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REPUBLIC OF KENYA


THE NATIONAL ASSEMBLY

THIRTEENTH PARLIAMENT – FOURTH SESSION – 2025

DIRECTORATE OF DEPARTMENTAL COMMITTEES

DEPARTMENTAL COMMITTEE ON LANDS

REPORT ON THE CONSIDERATION OF THE SENATE AMENDMENT TO THE
LAND (AMENDMENT) BILL, NATIONAL ASSEMBLY NO.40 OF 2022

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 04 JUN 2025	
DAY: WEDNESDAY	
TABLED BY:	MEMBER OF THE COMMITTEE ON LANDS HON. JOSEPH GITARI
CLERK-AT THE-TABLE:	HALIMA SULAIMAN

Published by:

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

May 2025

NATIONAL ASSEMBLY RECEIVED
04 JUN 2025
SPEAKER'S OFFICE P. O. Box 41832, NAIROBI.

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CHAIRPERSON'S FOREWORD

This Report contains proceedings of the Departmental Committee on Land on the Land (Amendment) Bill (*National Assembly Bills No.40 of 2022*). The Senate considered the Bill and transmitted an amendment to the National Assembly for consideration on 15th April 2025.

The Senate amendment proposes to have the Registrar publish a notice in the *Gazette* specifying the particulars of registrar prior to purchasing of public land by land-buying companies. The Departmental Committee on Lands considered and approved the amendment to the Land (Amendment) Bill (*National Assembly Bills No.40 of 2022*) from the Senate.

I wish to most sincerely thank the Speaker and the Office of the Clerk of the National Assembly for the invaluable support accorded to the Committee in the discharge of its mandate. On behalf of the Members of the Departmental Committee on Lands and pursuant to Standing Order 216 (5) (a), it is my pleasure and duty to present to the House, the Report of the Committee on its consideration of an amendment to the Land (Amendment) Bill (*National Assembly Bills No.40 of 2022*) from the Senate.

CHAPTER ONE

1.0 PREFACE

1.1 Establishment and Mandate of the Committee

1. The Departmental Committee on Lands is one of the Departmental Committees of the National Assembly established under Standing Order 216 whose mandates pursuant to the Standing Order 216 (5) are as follows:
 - i. *To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;*
 - ii. *To study the programme and policy objectives of ministries and departments and the effectiveness of the implementation;*
 - iii. *on a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate;*
 - iv. ***To study and review all legislation referred to it;***
 - v. *To study, assess and analyse the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;*
 - vi. *To 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;*
 - vii. *To 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);*
 - viii. *To examine treaties, agreements and conventions;*
 - ix. *To make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;*
 - x. *To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and*
 - xi. *To examine any questions raised by Members on a matter within its mandate.*

1.2 Subjects under the Committee

2. In accordance with the Second Schedule of the Standing Orders, the Committee is mandated to oversee: matters related to lands and settlement including, land policy, land transactions, survey and mapping, land adjudication, settlement, land registration, land valuation, administration of community and public land and land information and management system.

1.3 Oversight

3. In executing its mandate, the Committee on Lands oversees the:
 - i. State Department for Lands and Physical Planning.
 - ii. The National Land Commission.

1.4 Committee Membership

4. The Departmental Committee on Lands was constituted by the House on Thursday, 27th October 2022 and comprises the following Members:

