OF THE FOURTH SESSION OF THE DEPARTMENTAL COMMITTEE ON LABOUR HELD ON TUESDAY, 9TH OCTOBER 2025 IN IN THE COMMITTEE ROOM 14 ON 2ND FLOOR, BUNGE TOWER, PARLIAMENT BUILDINGS AT 12:00 PM.

PRESENT

1. The Hon. Kiti, Richard Ken Chonga, M.P.- Chairperson
2. The Hon. Muli, Fabian Kyule, M.P.- Vice Chairperson
3. The Hon. K'Oyoo, James Onyango, M.P
4. The Hon. Wambilianga, Catherine Nanjala, M.P.
5. The Hon. Amina Dika, M.P.
6. The Hon. Aburi Donya Dorice, M.P.
7. The Hon. Wachira, Rahab Mukami, M.P.
8. The Hon. Kihungi Peter Irungu, M. P.
9. The Hon. Siyoi, Lillian Chebet, M.P.

APOLOGIES

1. The Hon. Omboko Milemba, CBS, M.P.
2. The Hon. Kagesi Kivai Ernest Ogesi, M.P.
3. The Hon. Lomwa, Joseph Samal, M.P.
4. The Hon. Omwera, George Aladwa, M.P.
5. The Hon. Njoroge Mary Wamaua, M.P
6. The Hon. Barasa, Patrick Simiyu, M.P.

COMMITTEE SECRETARIAT

1. Mr. Samuel Wanjiru, Clerk Assistant III
2. Ms. Colletah Sigilai, Senior Legal Counsel
3. Ms. Yasmin Hassan, Assistant Serjeant at Arms
4. Ms. Mercylyn Kerubo, Audio Officer III
5. Ms. Michelle Wanjau, Intern
6. Ms. Fatma Hussein Mohamed, Intern

AGENDA

1. Prayers
2. Preliminaries;
 - i. Adoption of the Agenda
 - ii. Remarks by Chairperson
3. Confirmation of Minutes/ Matters Arising
4. Consideration of the report on Industrial Training (Amendment) Bill (National Assembly Bills No. 50 of 2024), sponsored by Hon. Joshua Odongo Oron, M.P
5. Business before the Committee
6. Any other business
7. Adjournment

The Chairperson called the meeting to order at twenty minutes to one o'clock and said the Prayer. This was followed by self-introductions.

The Chairperson reminded the Committee on;

- i. the proposed engagement with the Ministry of Labour and Social Protection to discuss the status of negotiation and signing of Bilateral Labour Agreements with key labour destination.
- ii. monitoring of budget implementation and oversight visits to various project and programmes by the MDAs under the purview of the Committee including, construction works at the various Kenya School of Government Campuses and the National Employment Promotion Centre, Kabete.

The Secretariat was tasked to facilitate the same.

MIN.NO.170 NA/LAB/2025: CONFIRMATION OF MINUTES OF THE PREVIOUS SITTING.

This agenda was deferred.

MIN. NO.171 NA/LAB/2025: BUSINESS BEFORE THE COMMITTEE

i) Budget Implementation Monitoring for the Financial Year 2023/24

Pursuant to the National Assembly Standing Order 216(5) (ba), the Committee is mandated to "on a quarterly basis, to monitor and report on the implementation of the national budget in respect of its mandate".

The Committee, at a retreat held in Kisumu County on 14th to 17th November, 2024, met with the MDAs under its purview to discuss the same.

The Committee is scheduled to undertake inspection visits during the 1st Quarter to verify the status of the implementation of the projects including the KSG Campuses and National Employment and Opportunities Centre, and thereafter consider and table its report.

ii) Statements

- **Request for a Statement by Hon. Machua Waithaka, (Kiambu Constituency) regards the Insurance compensation to the family of the late Mr. Patrick Gichuru on 22nd July 2025**

The Committee has received a response from the Cabinet Secretary, Ministry of Labour and Social Protection for reporting in the House.

- **The Statement by Hon. Geoffrey Wandeto, M.P (Tetu Constituency) regards the payment of salaries, terminal dues and other benefits to former employees of Nyayo Tea Zones on 22nd July 2025**

The Committee has written to the Cabinet Secretary, Ministry of Labour and Social Protection for a response.

- **Request for a Statement by Hon. Timothy Wanyonyi, CBS, M.P (Westlands Constituency) regarding the right to reasonable accommodation in the workplace for persons living with disabilities on 7th August 2025**

The Committee has received a response from the Cabinet Secretary, Ministry of Labour and Social Protection for reporting in the House.

- **Request for a Statement by Hon. Fatuma Masito, M.P (Kwale County) regarding employee's unpaid terminal dues and arrears by Amani Tiwi Lodge on 7th October 2025**

The Committee has written to the Cabinet Secretary, Ministry of Labour and Social Protection for a response.

iii) Treaties, Protocols, Conventions and Agreements

- The agreement between the Government of the Republic of Kenya and the Federal Government of the Republic of Germany on a Comprehensive Migration and Mobility Partnership

The Agreement aims to enhance cooperation on migration management, labour mobility and related areas of mutual interest.

Consideration of the Agreement by Committee put on hold as directed by the Hon. Speaker pending consideration of the Agreement by the Cabinet, in line with the provisions of the Treaty-Making and Ratification Act, Cap 4D.

iv) Bills

- **The Public Service Human Resource Management Bill (National Assembly Bill No. 51 of 2024)**

The Bill, which seeks to make provisions for uniform norms and standards of human resource management in the public service, was read a first time on Wednesday, 16th April 2025 and referred to the Committee on Labour for consideration and reporting.

The Committee placed an advertisement in the local dailies on Thursday, 15th May 2025 and also wrote to key stakeholders for submission of memoranda/views, to be received on or before **Tuesday, 3rd June 2025**.

The Committee has received Memoranda from, State Department for Public Service, Parliamentary Service Commission, Public Service Commission, Judicial Service Commission, Katiba Institute, National Police Service, Commission for Revenue Allocation and Mr. Collins Kamau

Committee to undertake stakeholder engagement on the Bill in October 2025.

- **County Assembly Services (Amendment) Bill (Senate Bill No.34 of 2023), sponsored by Sen. Chute Mohamed Said, MP**

The Bill, read a First Time on Tuesday, 27th May 2025, seeks to amend the County Assembly Services Act to provide for the procedure for removing a Member of the County Assembly Service Board and to establish a fair process for suspending a Clerk of a County Assembly, among other provisions.

The Committee placed advert requesting for Views and Memoranda from the Public on 24th June 2025 to be received on or before 4th July 2025. Further, the Committee wrote to key stakeholders on Wednesday, 23rd July 2025.

The Committee has received Memoranda from The County Assemblies Forum, The Society of Clerks at the Table in Kenya SOCATT (K), and the Kenya Law Reform Commission.

Briefing on the Bill and consideration of Stakeholders' submissions set for 13th and 15th October 2025.

- v) **Approval Hearing (Vetting) of Eng. Michael Kingi, nominee for appointment as a Member of the Salaries and Remuneration Commission (SRC)**

The Hon. Speaker of the National Assembly vide a Communication made on Tuesday, 7th October, 2025 conveyed the Message to the National Assembly and referred the name and curricula vitae of the nominee to the Departmental Committee on Labour for consideration and reporting to the House on 8th November 2025.

The Committee, on 9th October 2025, placed an advertisement in the local dailies inviting the members of Public to submit views on the suitability of the Nominee and also to notify the nominee of the approval hearing, set for Tuesday, 21st October 2025.

MIN.NO.172 NA/LAB/2025: CONSIDERATION OF THE REPORT ON INDUSTRIAL TRAINING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 50 OF 2024), SPONSORED BY HON. JOSHUA ODONGO ORON, M.P

The Secretariat guided the Members through the Industrial Training (Amendment) Bill (National Assembly Bill No. 50 of 2024), sponsored by Hon. Joshua Odongo Oron, M.P.

The Bill seeks to amend specific provisions of the Industrial Training Act (Cap 237) in order to recognise prior learning as a framework that acknowledges the skills, knowledge, performance outcomes, and learning achieved through informal and non-formal learning pathways.

Prior learning recognizes the fact that people who work in formal, informal, non-formal and even jua kali sectors gain knowledge, skills, and attributes through practice, and should have an opportunity for the recognition of their acquired knowledge and skills

The Bill therefore seeks to provide an avenue through which a person who acquires knowledge and skills through learning methods outside the academic environment can apply for recognition of the skills.

The Bill was published on 8th November 2024 and Read a first time in the House on 20th April 2025. Pursuant to Standing Order 127 (1), the Bill was committed to the Departmental Committee on Labour for consideration and facilitation of public participation pursuant to Standing Order 127.

The Committee placed advertisements in the print media on 9th May 2025 seeking public views on the Bill as required by Article 118 of the Constitution of Kenya and National Assembly Standing Order 127(3). The Committee received written and oral submissions on the Industrial Training (Amendment) Bill (National Assembly Bill No. 50 of 2024) from the following stakeholders.

