

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT-THIRD SESSION

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THE NATIONAL ASSEMBLY

MESSAGES

MESSAGE TO THE SENATE

(No. 037 of 2015)

SUBJECT: DECISION OF THE NATIONAL ASSEMBLY ON THE NATIONAL DROUGHT MANAGEMENT AUTHORITY BILL (NATIONAL ASSEMBLY BILL NO. 42 OF 2013)

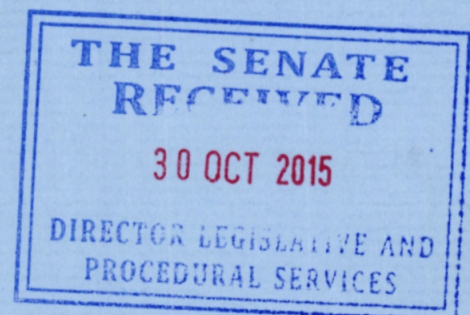
PURSUANT to the provisions of Standing Orders 41 and 142 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –

WHEREAS, the National Assembly, on Thursday, October 22, 2015, **concurred** with the Senate on its amendments to **Clause 8** of the National Drought Management Authority Bill (National Assembly Bill No. 42 of 2013), and **rejected** the amendment to **Clause 4** of the Bill;

NOW THEREFORE, in accordance with the provisions of Article 112 of the Constitution and Standing Order 149 of the National Assembly Standing Orders, I hereby **convey** the said decision of the National Assembly to the Senate, and seek the appointment of a Mediation Committee in respect of the said Bill.

THE HON. JUSTIN B. N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Thursday, October 29, 2015



REPUBLIC OF KENYA

Telegraphic Address
"Bunge" Nairobi
Telephone: +254 020 221291/ 2848000
Fax: +254-020-243694
E-mail: clerk@parliament.gp.ke



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NAIROBI, Kenya

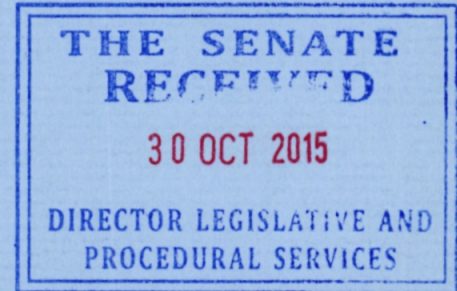
When replying, please quote

THE NATIONAL ASSEMBLY

KNA 2/4/2015(347)

October 28, 2015

Mr. Jeremiah Nyegenye, CBS
Clerk of the Senate
Parliament Buildings
P.O. Box 41842-00100
NAIROBI



Dear *Clerk*

RE: DECISIONS OF THE NATIONAL ASSEMBLY ON THE NATIONAL DROUGHT MANAGEMENT AUTHORITY BILL (NATIONAL ASSEMBLY BILL NO. 42 OF 2013) AND THE MINING BILL (NATIONAL ASSEMBLY BILL NO. 9 OF 2014)

The above-mentioned subject matter refers.

Attached herewith, please find Messages, from the Speaker of the National Assembly to the Speaker of the Senate, in respect of the decisions of the National Assembly on the above-mentioned Bills.

Further, the Speaker of the National Assembly has appointed the following Members to represent the National Assembly in the Mediation Committee to consider the two Bills:

(a) National Drought Management Authority Bill (National Assembly Bill No. 42 of 2013)

1. The Hon. Joyce Emanikor, MP;
2. The Hon. (Dr.) Wilbur Ottichilo, MP;
3. The Hon. Chachu Ganya, MP;
4. The Hon. Juma Zuleikha Hassan, MP; and
5. The Hon. Elmi Mohammed Ibrahim, MP

(b) The mining Bill (National Assembly Bill No. 09 of 2014)

1. The Hon. Amina Abdalla, MP;
2. The Hon. Ejidius Njogu Barua, MP;
3. The Hon. Chachu Ganya, MP;

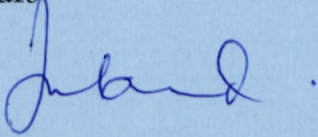
ODLPS
Please TWA
Mungu
30/10/15

@ Mr. Magera
Please prepare communication for
reporting message.
30/10/15

4. The Hon. George Peter Opondo Kaluma, MP and
5. The Hon. Andrew Mwadime, MP.

I have also enclosed copies of the Votes and Proceedings, the Hansard and the Order Paper of the Sitting of the day.