Chairperson

Hon. Joash Nyamache Nyamoko, MP
North Mugirango Constituency
UDA Party

Vice-Chairperson

Hon. Fatuma Abdi Jehow, MP
Women Representative Wajir County
ODM Party

Members

Hon. Dr. Rachael Kaki Nyamai, MP
Kitui South Constituency
JUBILEE Party

Hon. Irene Mrembo Njoki, MP
Bahati Constituency
JUBILEE Party

Hon. Dr. Gideon Ochanda, MP
Bondo Constituency
ODM Party

Hon. Leah Sopiato Sankaire, MP
Women Representative Kajiado County
ODM Party

Hon. Mathias Robi Nyambabe, MP
Kuria West Constituency
UDA Party

Hon. Ali Wario Guyo, MP
Garsen Constituency
ODM Party

Hon. Maj. Barrow Dekow, MP
Garissa Township Constituency
UDA Party

Hon. Omar Mwinyi, MP
Changamwe Constituency
ODM Party

Hon. Paul Katana, MP
Kaloleni Constituency
ODM Party

Hon. Eng. Thaddeus Nzambia, MP
Kilome Constituency
WIPER Party

Hon. Josses Lelmengit, MP
Emgwen Constituency
UDA Party

Hon. Anthony Kenga Mupe, MP
Rabai Constituency
JUBILEE Party

Hon. Gachoki Gitari, MP
Kirinyaga Central Constituency
UDA Party

1.5 Committee Secretariat

5. The Committee is facilitated by the following staff secretariat

Mr Joshua Ondari
Clerk Assistant I/Lead Clerk

Mr. Binensa Mabungu
Clerk Assistant III

Mr Sidney Lugaga
Senior Legal Counsel

Ms Judith Kiprof
Fiscal Analyst III

Mr Murimi Mwangi
Media Relations Officer

Ms. Mary Kamande
**Public Communications
Officer**

Ms Brenda Michua
Research Officer III

Mr Yeziel Jillo
Senior Serjeant - At-Arms

Mr Cosmas Akhonya
Audio Officer

CHAPTER TWO

2.0 SENATE AMENDMENTS TO THE LAND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.40 OF 2022)

2.1 Introduction

6. The Land (Amendment) Bill (*National Assembly Bill No. 49 of 2022*) is a Bill sponsored by the Hon. Simon King'ara, MP.
7. The Bill was published vide Kenya Gazette Supplement No. 165 of 2022 and was considered and passed without amendments by the National Assembly on 20th March, 2024. The Bill, being a Bill concerning Counties was forwarded to the Senate for consideration pursuant to Standing Order 142 of the National Assembly Standing Orders.
8. The Senate considered and passed the Bill with an amendment on 15th April 2025 and transmitted the amendment to the National Assembly.
9. The National Assembly considered and approved the amendment to the Land (Amendment) Bill (National Assembly Bill No. 40 of 2022 on 14th May 2025.

2.2 Clause under Amendment

10. The following clause of the Land (Amendment) Bill (*National Assembly Bill No.40 of 2022*) was considered by the Senate Committee on Lands:

2.2.1 Senate Amendment to Clause 3

Clause 3

11. THAT clause 3 of the Bill be amended in the introductory phrase to the proposed sub-section (16) by inserting the words—
“publish a notice in the Gazette specifying the particulars of the registration and” immediately after the words “the Registrar shall.”

2.2.2 Resolution

12. The Committee considered the Senate amendment to Clause 3 of the Land (Amendment) Bill (National Assembly No. 40 of 2022) and resolved to **adopt the Senate Amendment**. It was observed that the proposal under clause 3 (16), to publish a *Gazette notice* creates more stringent measures to land buying companies while acquiring public land.

CHAPTER THREE

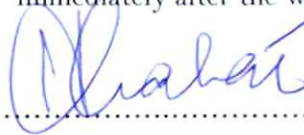
3.0 COMMITTEE RECOMMENDATION

13. The Committee considered the Senate amendment on the Land (Amendment) Bill (National Assembly Bill No.40 of 2022) and recommended as follows:

Clause 3

14. THAT Clause 3 of the Bill be amended in the introductory phrase to the proposed sub-section (16) by inserting the words—

“publish a notice in the *Gazette* specifying the particulars of the registration and” immediately after the words “the Registrar shall.”

SIGNED.......... DATE.....4/06/2025.....

HON. JOASH NYAMACHE NYAMOKO, MP
(CHAIRPERSON)





REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY

13TH PARLIAMENT – FOURTH SESSION, 2025

DEPARTMENTAL COMMITTEE ON LANDS

MINUTES OF THE 17TH SITTING OF THE DEPARTMENTAL COMMITTEE ON LANDS HELD AT THE COMMITTEE ROOM, 5TH FLOOR CONTINENTAL HOUSE ON WEDNESDAY, 14TH MAY 2025 AT 12:00 PM.