- i. National Industrial Training Authority, through the State Department for Labour and Skills Development;
- ii. Kenya National Qualification Authority;
- iii. National Gender and Equality Commission;
- iv. Kenya Law Reform Commission;
- v. Office of the Attorney General and Department of Justice; and
- vi. United Disabled Persons of Kenya (UDPK)

The Committee while considering the Bill made the following observations-

1. On existing or potential conflict and overlap of mandates in the national qualifications landscape, the Authorities submitted that their mandates are spelt out in the legal frameworks establishing them. The Kenya National Qualifications Authority (KNQA) registers Qualification Awarding Bodies, including NITA. However, the proposed amendments as contained in the Bill may result to overlap of mandates. The Session noted the need for amendments as proposed by the Kenya National Qualification

Authority to facilitate institutionalization of the Recognition of Prior Learning by NITA, under its scope in the Industrial/Skills Pathway and also to avoid potential overlap of mandates.

2. Noting that the Bill is a consequential amendment to the Technical & Vocational Education and Training Bill, 2023, by Hon. Joshua Odongo Oron, M.P, the meeting noted the need for uniformity in the definition of terms in the two Bills. This includes the definition of the “prior learning”. The session resolved to adopt the definition as captured in the National Recognition of Prior Learning Policy, approved in 2024.
3. On the proposed amendments to provide for safeguards for persons with disabilities to participate in assessments and recognition processes, there are existing provisions in Kenya's legal framework for persons with disabilities in the Constitution and the Persons with Disabilities Act, 2025.

The Act ensures the rights of persons with disabilities to education, employment, healthcare, political participation, and access to buildings and public spaces. It also addresses issues such as accessibility, reasonable accommodation, and protection from discrimination.

Committee Recommendation

The Committee having considered the Bill and stakeholder submissions, and having made the above observations, recommended that the House approves the Bill with the following amendments:

- i) THAT, Clause 2 of the Bill be amended by deleting the definition of “prior learning” and replacing with the following new definition; “prior learning” means knowledge or skills acquired in earlier study and work or through experience.

The justification for the amendment is to define the term “ prior learning” as provided for in the National Recognition of Prior Learning Policy;

- ii) THAT, clause 3 of the Bill be amended by deleting the new paragraph (ia) and replacing with

“(ia) establishing a structure that assesses and certifies a person who has acquired skills through informal, non-formal or experiential training or education in industrial training”;

The justification is that there is already an established system of assessing prior learning. Further, the amendment is necessary to ensure clarity of the scope of the National Industrial Training Authority’s mandate.

- iii) THAT, clause 4 of the Bill be amended by deleting the word “establish” and substituting it with the word “maintain”.

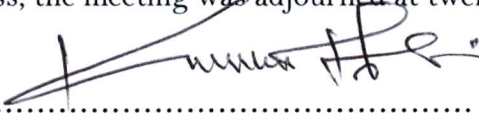
The justification of the amendment is there is already an established system of assessing prior learning.

The report on consideration of the Industrial Training (Amendment) Bill (National Assembly Bill No. 50 of 2024), sponsored by Hon. Joshua Odongo Oron, M.P was adopted, having been proposed by Hon. Muli, Fabian Kyule, M.P and seconded by Hon. Wachira, Rahab Mukami, M.P.

The secretariat informed the Members of the Approval Hearing (Vetting) of Hon. Eng. Michael Kingi, nominee for appointment as a Member of the Salaries and Remuneration Commission (SRC), set for Tuesday, 21st October 2025.

Noting that the vetting date falls within the short recess, set to commence on 17th October 2025, the Secretariat was tasked to inform all the Members on the same.

There being no other business, the meeting was adjourned at twenty minutes to two o'clock.


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

(CHAIRPERSON)

Annexure 3:

**Newspaper advertisement inviting
the public to submit memoranda on
the Bill**

Waititu to stay in Kamiti as bail is rejected again

► Court dismisses bid by former governor and two co-convicts.

► Judge cites several Court of Appeal decisions that bar parties from re-litigating claims.

NANCY GITONGA, NAIROBI

Kiambu Governor Ferdinand Waititu will continue serving his 12-year jail term at Kamiti Maximum Prison.

This is after the Anti-Corruption High Court on Thursday rejected his second application for bail pending the hearing of his appeal in the Sh588 million corruption case.

The Director of Public Prosecution (DPP) had argued that Waititu's appeal was res judicata since the court had already determined the issue of bail pending appeal on March 3, 2025.

Nairobi Anti-Corruption High Court judge Justice Lucy Njuguna

dismissed the application, terming it devoid of merit.

Justice Njuguna said the application filed by Waititu, Charles Chege, and Lukas Mwangi was dismissed for lack of merit.

"I am not persuaded, and in respect to the present application and for the reasons this court has given, I hold a strong view that the application lacks merit and is hereby dismissed," Justice Njuguna ruled.

Waititu, who was sentenced to 12 years in prison or pay a Sh52.7 million fine for his role in the multi-million-shilling road tender scandal, will now remain in Prison until his appeal is heard and determined.

While dismissing the fresh bail application by the three, Justice Njuguna found that the court lacked jurisdiction to entertain a second application, having already determined a similar one in March.

She denied the three bail requests citing laws that prevent courts from revisiting their own decisions.

According to the judge, the issues



Former Kiambu Governor Ferdinand at the Milimani Law Courts in February. [Collins Kweyu, Standard]

"I am not persuaded, and in respect to the present application and for the reasons this court has given, I hold a strong view that the application lacks merit."

Lucy Njuguna, Nairobi Anti-Corruption High Court Judge

raised in the second application should have been presented in the earlier one, as they are points of law that were already within the knowledge of the convicts' lawyers.

"The applicant has contended that the current application is not based on the same facts and circumstances for the reason that it is based on an amended petition of appeal, and further, that the High Court has powers to entertain more than one application for bail concerning the same person depending on the facts and circumstances," the judge noted.

However, she cited several Court of Appeal decisions that bar parties from re-litigating claims arising from the same transaction or series of transactions.

This legal doctrine discourages courts from reviewing their own judgments, promoting consistency and finality in litigation.

The judge concurred with submissions by the Office of the DPP noting that Waititu had not demonstrated any change in circumstances that would justify a review of the earlier denial of bail.

"The appellant has not demonstrated that there has been a change of circumstances warranting this court to review its orders of March 4, 2025," the DPP told the court through principal prosecution counsel Faith Mwila.

Further, the DPP argued that the new application violated the hierarchy of courts and constituted a blatant abuse of court process.

The prosecution also contended that the application was a deliberate attempt to delay the hearing and determination of the pending appeal.

In his second bail attempt, Waititu's lawyer Kibe Mungai argued that the amended appeal filed on March 11, 2025, contained strong legal grounds suggesting a high likelihood of success.

"The appeal has numerous substantial points of law that show it is likely to succeed," Mungai said. ngitonga@standardmedia.co.ke

CAVEAT EMPTOR "BUYER BEWARE"

L.R.NO.4953/2149, GRANT NUMBER 57398: THIKA MUNICIPALITY

TAKE NOTICE that the parcel of land registration number: **L.R. NO. 4953/2149 GRANT NO. 57398** situated at Thika Municipality in Kiambu County belongs to **ALVINE BROOKS LIMITED** ("the lawful owner") pursuant to the judgement and decree given on 21st September, 2023 in **Thika Environment and Land Court ELC Case No. E007 OF 2022 - ALVINE BROOKS LIMITED VERSUS GEOFFREY KIMANI KIRUNYU**. The address of the owner is care of **FRANK KARANJA & CO. ADVOCATES, AM-BANK HOUSE, 14TH FLOOR, P.O BOX 2656-00100, NAIROBI, EMAIL: F.KARANJALAW@GMAIL.COM**.

It has come to the attention of the lawful owner that unscrupulous third parties are fraudulently asserting ownership and/or are attempting to claim the parcel unlawfully.

The lawful owner now cautions members of the public not to make payments to or engage with any such entities or their agents and proxies. The lawful owner, **ALVINE BROOKS LIMITED** also cautions against trespass onto and dealings over the above parcel without its consent.

TAKE NOTICE that any purported allotment, subdivision, survey, buying, trespass, dumping or selling, construction, upon or dealings in connection with the said parcels of land in any manner **HOWSOEVER** without the lawful owner's consent is unlawful, illegal, fraudulent and further amounts to trespass.

TAKE FURTHER NOTICE that any person (s) purchasing the said portion or parcel of land as aforesaid shall do so at their own risk as to criminal and/or civil prosecution. The lawful owner shall not honour any agreements, contracts or arrangements entered into with persons purporting to have authority to transact on the said parcel of land whether in the manner above described or in respect of such transaction.

FRANK KARANJA & CO. ADVOCATES

DATED AT NAIROBI THIS 9TH MAY, 2025



THIRTEENTH PARLIAMENT- FOURTH SESSION (2025) THE NATIONAL ASSEMBLY

IN THE MATTER OF ARTICLE 118(1)(b) OF THE CONSTITUTION
AND
IN THE MATTER OF CONSIDERATION BY THE NATIONAL ASSEMBLY OF:
THE INDUSTRIAL TRAINING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 50 OF 2024)

INVITATION TO SUBMIT MEMORANDA

WHEREAS, Article 118(1)(b) of the Constitution requires Parliament to facilitate public participation and involvement in the legislative and other business of Parliament and its Committees and Standing Order 127(3) of the National Assembly Standing Orders requires House Committees considering Bills to facilitate public participation;

AND WHEREAS, the Industrial Training (Amendment) Bill (National Assembly Bills No.50 of 2024) has been read a First Time and referred to the **Departmental Committee on Labour** for consideration and reporting back to the House:

IT IS NOTIFIED THAT:

The **Industrial Training (Amendment) Bill (National Assembly Bills No.50 of 2024)**, is a Bill sponsored by the **Hon. Joshua Odongo Oron, M.P** that seeks to amend specific provisions of the Industrial Training Act, [Cap.237], in order to recognize prior learning as a framework that acknowledges the skills, knowledge, performance outcomes and learning achieved, through informal and non-formal learning pathways.