Yours



JUSTIN BUNDI, CBS
CLERK OF THE NATIONAL ASSEMBLY

Encls.



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (THIRD SESSION)

THE SENATE

MESSAGE FROM THE NATIONAL ASSEMBLY
ON THE REJECTION OF SOME OF THE SENATE
AMENDMENTS TO THE NATIONAL DROUGHT MANAGEMENT
AUTHORITY BILL (NATIONAL ASSEMBLY BILL NO. 42 OF
2013)

Honourable Senators,

I wish to report to the Senate that, on 29th October, 2015 and pursuant to Standing Order 40 (3) and (4), I received the following message from the Speaker of the National Assembly regarding the rejection by the Assembly of the Senate amendments to clause 4 of the National Drought Management Authority Bill (National Assembly Bill No. 42 of 2013)-

"**PURSUANT** to the provisions of Standing Order 41 and 142 of the National Assembly Standing Orders, I hereby convey the following message from the National Assembly-

WHEREAS, the National Assembly, on Thursday, October 22, 2015, **concurred** with the Senate on its amendments to Clause 8 of the National Drought Management Authority Bill (National Assembly Bill No. 42 of 2013), and **rejected** the amendment to **Clause 4** of the Bill;

NOW THEREFORE, in accordance with Article 112 of the Constitution and Standing Order 149 of the National Assembly Standing Orders, I hereby **convey** the said decision of the National Assembly to the Senate, and seek the appointment of a Mediation Committee in respect of the said Bill".

Honourable Senators,

Article 112(1) (b) of the Constitution provides that *if one House passes an ordinary Bill concerning counties and the second House passes the Bill in an amended form, it shall be referred back to the originating House for reconsideration.* Further, Article 112(2) (b) of the Constitution provides that *if after the originating House has reconsidered a Bill referred back to it under clause (1) (b), that House rejects the Bill as amended, the Bill shall be referred to a Mediation Committee under Article 113.*

Honourable Senators,

In the circumstances, I concur with the Speaker of the National Assembly to form a mediation committee in accordance with Articles 112(2) (b) and 113 of the Constitution.

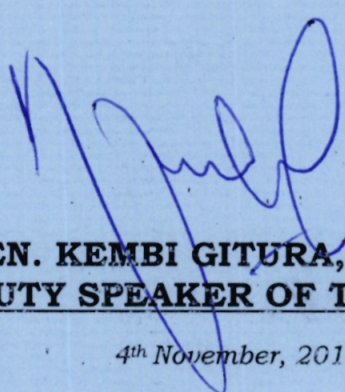
In this regard, Hon. Senators, I have received communication from the National Assembly that the Speaker of the National Assembly has appointed the following Members to represent the Assembly in the Mediation Committee that will attempt to develop a version of the Bill that both Houses will pass-

- 1) The Hon. Joyce Emanikor, MP;
- 2) The Hon. (Dr.) Wilbur Ottichilo, MP;
- 3) The Hon. Chachu Ganya, MP;
- 4) The Hon. Juma Zuleikha Hassan, MP; and,
- 5) The Hon. Elmi Mohammed Ibrahim, MP.

In this regard, Hon. Senators, I also hereby appoint the following Senators to represent the Senate in the Mediation Committee-

- 1) Sen. Fatuma Dullo, MP;
- 2) Sen. (Prof.) John Lonyangapuo, MP;
- 3) Sen. Martha Wangari, MP;
- 4) Sen. Abdirahman Ali Hassan, MP; and
- 5) Sen. Dan M. Mwakulegwa, MP.

I thank you.



SEN. KEMBI GITURA, MGH, MP
DEPUTY SPEAKER OF THE SENATE

4th November, 2015.