PRESENT

1. Hon. Nyamoko Joash Nyamache, HSC, M.P. - *Chairperson*
2. Hon. Jehow Fatuma Abdi, M.P. - *Vice Chairperson*
3. Hon. (Dr.) Rachael Kaki Nyamai, CBS, M.P.
4. Hon. Gitari Joseph Gachoki, M.P.
5. Hon. Katana Paul Kahindi, M.P.
6. Hon. (Eng.) Nzambia Thuddeus Kithua, M.P.
7. Hon. Lelmengit Josses Kiptoo Kosgey, M.P.
8. Hon. Sankaire Leah Sopiato, M.P.

ABSENT WITH APOLOGIES

1. Hon. (Dr.) Ogolla Gideon Ochanda, M.P.
2. Hon. Shimbwa Omar Mwinyi, M.P.
3. Hon. Robi Mathias Nyamabe M.P.
4. Hon. Mupe Anthony Kenga, M.P.
5. Hon. Guyo Ali Wario, M.P.
6. Hon. Maj. (Rtd) Dekow Barrow Mohamed, M.P.
7. Hon. Mrembo Irene Njoki, M.P.

COMMITTEE SECRETARIAT

1. Mr. Joshua Ondari - Lead Clerk
2. Mr. Binensa Mabungu - Assisting Clerk
3. Mr. Sidney Lugaga - Legal Counsel
4. Ms. Brenda Michira - Research Officer
5. Ms. Nancy Chamunga - Fiscal Analyst
6. Ms. Mary Kamande - Public Communications Officer
7. Mr. Cosmas Akhonya - Audio Officer
8. Mr. Bromick Russel - Parliamentary Attachee'

MIN/NO./NA/DC-LANDS/2025/100:

PRELIMINARIES

The meeting was called to order at fifteen minutes past twelve o'clock with a word of prayer by the Hon. (Dr.) Rachael Kaki Nyamai, CBS, MP.

1. Preliminaries;
2. Confirmation of Minutes.
3. Matters Arising;
4. Pending Business
5. Meetings:
 - i) Consideration of Senate Amendments to the Land (Amendment) Bill (National Assembly Bills No.40 of 2022)
6. Any Other Business
7. Adjournment

The agenda of the meeting was adopted after it was proposed by Hon. Gitari Joseph Gachoki, M.P. and seconded by Hon. Katana Paul Kahindi, M.P.

MIN/NO./NA/DC-LANDS/2025/102:

CONFIRMATION OF MINUTES

The Confirmation of minutes was deferred to a later sitting.

MIN/NO./NA/DC-LANDS/2025/103:

MATTERS ARISING

There were no matters arising.

MIN/NO.NA/DC-LANDS/2025/104:

CONSIDERATION OF SENATE AMENDMENTS TO THE LAND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO.40 OF 2022)

The Committee considered the proposed amendment and resolved to adopt the proposal from the Senate. It was observed that the proposal under clause 3 (16), to publish a Gazette creates more stringent measures to land buying entities while acquiring public land.

Adoption of the Report

The Report on the Consideration of the Senate Amendments to the Land (Amendment) Bill (National Assembly Bills No. 40 of 2022) was adopted having being proposed by Hon. Gitari Joseph Gachoki, M.P and seconded by The Hon. Rachael Kaki Nyamai, CBS, M.P.

MIN/NO.NA/DC-LANDS/2025/105:

ANY OTHER BUSINESS

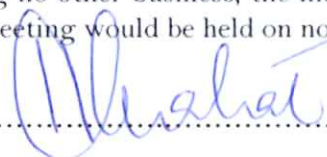
There was no other business.

MIN/NO.NA/DC-LANDS/2025/106:

ADJOURNMENT

There being no other business, the meeting was adjourned at ten minutes past one o'clock. The next meeting would be held on notice.

SIGNED.....



DATE.....