NOW THEREFORE, in compliance with Article 118(1) (b) of the Constitution and National Assembly Standing Order 127(3), the Clerk of the National Assembly hereby invites the public and stakeholders to submit memoranda on the Bill to the **Departmental Committee on Labour**.

Copies of the Bill are available at the National Assembly Table Office, Main Parliament Building, and on www.parliament.go.ke/the-national-assembly/house-business/bills.

The memoranda may be forwarded to the **Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi**; hand-delivered to the **Office of the Clerk, Main Parliament Building, Nairobi**; or emailed to cna@parliament.go.ke to be received on or before **Friday, 23rd May, 2025 at 5.00 p.m.**

**S. NJOROGE, CBS
CLERK OF THE NATIONAL ASSEMBLY**

9th May, 2025

"For the Welfare of Society and the Just Government of the People"

Elections President declared all seven electoral commission positions vacant in February and March 2023

Surprise as Ruto picks Ethekeon as IEBC chief

The move brings the country a step closer to ending a two-year wait for a polls team

BY COLLINS OMULO

President William Ruto has nominated Mr Erastus Edung Ethekeon, a former Turkana County Attorney, for appointment as chairperson of the Independent Electoral and Boundaries Commission (IEBC). The move brings the country a step closer to ending a two-year wait for a reconstituted electoral body.

Approved by the National Assembly, Mr Ethekeon will succeed Late Wafula Chebukati, whose year term as chair ended in January 2023.

In a surprise move, the President over a high-profile candidate, former Chief Registrar of the Judiciary Anne Amadi and former Commissioner for Implementation of the Constitution chairperson Charles Chacha, both widely seen as

front-runners for the role.

President Ruto also nominated Registrar of Political Parties Ann Nderitu, Moses Mukhwana, Mary Karen Sorobit, Hassan Noor Hassan, Francis Odhiambo Aduol and Fahima Araphat Abdallah as commissioners.

However, the nomination of Mr Hassan is expected to reignite controversy, as his name was added to the shortlist just days before interviews began - raising eyebrows within political circles. A former Chief Administrative Secretary for Sports and Education, Mr Hassan unsuccessfully contested the Mandera governor seat in 2022 and is reportedly related to a senior ODM MP.

Head of Public Service Felix Koskei said the nominations followed recommendations made on May 6, 2025, by the selection panel led by Dr Nelson Makanda. "The panel submitted two

names for the chairperson position and nine for consideration as commissioners. From these, the President has nominated the following individuals for appointment," Mr Koskei said.

He added that the names have been forwarded to the National Assembly for vetting, even though Parliament is currently in recess. "His Excellency the President has urged the National Assembly to prioritise the consideration of these nominations," he noted.

Mr Ethekeon served as Turkana County Attorney from 2018 to 2024. He has also worked as a partner at Northern Consulting

48

The age of Mr Erastus Edung Ethekeon, who has been nominated as IEBC chairperson

Solutions and E. Ethekeon and Co. Advocates since 2004. Between 2007 and 2015, he was a programmes management specialist at the United Nations Development Programme (UNDP), and later served as programme advisor at the UNDP's regional service centre for Africa and the African Union in Addis Ababa.

The 48-year-old holds multiple advanced degrees, including a Master of Laws in Oil, Gas and Energy Law from the University of Derby (UK), an MSc in Project Management from the University of Liverpool, and an MA in Peace, Conflict and Development Studies from Jaume I University in Spain. He earned his LLB from the University of Nairobi in 2001 and completed a post-graduate diploma at the Kenya School of Law.

Mr Chebukati's six-year non-renewable term, along with those of commissioners Boya Mulu and Abdi Culiye, ended in January 2023. Vice-Chair Juliana Cherera and commissioners Justus Nyam-



Former Turkana County Attorney Erastus Edung Ethekeon. DENNIS ONSONGO/NATION.

gaya and Francis Wanderi later resigned rather than face a tribunal investigating their conduct following the disputed 2022 General Election. Irene Masit, who opted to appear before the tribunal, was removed by the President based on its recommendations.

Kenya has lacked an electoral commission since the President declared all seven positions vacant in February and March 2023.

Although the process to reconstitute the IEBC began on March 1, 2023, it stalled until January 27, 2025, when the President appointed a new seven-member selection panel.

The delay has impeded key constitutional functions of the IEBC, including the delimitation of electoral boundaries and the conduct of by-elections. lo@ke.nationmedia.com

TPS

TPS EASTERN AFRICA PLC

Notice of Delay in Publication of Audited Financial Statements for the Financial Year Ended 31 December 2024

The Board of Directors of TPS Eastern Africa PLC ("the Company") hereby notifies our esteemed shareholders and other stakeholders of a delay in the publication of the Company's Audited Financial Statements for the financial year ended 31 December 2024.

As required by the regulatory guidelines, and in accordance with Schedule 13 paragraph 4.1 of the Capital Markets (Public Offers, Listings and Disclosures) Regulations, 2023, the Audited Financial Statements were due for publication by 30 April 2025.


The delay in publishing the results has been necessitated by the ongoing restatement of the Company's Audited Financial Statements for the year 2023 and prior periods. The restatement primarily addresses corrections related to the accounting treatment of leases under IFRS 16, following a comprehensive review by the Company's newly appointed external auditor, KPMG Kenya.

The Board of Directors, together with Management and KPMG Kenya, are fully committed to finalising and publishing the audited financial statements for the year ended 31 December 2024 on or before 14th May, 2025.

We appreciate your understanding and continued support as we work diligently to complete all the necessary procedural formalities and ensure full compliance with regulatory and accounting standards.

Order of the Board
Francis Ngunjiri
Company Secretary
May 2025





THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT – FOURTH SESSION (2025)

IN THE MATTER OF ARTICLE 118 (1)(b) OF THE CONSTITUTION
AND
IN THE MATTER OF CONSIDERATION BY THE NATIONAL ASSEMBLY OF:
THE INDUSTRIAL TRAINING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 50 OF 2024)

INVITATION TO SUBMIT MEMORANDA

WHEREAS, Article 118(1)(b) of the Constitution requires Parliament to facilitate public participation and involvement in the legislative and other business of Parliament and its Committees and Standing Order 127(3) of the National Assembly Standing Orders requires House Committees considering Bills to facilitate public participation;

AND WHEREAS, the Industrial Training (Amendment) Bill (National Assembly Bills No.50 of 2024) has been read a First Time and referred to the **Departmental Committee on Labour** for consideration and reporting back to the House;

IT IS NOTIFIED THAT:
The **Industrial Training (Amendment) Bill (National Assembly Bills No.50 of 2024)**, is a Bill sponsored by the Hon. **Joshua Odongo Oron, M.P** that seeks to amend specific provisions of the Industrial Training Act, [Cap.237]. In order to recognize prior learning as a framework that acknowledges the skills, knowledge, performance outcomes and learning achieved, through informal and non-formal learning pathways.

NOW THEREFORE, in compliance with Article 118(1) (b) of the Constitution and National Assembly Standing Order 127(3), the Clerk of the National Assembly hereby invites the public and stakeholders to submit memoranda on the Bill to the **Departmental Committee on Labour**.

Copies of the Bill are available at the National Assembly Table Office, Main Parliament Building, and on www.parliament.go.ke/the-national-assembly/house-business/bills.

The memoranda may be forwarded to the Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi; hand-delivered to the **Office of the Clerk, Main Parliament Building, Nairobi**; or emailed to cas@parliament.go.ke to be received on or before **Friday, 23rd May, 2025 at 5.00 p.m.**

S. NJORGE, CBS
CLERK OF THE NATIONAL ASSEMBLY
9th May, 2025

"For the Welfare of Society and the Just Government of the People"

Annexure 4:
Written submissions from
stakeholders



*Abenayo KLASIKI, P.S.
pls. facilitate consideration
by the Committee.
Kuskeni
19/06/2025*

**REPUBLIC OF KENYA
MINISTRY OF LABOUR AND SOCIAL PROTECTION
STATE DEPARTMENT FOR LABOUR AND SKILLS DEVELOPMENT
OFFICE OF THE PRINCIPAL SECRETARY**

Tel: +254 (0) 2729800
Website: www.labour.go.ke
Email: ps@labour.go.ke
When replying, please quote

Social Security House, Block 'A'
Bishop Road
P.O. Box 40326-00100
Nairobi, KENYA

*Adan Gindicha
pls facilitate*

19/06/25

Ref. **ML&SP/L/37 /1(42)**

17th June, 2025

Mr. Samuel Njoroge, CBS
Clerk of The National Assembly
Main Parliament Buildings
NAIROBI



Dear Mr. Njoroge,

REQUEST FOR STAKEHOLDERS' SUBMISSIONS ON THE INDUSTRIAL TRAINING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 50 OF 2024) BY THE DEPARTMENTAL COMMITTEE ON LABOUR

Reference is made to your letter Ref. NA/DDC/ LAB/2025/020 dated 13th May 2025 regarding the above subject matter.

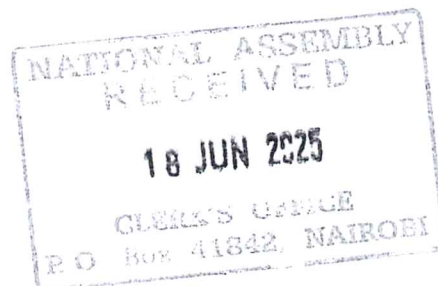
The National industrial Training Authority (NITA) which is a Semi -Autonomous Government Agency under the State Department for Labour and Skills Development was established under the provisions of the Industrial Training Act, Cap.237 Laws of Kenya.

The Authority is responsible for industrial training, developing industrial training curricula, collecting industrial training levy and fees, integrating labour market information into skills development and assessing industrial training, testing occupational skills among other mandates in conformity with the provisions of the Act.

Attached, please find the proposals from the State Department as recommended by the Authority for your consideration.

Yours Sincerely,

**Shadrack M. Mwadime, CBS
PRINCIPAL SECRETARY**



**STATE DEPARTMENT OF LABOUR AND SKILLS DEVELOPMENT INPUT
TO THE PROPOSED AMMENDMENT TO THE INDUSTRIAL TRAINING
ACT (Cap 237)**

SECTION	SPECIFIC CLAUSE	PROPOSED AMENDMENTS	JUSTIFICATION
2	Interpretation (Cabinet Secretary)	“means the cabinet secretary for the time being responsible for matters relating to industrial training”	It may not always be that the labour CS is also responsible for industrial training thus allows for flexibility in role assignment
2	Definition of “prior learning”	“means knowledge, skill or competence acquired through formal or experimental training”	This leaves the implementing body with latitude to make rules for the better carrying out of the provision
3	(I) (a)	“establishing a system to assess and certify persons who have acquired skills and or competencies through informal or experimental training in any vocational trade, skill or craft	Informal is basically non-formal and more easily aligns with industrial training
4	(d) (a)	“it shall establish a system or structure for the recognition, assessment and certification of prior learning	The end result of recognition of prior learning must be certification and the structure must align with the Kenya National Qualification Framework (KNQF)

Commercial Street, Industrial Area
P.O. Box 74494-00200
NAIROBI

Tel: 020695586/9, 072917897, 0736290676
Email: directorgeneral@nita.go.ke
Website: <http://www.nita.go.ke>

When replying please quote:

REF:NITA/ADM/5/ASSEM/VOL.I (7)

12th June, 2025

The Principal Secretary,
State Department for Labour & Skills Development
Ministry of Labour & Social Protection
Social Security House, Block 'A', Bishops Road
P. O Box 40326--00100 G.P.O
NAIROBI

Attn: G.M Omoke

Dear Sir;

**RE: THE INDUSTRIAL TRAINING ACT-CAP 237 LAWS OF KENYA
STAKEHOLDERS' SUBMISSIONS ON THE INDUSTRIAL TRAINING
(AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 50 OF 2024)**

We refer to your letter ref: MOL/1/4/VOL.1 (123) of 26th may, 2025 on the captioned subject matter.

The National Industrial Training Authority (NITA) is a state corporation established under the provisions of the Industrial Training Act, Cap 237 Laws of Kenya. The mission of NITA is to enhance skills development, productivity and employability through effective regulation of demand driven training at all levels of industry.

The Authority is responsible for Industrial training, Assessing and collecting industrial training levy and fees, Regulating trainers registered under section 7C of the Act, Developing industrial training curricula, Integrating labour market information into skills development, Harmonizing curricula and certificates of competence, Assessing industrial training, testing occupational skills and awarding certificates including Government trade test certificates, Equating certificates and Accrediting institutions engaged in skills training for industry, among others and generally the implementation and or the better carrying out of the provisions of the Act.

In reference to the subject matter, we wish to inform that we have reviewed the proposed amendments and have found them in line with and consistent with the aims, objectives and core mandate of industrial (workplace) training and they indeed support the execution of NITA mandate as set out under the provisions of the Act aforesated.

Accordingly, save for a few areas as herein set out, we are in agreement with the proposed amendments, with only the need for budgetary support to implement the expanded mandate being a matter to be looked into by the House.

Here below are our proposals;

SECTION	SPECIFIC CLAUSE	PROPOSED AMENDMENT	JUSTIFICATION
2	interpretation (Cabinet Secretary)	“means the cabinet secretary for the time being responsible for matters relating to industrial training”	it may not always be that the Labour CS is also responsible for industrial training, thus allows for flexibility in role assignment
2	definition of “prior learning”	“means knowledge, skill or competence acquired through formal or experiential training”	this leaves the implementing body with latitude to make rules for the better carrying out of the provision
3	(ia)	“establishing a system to assess and certify persons who have acquired skills and or competencies through informal or experiential training in any vocational trade, skill or craft”	informal is basically non-formal and more easily aligns with industrial training
4	(da)	“it shall establish a system or structure for the recognition, assessment and certification of prior learning”	the end result of recognition of prior learning must be certification and the structure must align with the Kenya National Qualification Framework (KNQF)

Submitted for your further action.

Yours faithfully;



Jane Kamau

FOR: Ag. DIRECTOR GENERAL

DOC
26/5/25



NACOSTI Building, 4th Floor
Off Waiyaki way, upper Kabete
P.O. Box 72635-00200 Nairobi
Tel: 020-2100272
Email: info@knqa.go.ke
Website: www.knqa.go.ke

REF. KNQA/LA/30/VOL.III

Date: 4th June 2025

Mr. Samuel Njoroge, CBS
The Clerk of the National Assembly
Parliament Buildings
P.O Box 41842-00100
NAIROBI

Adan Gudiha
pls facilitate
26/5/25

Mr Samuel Njoroge
pls trans
grade
26/5/25

Dear *Mr. Samuel,*

REQUEST FOR STAKEHOLDERS' SUBMISSIONS ON THE INDUSTRIAL TRAINING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 50 OF 2024) BY THE DEPARTMENTAL COMMITTEE ON LABOUR

Greetings from the Kenya National Qualifications Authority.

The Kenya National Qualifications Authority (KNQA), a statutory body under the Ministry of Education, was established by the Kenya National Qualifications Framework Act, Chapter 214, to oversight, coordinate and harmonize the multiple players in the qualifications awarding system and ensure transparency, consistency, comparable qualifications that are recognizable, acceptable and allows mobility of learners and qualifications nationally and globally.

With reference to your letter Ref: NA/DDC/LAB/2025/020 dated 13th May 2025 on the above subject, please find enclosed a Matrix detailing our response to the proposed Industrial Training (Amendment) Bill.

We submit the Authority's response for your consideration.

Yours *Sincerely,*

f. **Dr. Alice Kande, PhD**
DIRECTOR GENERAL/CEO

Encl.

05 JUN 2025

Doc
8-16/25



NACOSTI Building, 4th Floor
Off Waiyaki way, upper Kabete
P.O. Box 72635-00200 Nairobi
Tel: 020-2100272
Email: info@knqa.go.ke
Website: www.knqa.go.ke

REF. KNQA/LA/30/VOL.III

Date: 4th June 2025

Mr. Samuel Njoroge, CBS
The Clerk of the National Assembly
Parliament Buildings
P.O Box 41842-00100
NAIROBI

Dear *Mr. Samuel,*

REQUEST FOR STAKEHOLDERS' SUBMISSIONS ON THE INDUSTRIAL TRAINING(AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 50 OF 2024) BY THE DEPARTMENTAL COMMITTEE ON LABOUR

Greetings from the Kenya National Qualifications Authority.

The Kenya National Qualifications Authority (KNQA), a statutory body under the Ministry of Education, was established by the Kenya National Qualifications Framework Act, Chapter 214, to oversight, coordinate and harmonize the multiple players in the qualifications awarding system and ensure transparency, consistency, comparable qualifications that are recognizable, acceptable and allows mobility of learners and qualifications nationally and globally.

With reference to your letter Ref: NA/DDC/LAB/2025/020 dated 13th May 2025 on the above subject, please find enclosed a Matrix detailing our response to the proposed Industrial Training (Amendment) Bill.

We submit the Authority's response for your consideration.

Yours *Sincerely,*

Dr. Dr. Alice Kande, PhD
DIRECTOR GENERAL/CEO

Encl.