4/06/2025

HON. JOASH NYAMACHE NYAMOKO, MP
(CHAIRPERSON)



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT - (FOURTH SESSION)
THE NATIONAL ASSEMBLY

MESSAGES

MESSAGES FROM THE SENATE

_____ (No. 005 of 2025) _____

PASSAGE OF THREE BILLS BY THE SENATE

Honourable Members,

1. Pursuant to the provisions of the Standing Order 41(4), I wish to report to the House that I have received three Messages from the Senate regarding the passage of the following two (2) Senate Bills and one (1) National Assembly Bill—

(1) The Energy (Amendment) Bill (Senate Bill No. 42 of 2023);

(2) The County Public Finance Laws (Amendment) Bill (Senate Bill No. 39 of 2023); and


(3) The Land (Amendment) Bill (National Assembly Bill No. 40 of 2022).

2. **Honourable Members,** the **first Message** conveys that, on Tuesday, 15th April 2025, the Senate considered and passed the Energy (Amendment) Bill (Senate Bill No. 42 of 2023) **without amendments**. The Bill which was published vide Kenya Gazette No. 162 of 1st September 2023 seeks to provide for energy purchase agreements, among other provisions.

3. **Honourable Members**, the **second Message** conveys that, on Tuesday, 15th April 2025, the Senate considered and passed the County Public Finance Laws (Amendment) Bill (Senate Bill No. 39 of 2023) **with amendments**. The Bill published vide Gazette Notice No. 159 of 1st September 2023 seeks to amend the County Assembly Services Act, Cap 265D to establish County Assembly Fund.
4. **Honourable Members**, the **third Message** conveys that on Tuesday, 15th April 2025, the Senate considered and passed the Land (Amendment) Bill (National Assembly Bill No. 40 of 2022) **with amendments**. In this regard, the Senate now seeks the National Assembly's reconsideration of the Bill in accordance with the provisions of Article 112 of the Constitution.
5. Having passed the said Bills, the Senate now seeks the concurrence of the National Assembly pursuant to the provisions of Article 110(4) of the Constitution.
6. **Honourable Members**, with regards to the Senate Bills, you will note that the Standing Orders require the Speaker to cause a Bill received from the Senate to be read a First time upon conveyance of its Message to the House. In view of this, I hereby direct the Clerk to schedule the two (2) Senate Bills in the Order Paper for First Reading at the next sitting.
7. Thereafter, the Energy (Amendment) Bill (Senate Bill No. 42 of 2023) shall stand committed to the **Departmental Committee to the Departmental Committee on Energy** and the County Public Finance Laws (Amendment) Bill (Senate Bill No. 39 of 2023) to the **Departmental Committee on Finance and National Planning**, for consideration.

8. **Honourable Members**, with respect to the Land (Amendment) Bill (National Assembly Bill No. 40 of 2022), the Message and the Schedule of Senate amendments to the Bill are hereby referred to the **Departmental Committee on Lands** for consideration and reporting. I also direct the Clerk to circulate the Schedule of Senate amendments to the Bill to all Members.
9. The Committees to which the Bills have been referred are encouraged to prioritise their consideration and submit their reports as soon as is practicable to enable the House to proceed with the necessary next steps on the Bills.
10. The House is accordingly guided.

I thank you!


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

Wednesday, 23rd April 2025

REPUBLIC OF KENYA

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PARLIAMENT OF KENYA
OFFICE OF THE CLERK OF THE SENATE

SENATE AMENDMENTS TO THE LAND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILLS NO. 40 OF 2022)

The Senate, on Tuesday, 15th April, 2025, considered and passed **the Land (Amendment) Bill (National Assembly Bills No. 40 of 2022)** with amendment as follows –

CLAUSE 3

Clause 3 of the Bill amended in the introductory phrase to the proposed sub-section (16) by inserting the words “publish a notice in the *Gazette* specifying the particulars of the registration and” immediately after the words “the Registrar shall”.

Signature: _____

A handwritten signature in black ink, appearing to be 'J. K. R.', written over a horizontal line.