**NATIONAL ASSEMBLY
RECEIVED
04 JUN 2025
CLERK'S OFFICE
P.O. Box 41842, NAIROBI**



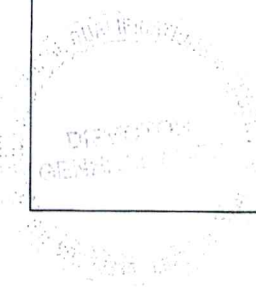
REPUBLIC OF KENYA



KENYA NATIONAL QUALIFICATIONS AUTHORITY

KNQA'S PROPOSED COMMENTS FOR THE INDUSTRIAL TRAINING AMENDMENT BILL, 2024

Section	Clause	Proposed amendment	Justification
Amendment of Section 2 of Cap 237	2	Review definition of prior learning by Replacing the phrase 'outside the traditional academic environment' with regardless of how and where they have been obtained	Informal learning can take place in a traditional learning environment eg through peer interaction
Amendment of Section 3A of Cap 237	3 (ia)	Delete the word 'system'	There is already an established national system of assessing and certifying prior learning. See KNQF Act Cap 214 Section 8 (c), (i) and (k). A national policy on RPL was also approved by the Cabinet and implementation is on course by various players including NITA.
		Replace the word 'any' vocational trade or craft' with industrial training	Clarity of the scope of NITAs mandate
	4(da)	Replace the word establish with maintain'	There is already an established national system of assessing prior learning. Please see row 2 above.





National Gender and Equality Commission

1st Floor, Solution Tech Place, 5 Longonot Road, Upper Hill, Nairobi
P.O. Box 27512-00506 Nairobi, Kenya.
Landline: +254 (020) 3213100
Mobile: +254(020)375100
Toll Free: 0800720187
Email: info@ngeckkenya.org
www.ngeckkenya.org

Mr. Samuel Way

*pls TWA.
A WAG*

21st May, 2025 *28/5/25*

NATIONAL GENDER AND EQUALITY COMMISSION

NGEC/CS/NAS/VOL. I (41)

Mr. Samuel Njoroge, CBS
Clerk of the National Assembly
Clerk's Chambers
Parliament Building
P. O. Box 41842-00100
NAIROBI

*Does DLS
No close
CMA
22/5/25*

Dear

COMMENTS ON THE INDUSTRIAL TRAINING (AMENDMENT) BILL, 2024

Reference is made to your call for the submission of memoranda on The Industrial Training (Amendment) Bill, 2024.

In line with its mandate, the Commission presents to you a memoranda analyzing the proposed bill and making proposals where necessary.

Yours

[Signature]

Purity Ngina, PhD, MBS
COMMISSION SECRETARY/CEO

26 MAY 2025

CC: na@parliament.go.ke

*② Akenayo Wawira, Had
Place before the Dept.
Committee on Labour.*

DM 26/5/25

NATIONAL ASSEMBLY
RECEIVED
27 MAY 2025
CLERK'S OFFICE
P. O. Box 41842, NAIROBI



MEMORANDA: INDUSTRIAL TRAINING (AMENDMENT) BILL 2024

S/NO	CLAUSE	PROPOSAL	RATIONALE/JUSTIFICATION
1.	<p>Interpretations</p> <p>Proposed new term</p> <p>“Special needs”</p>	<p>Amend by inserting a new interpretation</p> <p>“Special needs” refers to any of the various difficulties (such as a physical, emotional, behavioral, learning disability or impairment) that cause an individual to require additional or specialized services or accommodations (such as in education or recreation)</p>	<p>The Commission lauds the step towards proposing amendments that seek to acknowledge and recognize prior learning as knowledge, skill, or competency acquired through informal, non-formal, or experiential training or education.”</p> <p>Most people with various special needs respond to the above recognition, and the Commission’s proposal for the special mention is to ensure that special needs are mainstreamed in all the operations of the National Industrial Training Authority.</p>

2.	<p>3. The principal Act is amended in section 3A, by inserting the following new paragraph immediately after paragraph (i)-</p> <p>"(ia) establishing a system and a structure that assesses and certifies a person who has acquired skills through informal, non-formal or experiential training or education in any vocational trade or craft"</p>	<p>Amend Clause 3(ia) by substituting the phrase "person who has" with "all persons, including those with special needs, who have"</p>	<p>The basis is the provisions in Section 21 of the Persons with Disabilities Act 2025, Paragraph 2.5 of the Persons with Disabilities National Policy 2024 on training for Persons with Disabilities, the Convention on the Rights of Persons with Disabilities (CRPD), and the prohibition of discrimination in the Employment Act.</p> <p>The proposed amendment will ensure that persons with special needs are not left behind</p>

KENYA LAW REFORM COMMISSION



"A Vibrant Agency for Responsive Law Reform"

Telegrams: "LAWREFORM" NAIROBI
Telephone: Nairobi, +254-20-2241186/2241201
Fax: +254-20-2225786
www.info@klrc.go.ke

When replying please quote

Ref. No.KLRC/8/64.....
and Date



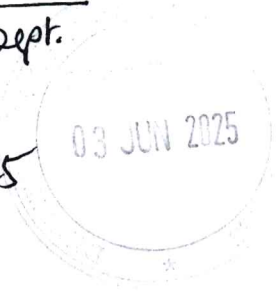
KENYA LAW REFORM COMMISSION
REINSURANCE PLAZA
3RD FLOOR
TAIFA ROAD
P.O. Box 34999-00100
NAIROBI, KENYA

*(1) D/DC
Please deal
Sli
30/05/25*

29 May, 2025

The Clerk of National Assembly
Clerk's Chambers
National Assembly
Parliament Building
P.O Box 41842 -00100
Nairobi

*(2) Abenayo Wawire, HoD
Pls place before the Dept.
Committee on Labour.
DM 3/6/25*



ATT: Mr. Jeremiah W. Ndombi, MBS

Dear *Jeremiah*,

RE: REQUEST FOR STAKEHOLDERS' SUBMISSIONS ON THE INDUSTRIAL TRAINING (AMENDMENT) BILL, (NATIONAL ASSEMBLY BILLS NO. 50 OF 2024) BY THE DEPARTMENTAL COMMITTEE ON LABOUR

Reference is made to your letter ref: NA/DDC/LAB/2025/020 dated 13th May, 2025 inviting comments on the above Bill.

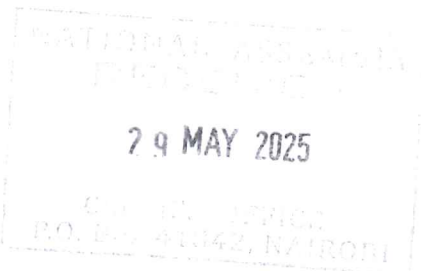
Forwarded herewith, please find the said submissions from the Kenya Law Reform Commission for your further action.

We thank you for your continued support.

Yours sincerely,

P
Peter Musyimi.
Ag. CEO/Secretary
Encl/

30 MAY 2025





KLRC COMMENTS ON THE INDUSTRIAL TRAINING (AMENDMENT) BILL, 2024

I. INTRODUCTION

The Kenya Law Reform Commission (KLRC) is in receipt of a letter from the National Assembly dated 13 May 2025 (ref: NA/DDC/LAB/2025/020) seeking its comments on the Industrial Training (Amendment) Bill, 2024. The legislative proposal seeks to amend the Industrial Training Act, Cap. 237 to entrench the recognition of prior learning into Kenya's legal framework.

This memorandum is issued as a response to that request and in furtherance of the Kenya Law Reform Commission's mandate under section 6 of the Kenya Law Reform Commission Act, Cap. 3. The Commission is mandated under that provision to keep under review all the law and recommend its reform to ensure, among others, that the law systematically develops in compliance with the values and principles enshrined in the Constitution and that the law is consistent, harmonized, just, simple, accessible, modern and cost-effective in application.

II. GENERAL ANALYSIS OF THE LEGISLATIVE PROPOSAL

The Industrial Training (Amendment) Bill, 2024 seeks to amend the Industrial Training Act, Cap. 237 to entrench the recognition of prior learning into Kenya's legal framework.

Article 41 (1) of the Constitution of Kenya provides that every person has the right to fair labour practices. Sub Article 2 (a) and (b) of the same Article provide that every worker has the right to fair remuneration and to reasonable working conditions.

The Kenya National Qualifications Authority (KNQA) defines "Recognition of Prior Learning" as a process through which the skills, knowledge, and competencies gained by an individual through work experience, informal training, or life experiences are recognized towards the attainment of a formal qualification or certification¹.

According to the International Labor Organisation (ILO), a large proportion of people face severe disadvantages in getting decent jobs, migrating to other regions

¹ Kenya National Qualifications Authority, 'Recognition of Prior Learning (RPL)' <<https://knqa.go.ke/service/recognition-of-prior-learning/>> accessed 28/5/2025.

and accessing further education, even though they might have the necessary knowledge and skills.²

The ministry of education formulated a policy on the recognition of prior learning in 2021. The *Recognition of Prior Learning Policy Framework in Kenya, 2021*, aims at guiding the implementation of recognition of prior learning for improved employability, mobility, self-esteem and advanced learning as well as mitigating the challenges faced by disadvantaged individuals who possess competencies but lack certification thereby depriving them fair opportunities with those who have attained competencies through the formal education system³.

Following the adoption of the policy framework, the Ministry promulgated the *National Standards for Recognition of Prior Learning, 2021*. The Kenya National Qualifications Authority followed that with the *Guidelines for Implementation of Recognition of Prior Learning in Kenya, 2024*. This is the framework within which the provisions on the legislative proposal, if enacted, will apply.

The legislative proposal, if enacted, will not be the first in Kenya's legal framework. Section 8 (3) (c) of the Legal Education Act, Cap. 16B requires the Council of Legal Education to formulate a system for *recognizing prior learning* and experience in law to facilitate progression in legal education from lower levels of learning to higher levels.

III. ANALYSIS OF SPECIFIC PROVISIONS OF THE LEGISLATIVE PROPOSAL

	CLAUSE	KLRC PROPOSAL	JUSTIFICATION
1.	2. Amendment of section 2 of Cap. 237 This clause seeks to amend section 2 of Cap. 237 to insert the definition of the phrase "prior learning".	KLRC is in agreement with the proposed definition.	The definition captures the generally accepted meaning of the phrase "prior learning".
2.	3. Amendment of section 3A of Cap.	KLRC is in agreement with the proposal.	The proposed mandate is in line with the general

² International Labor Organisation, 'Recognition of Prior Learning' <<https://www.ilo.org/recognition-prior-learning>> accessed 28/5/2025.

³ Ministry of Education, 'Recognition of Prior Learning Policy Framework in Kenya' <https://www.tvetcdacc.go.ke/wp-content/uploads/2023/07/RECOGNITION-OF-PRIOR-LEARNING-IN-KENYA_Framework-1-June-2021-1.pdf> accessed 28/5/2025.

	<p>237</p> <p>This clause seeks to amend section 3A of Cap. 237 to mandate the National Industrial Training Authority to establish systems to assess and certify persons who have acquired skills through prior learning.</p>		<p>mandate of National Industrial Training Authority.</p> <p>Prior learning helps to achieve the constitutional labor rights of persons who have acquired skills informally. This proposal will help advance the achievement of that right.</p> <p>The proposal is timely because Kenya already has a policy framework in place.</p>
3.	<p>. Amendment of section 5 of Cap. 237</p> <p>This clause seeks to amend section 5 of Cap. 237 to require the Board of the National Industrial Training Authority to establish systems and processes to recognise prior learning.</p>	<p>KLRC is in agreement with the proposal.</p>	<p>The Board is required to implement the mandate of the Authority. Since the proposed mandate is in line with the general mandate of National Industrial Training Authority, the Board has a duty to implement it.</p>

IV. CONCLUSION

Recognition of prior learning is a useful tool in promoting the labor rights of persons who have acquired skills informally. Kenya Law Reform supports the enactment of the legislative proposal.

In conclusion, KLRC is committed to ensuring that legislations are drafted and/or amended to the highest possible standards to promote their effectiveness for the benefit of all stakeholders.

As always, we thank you for your continued cooperation.

Yours Sincerely


PETER MUSYIMI, HSC
AG. SECRETARY/CEO

NATIONAL ASSEMBLY
RECEIVED
28 MAY 2025
CLERK'S OFFICE
P.O. Box 41842, NAIROBI

29 MAY 2025



REPUBLIC OF KENYA

OFFICE OF THE ATTORNEY-GENERAL
&
DEPARTMENT OF JUSTICE

7 Kenya
Pls bring to attention
of Committee
29.05.25
28 MAY 2025

Our Ref: AG/LDD/530/1/23
Your Ref: NA/DDC/LAB/2025/020

22nd May 2025

Mr. Samuel Njoroge, CBS
Clerk of the National Assembly
Clerk's Chambers, Parliament Buildings
P. O. Box 41842-00100
NAIROBI

D/DC
Phase deal. pls facilitate
29/05/25
Adan Gindicha
29/5

RE: REQUEST FOR STAKEHOLDERS SUBMISSIONS ON THE INDUSTRIAL TRAINING (AMENDMENT) BILL, (NATIONAL ASSEMBLY BILLS NO. 50 OF 2024) BY THE DEPARTMENTAL COMMITTEE ON LABOUR

We refer to your letter dated 13th May 2025 and referenced NA/DDC/LAB/2025/020 through which you requested this Office to make submissions on the draft Industrial Training (Amendment) Bill, 2024 proposed by Hon. Joshua Odongo Oron, MP.

The Bill seeks to amend the Industrial Training Act (Cap.237) to provide for the recognition of prior learning as a framework that recognizes the skills, knowledge, performance outcomes and learning achieved through informal and non-formal learning pathways.

We have reviewed the Bill and the relevant laws and our comments are set out in the matrix below.


Clause	Provision	Recommendation	Justification
3	The Bill seeks to amend section 3A of the Industrial Training Act by inserting a new paragraph (ia) to provide that one of the functions of the National Industrial Training Authority shall be to establish a system and a structure that assesses and certifies a person who has acquired skills through informal, non-formal or experiential training or education in any vocational trade or craft.	Delete the provision.	Section 4 of the Kenya National Qualifications Framework Act (Cap. 214) provides that the objects of the Act includes establishing standards for recognizing qualifications obtained in Kenya and outside Kenya and developing a system of competence, life-long learning and attainment of national qualifications. Section 8(j) and (k) of the Kenya National Qualifications Framework

			<p>Act further provide that some of the functions of the Kenya National Qualifications Authority include defining the levels of qualifications and competencies and providing for the recognition of attainment of competencies including skills, knowledge, attitudes and values.</p> <p>The proposal that the National Industrial Training Authority shall establish a system and a structure that assesses and certifies a person who has acquired skills through informal, non-formal or experiential training or education in any vocational trade or craft is inconsistent with section 4 and 8 (j) and (k) of the Kenya National Qualifications Framework Act which gives the Kenya National Qualifications Authority the mandate to regulate the recognition of prior learning.</p>
4	<p>The Bill seeks to amend section 5 of the Industrial Training Act by inserting a new paragraph (da) to provide that the Board of the National Industrial Training Authority shall establish systems and processes for the recognition and assessment of prior learning.</p>	<p>Delete the provision</p>	<p>Section 8(c) of the Kenya National Qualifications Framework Act provides that the Kenya National Qualifications Authority shall develop a system for assessment of national qualifications.</p> <p>Section 8(j) of the Kenya National Qualifications Framework Act gives the Kenya National Qualifications Authority the mandate to provide for the recognition of attainment of</p>

		<p>competencies including skills, knowledge, attitudes and values.</p> <p>The proposal to provide for the establishment of systems and processes for the recognition and assessment of prior learning by the National Industrial Training Authority is inconsistent with the provisions of the Kenya National Qualifications Framework Act because that is the mandate of the Kenya National Qualifications Authority.</p>
--	--	--

Conclusion

One of the objects of the Kenya National Qualifications Framework Act is to establish standards for recognising qualifications obtained in Kenya and outside Kenya. The Kenya National Qualifications Authority is mandated under section 8 of that Act to develop a system for assessment of national qualifications and to provide for the recognition of attainment or competencies including skills, knowledge, attitudes and values. Providing for recognition of prior learning in the Industrial Training Act will result in an overlap of mandates and the setting of varying standards for the recognition of prior learning. Matters relating to recognition of prior learning should therefore be regulated under the Kenya National Qualifications Framework Act.




HON. SHADRACK J. MOSE, CBS
SOLICITOR-GENERAL



The Unified Voice of Persons with Disabilities

P.O Box 13941-0800
Nairobi ,
Kenya.

 Along Waiyaki Way
Opposite ABC Place
Orthopaedic Complex

 Tel: +254722126197
 Email: udpkenya@udpkenya.or.ke
 Website: www.udpkenya.or.ke

MEMORANDUM ON

**The Industrial Training (Amendment) Bill, (National Assembly
Bill No .50 of 2024)**

SUBMITTED TO THE DEPARTMENTAL COMMITTEE ON LABOUR

Through

CLERK OF NATIONAL ASSEMBLY

**22nd May, 2025 Nairobi
Kenya**

1. INTRODUCTION

Collaborating Parties

This memorandum is prepared by United Disabled Persons of Kenya (UDPK) in collaboration with Organizations of persons with disabilities (OPDs)

1. UDPK is a national umbrella organization of organizations of persons with disabilities in Kenya, with mandate to advocate for the rights of persons with disabilities and ensure their meaningful participation in all spheres of life. Currently it comprises more than 200 organizations with active presence in all the 47 counties.
2. Organizations of persons with disabilities (OPDs) are organizations formed and managed by persons with disabilities to advance realizations of their rights and full participation in society.

2. THE BILL OVERVIEW

General Comments

The Industrial Training (Amendment) Bill, 2024 proposes to amend the Industrial Training Act (Cap. 237) with the principal objective of introducing a legal and institutional framework for the Recognition of Prior Learning (RPL) in Kenya. This effort is aimed at valuing knowledge, competencies, and skills gained outside the formal education system, whether through informal, non-formal, or experiential means. The Bill recognizes the realities of Kenya's diverse economic and learning landscape, where a significant portion of the population acquires valuable skills through non-academic avenues such as: Apprenticeship in the jua kali sector, Work-based learning in domestic and informal settings, Traditional crafts and trades, and Community-based and peer-to-peer learning. These pathways, though lacking formal certification, are central to employment, innovation, and productivity in Kenya's economy. We acknowledge and commend the Bill's objective to expand access to certification for persons who have acquired practical skills through alternative pathways. The proposed reforms responsive to the needs of a significant segment of the Kenyan population whose skills have historically remained uncertified due to the lack of formal training credentials.

While these provisions reflect a progressive shift toward inclusion of informal sector workers into the national qualifications framework, the Bill does not sufficiently address the unique realities and systemic barriers faced by persons with disabilities in accessing assessment, certification, and recognition under the proposed framework. We are concerned that, in its current form, the Bill may unintentionally exclude learners with disabilities whose skill acquisition is shaped by alternative methods, supported environments, and non-traditional experiences. The absence of provisions for reasonable accommodation, accessible assessment formats, and inclusive mechanisms risks undermining the Bill's intended objective of equitable access to recognition for all skilled individuals.

As Organizations of Persons with Disabilities (OPDs), we submit this memorandum to recommend targeted amendments that will ensure the Bill's alignment with: The Constitution of Kenya, 2010 (Articles 27, 54 and 55); The United Nations Convention on the Rights of Persons with Disabilities (CRPD), and best practices in inclusive technical and vocational education and training (TVET) and recognition of prior learning globally.

Key Gaps in Disability Inclusion in the Amendment Bill

1. Absence of Explicit Recognition of Persons with Disabilities

The Bill does not mention or recognize persons with disabilities as a target group, despite their well-documented marginalization in skills training, employment, and certification processes. By failing to name persons with disabilities in its intent or operational clauses, the Bill overlooks the specific needs and structural barriers faced by this population. This omission is inconsistent with Kenya constitution Article 54(1)(c) of the Constitution of Kenya, which requires reasonable access to all places, public transport, and information for PWDs.

2. Lack of Provision for Reasonable Accommodation and Accessibility

The Bill lacks safeguards to ensure that persons with disabilities can meaningfully participate in assessments and recognition processes. Specifically, it does not mandate: Accessible physical infrastructure for training and assessment centres; Provision of reasonable accommodation (e.g., assistive devices) during assessments; Accessible communication formats such as braille, Kenyan Sign Language, or easy-to-read materials. This gap contravenes CRPD Articles 9 and 27, which obligate States to ensure access and prohibit discrimination in the workplace and vocational contexts.

3. No Data and Reporting on Disability Inclusion

The Bill is silent on the need to collect disaggregated data on access to and outcomes from recognition processes for PWDs. Without disability-disaggregated data, it will be difficult to: Track disparities; Identify gaps in service delivery, and ensure accountability and continuous improvement. This oversight undermines Article 31 of the CRPD, which requires that data collection be disaggregated and used to inform policies that promote the rights of PWDs

4. No Mechanism for Inclusive Policy Development or Monitoring

There is no requirement in the Bill for involving Organizations of Persons with Disabilities (OPDs) in the development, implementation, or monitoring of the recognition and certification framework. This is a missed opportunity to embed participatory governance and ensure policies respond to the lived experiences of persons with disabilities. This lack of engagement runs contrary to: Article 4(3) of the CRPD, which requires that persons with disabilities, through their representative organizations, be closely consulted and actively involved in legislative processes affecting them.

3. PROPOSED AMEDMENTS AND RATIONALE

Proposed Amendment No. 1:

Amendment of section 2 of Cap 237

Insert the following under Section 2 (Interpretation):

“Disability” means a physical, sensory, mental, intellectual or other impairment, whether temporary or permanent, which results from the interaction between a person and physical, social, cultural, economic or attitudinal barriers that hinder full and effective participation in society on an equal basis with others.

“Reasonable accommodation” means necessary and appropriate modifications and adjustments, not imposing a disproportionate or undue burden, where needed in a particular case, to ensure persons with disabilities can enjoy or exercise on an equal basis with others all rights and freedoms, including in assessment, certification, and recognition of prior learning.

Rationale for disability inclusion

The current Industrial Training Act and the proposed amendments do not define disability. Including a definition harmonized with persons with disabilities Act 2025, Article 260 of the Constitution of Kenya (2010) and Article 1 of the CRPD is essential to anchor future references to persons with disabilities within the legislation. This helps avoid ambiguity and provides clarity for implementers, especially where policies and procedures must take specific barriers into account. Recognizing disability through the social model shifts focus from impairment to the disabling environment, thereby promoting inclusive design and systemic accommodations.

Rationale for Reasonable accommodation Inclusion

The proposed amendment seeks to insert a definition of *reasonable accommodation* into Section 2 (Interpretation) of the Industrial Training Act to clarify the legal obligations of duty-bearers in ensuring equitable access to assessment and certification processes under the Recognition of Prior Learning (RPL) framework. Currently, the Act does not provide any guidance on how to address the specific needs of persons with disabilities. This gap allows for inconsistent interpretation and implementation, often resulting in systemic exclusion.

Proposed Amendment No. 2:

Amendment of section 3A of Cap 237.

Insert the following in **Section 3A (Functions of the Authority)**:

(ib) ensuring that the system and structure established under paragraph (ia) incorporates accessibility, provides reasonable accommodation, and includes appropriate support services to facilitate the effective assessment and certification of prior learning by persons with disabilities

Rationale

The proposed recognition framework currently assumes a uniform learner experience and assessment pathway. However, many persons with disabilities, particularly those with developmental, neurodiverse and intellectual disabilities, acquire skills through customized learning, peer modeling, or supportive environments that differ from standard informal sector practices. Inclusion of PWDs as a priority group ensures that the Authority designs tools and policies that reflect universal design principles, addresses intersectional barriers (e.g., disability and poverty), and upholds the right to equal recognition in education and employment, per CRPD Article 24(5) and Article 27.

Proposed Amendment No. 3:

Amendment of section 5 of Cap 237

Insert in **Section 5 (Duties of the Board)**:

“(db) ensure that all systems and processes for the recognition, assessment, and certification of prior learning are accessible to persons with disabilities and incorporate reasonable accommodation measures in accordance with individual needs;”

Rationale

Persons with disabilities face invisible exclusion due to the inaccessibility of training centres, materials, and assessment methods. For instance, a skilled deaf artisan may be excluded from certification if the test is delivered only orally; a person with low vision may be unable to access written content. This amendment requires implementers to provide: Accessible infrastructure (ramps, tactile signs), Alternative communication formats (braille, sign language, audio, easy-to-read), and assessment flexibility (extra time, scribe support, adjusted evaluation criteria). This is essential to comply with Article 5(3) and Article 9 of the CRPD, as well as Article 54(1)(c) of the Kenyan Constitution.

Proposed Amendment No. 4:

Amendment of section 5 of Cap 237

Insert in **Section 5 (Duties of the Board)**:

(dc) consult and involve organizations of persons with disabilities in the design, implementation, and monitoring of recognition of prior learning frameworks.

Rationale

Sustainable and effective inclusion is not possible without meaningful participation. Persons with disabilities are experts in their own experiences and can inform the development of relevant, practical, and non-discriminatory standards for RPL. Article 4(3) of the CRPD requires States to ensure the participation of PWDs through their representative organizations in all decision-making processes. This principle is also embedded in Kenya's Persons with Disabilities Act (2025) and reaffirmed in General Comment No. 7 (CRPD Committee) on the participation of OPDs. This amendment would help mitigate exclusionary practices and foster a sense of ownership and trust in the system.

Proposed Amendment No. 5:

Amendment of section 5 of Cap 237

Insert in **Section 5 (Duties of the Board)**:

(dd) collect and publish disaggregated data, including by disability, on participation, assessment outcomes, and certification under the recognition of prior learning framework.

Rationale

Inclusive policies require reliable, disaggregated data to identify who is benefiting and who is being left behind. Currently, there is a major data gap on the participation of persons with disabilities in skills development, particularly in non-formal and informal sectors. Collecting and publishing such data would support: performance tracking against inclusion targets, equity-based funding allocation, and evidence-based decision making and policy refinement. This aligns with Article 31 of the CRPD, which obliges States to collect appropriate information to support the implementation of the Convention and promote policy accountability.

Proposed Amendment No 6:

Insert in Section 5:

(de) develop and disseminate public awareness materials in accessible formats to inform the public including persons with disabilities about their right to recognition of prior learning.

Rationale:

Lack of awareness remains a key barrier to the uptake of certification programs by persons with disabilities. Many remain unaware of their rights, especially those in remote, rural, or informal settings. Disseminating accessible information (e.g., community radio, pictorial posters, easy-to-read formats) will empower persons with disabilities to engage with RPL opportunities. This is critical to ensuring informed access and to fulfilling Article 8 of the CRPD, which promotes awareness-raising to combat stereotypes and inform rights-holders of their entitlements.

4. Conclusion and Call to Action

The Industrial Training (Amendment) Bill, 2024 presents a valuable opportunity for Kenya to expand recognition of skills acquired outside the traditional academic environment. By embracing informal and non-formal learning, the Bill recognizes the diverse ways in which individuals contribute to the economy. However, without deliberate and explicit measures to ensure disability inclusion, the Bill risks reinforcing the very inequalities it seeks to redress.

Persons with disabilities continue to face disproportionate barriers to education, training, and employment due to inaccessible systems, discriminatory practices, and lack of accommodations. As currently drafted, the Bill does not guarantee their meaningful participation or equitable access to recognition, assessment, and certification processes. This omission not only contravenes Kenya's constitutional obligations but also violates the standards of the Convention on the Rights of Persons with Disabilities (CRPD), to which Kenya is a signatory.

We therefore urge the National Assembly to adopt the recommendations outlined in this memorandum; including the integration of a disability-inclusive definition, the establishment of accessible systems, the involvement of organizations of persons with disabilities, and the collection of disaggregated data. These amendments are not only constitutionally and internationally mandated but are also essential for achieving sustainable development goals and building an inclusive society where every Kenyan's skill and contribution are valued.

Call to Action

In view of the above, we respectfully call upon the Departmental Committee on Labour, to:

1. Provide opportunity for organizations of persons with disabilities led by united disabled persons of Kenya (UDPK) to make direct presentation and submissions to the relevant parliamentary committees particularly departmental committee on labour.
2. Undertake a comprehensive review of the Bill through a disability lens, guided by the principles of equality, non-discrimination, and reasonable accommodation.
3. Amend the Bill to incorporate the proposed clauses ensuring the full participation of persons with disabilities in recognition of prior learning systems.
4. Facilitate inclusive public participation by ensuring that future consultations on the Bill are accessible and that organizations of persons with disabilities (OPDs) are adequately represented.
5. Collaborate with the National Council for Persons with Disabilities (NCPWD), the Ministry of Labour, NITA, organizations of persons with disabilities, and civil society organizations to develop accessible guidelines and regulations once the Bill is enacted.

We reaffirm our commitment as UDPK, and as organizations of persons with disabilities (OPDs) to relentlessly work in partnership with Parliament, state agencies, and stakeholders to ensure that national laws and policies are fully inclusive and responsive to the needs of everyone including persons with disabilities

End.

**FOR AND ON BEHALF OF THE UNITED DISABLED PERSONS OF KENYA [UDPK]
AND THE ORGANIZATIONS OF PERSONS WITH DISABILITIES [OPDs]**

A handwritten signature in black ink, appearing to read 'Sally Nduta Ng'ang'a', written over a circular stamp or mark.

**Sally Nduta Ng'ang'a
Chief Executive Officer,
United Disabled Persons of Kenya,**

Dated at NAIROBI, Kenya May
21, 2025

Annexure 5:
Copy of the Bill

SPECIAL ISSUE

Kenya Gazette Supplement No. 201 (National Assembly Bills No. 50)



REPUBLIC OF KENYA

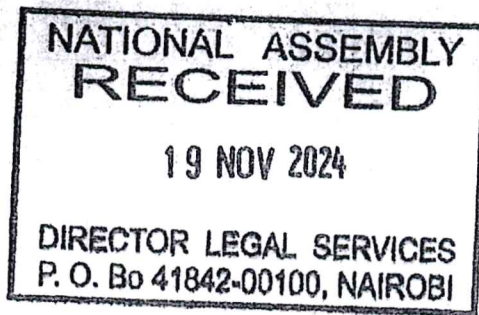
KENYA GAZETTE SUPPLEMENT

NATIONAL ASSEMBLY BILLS, 2024

NAIROBI, 8th November, 2024

CONTENT

Bill for Introduction into the National Assembly—	PAGE
The Industrial Training (Amendment) Bill, 2024	1145



1. The first part of the document is a list of names and addresses.

2. The second part is a list of names and addresses.

3. The third part is a list of names and addresses.

**THE INDUSTRIAL TRAINING (AMENDMENT)
BILL, 2024**

A Bill for

AN ACT of Parliament to amend the Industrial Training Act and for connected purposes

ENACTED by the Parliament of Kenya as follows—

1. This Act may be cited as the Industrial Training (Amendment) Act, 2024.

Short title.

2. The Industrial Training Act, (in this Act referred to as “the principal Act”), is amended in section 2, by inserting the following new definition in its proper alphabetical sequence—

Amendment of section 2 of Cap. 237.

“prior learning” means knowledge, skill or competency acquired through informal, non-formal or experiential training or education outside the traditional academic environment;

3. The principal Act is amended in section 3A, by inserting the following new paragraph immediately after paragraph (i) —

Amendment of Section 3A of Cap. 237.

“(ia) establishing a system and a structure that assesses and certifies a person who has acquired skills through informal, non-formal or experiential training or education in any vocational trade or craft”

4. The principal Act is amended in section 5, by inserting the following new paragraph immediately after paragraph (d)—

Amendment of Section 3A of Cap. 237.

“(da) it shall establish systems and processes for the recognition and assessment of prior learning.”

MEMORANDUM OF OBJECTS AND REASONS

The principal object of this Bill is to amend specific provisions of the Industrial Training Act, (Cap.237), in order to recognise prior learning as a framework that acknowledges the skills, knowledge, performance outcomes and learning achieved, through informal and non-formal learning pathways.

Prior learning recognizes the fact that people who work in formal, informal, non-formal and even jua kali sectors gain knowledge, skills, expertise and attributes through practice, and should have the opportunity for the recognition of their acquired knowledge and skills.

The Bill therefore seeks to provide an avenue through which a person who acquires knowledge and skills through learning methods outside the academic environment, can apply for recognition of their skills.

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

The Bill does not delegate legislative powers nor does it limit fundamental rights and freedoms.

Statement of on whether the Bill concerns county governments

The Bill does concerns county governments in terms of Article 110 of the Constitution. It will affect the functions and powers of the County Government asset out in the Fourth Schedule and relates to village polytechnics and home craft centres.

Statement the financial implications of the Bill

The enactment of this Bill may occasion public expenditure.

Dated the 23rd September, 2024.

JOSHUA ODONGO ORON.
Member of Parliament.

Section 2, of Cap. 237 which it is proposed to amended —

2. Interpretation

In this Act, unless the context otherwise requires—

“**apprentice**” means a person who is bound by a written contract to serve an employer for such period as the Board shall determine with a view to acquiring knowledge, including theory and practice, of a trade in which the employer is reciprocally bound to instruct that person;

“**Authority**” means the National Industrial Training Authority established under section 3;

“**Board**” means The National Industrial Training Board established under section 4;

“**Cabinet Secretary**” means the Cabinet Secretary for the time being responsible for matters relating to labour;

“**Committee**” means a Training Committee established under section 4A of this Act;

“**Director-General**” means the Director-General of the Authority appointed under section 4C;

“**employee**” means a person employed for wages or salary and includes an apprentice, indentured learner, temporary, seasonal and casual worker;

“**employer**” means any person, public body, firm, corporation or company who or which has entered into a contract of service to employ any person, and includes—

an agent, foreman or manager; and

an heir, successor, assignee or transferee of that person, public body, firm, corporation or company;

“**indentured learner**” means a person, other than an apprentice, who is bound by a written contract to serve an employer for a determined period of not more than two years with a view to acquiring knowledge of a trade in which the employer is reciprocally bound to instruct that person;

“**industry**” means a trade, occupation, profession or an economic sector for which a training committee has been established for purposes of this Act;

“**industrial attachment**” means the placement of a person in a workplace for the purpose of gaining knowledge and practical skills;

“**industrial training**” means training for a specified industry;

“**inspector**” means an inspector appointed by the Minister under the provisions of section 23 of this Act;

“**minor**” means a person under the age of eighteen years;

“**scheme**” means a scheme made under section 21 of this Act;

“**the Minister**” means the Minister for the time being responsible for matters relating to labour;

“**trade**” means a skilled occupation;

“**trainer**” means any person, firm, or institution registered under section 7C;

“**training levy order**” means an order made under subsection (1) of section 5B of this Act.

Section 3A, of Cap. 237 which it is proposed to amended —

3A. Powers and functions of the Authority

The Authority shall be responsible for—

- (a) industrial training;
- (b) *deleted by Act No. 13 of 2022, s. 2;*
- (c) regulating trainers registered under section 7C;
- (d) developing industrial training curricula;
- (e) integrating labour market information into skills development;
- (f) harmonizing curricula and certificates of competence;
- (g) assessing industrial training, testing occupational skills and awarding certificates including Government trade test certificates;
- (h) equating certificates;
- (i) accrediting institutions engaged in skills training for industry;
- (j) associating or collaborating with any other body or organization within or outside Kenya as the Board may consider desirable or appropriate and in furtherance of the purposes for which the Authority is established;
- (k) charging for goods and services offered by the Authority; and
- (l) performing any other duties and functions as may be conferred on it by this Act or by any other written law.

Section 5, of Cap. 237 which it is proposed to amended —

5. Duties and functions of Board

Without prejudice to the provisions of this Act, the Board shall perform the following duties and functions—

- (a) it shall secure the greatest possible improvement in the quality and efficiency of the training of personnel engaged in industry;
- (b) it shall ensure an adequate supply of properly trained manpower at all levels in industry;
- (c) it shall share the cost of all industrial training undertaken in pursuance of this Act as evenly as possible between employers;
- (d) it shall review and maintain a system or systems for the holding of tests in respect of trades and occupations generally or any particular trade or occupation, and grant certificates of proficiency and competency to, and keep a record in respect of each person who enrolls for the tests;
- (e) it shall investigate any dispute or other matter arising out of a contract of apprenticeship or indentured learnership referred to it by the Director-General, and shall endeavour to settle such dispute amicably;
- (f) it shall perform such duties and functions in regard to any other matter concerning apprenticeship or indentured learnership as may be prescribed;
- (g) it shall investigate any matters connected with this Act and take the necessary action.