

APPROVED

REPUBLIC OF KENYA

Cos

Recommended
for tabling.

30/5/23

29/05/2023



THE SENATE

THIRTEENTH PARLIAMENT | SECOND SESSION

Hon. Speaker
You may approve for tabling
J.M. Nyegenye, C.B.S.,
Clerk of the senate/secretary, PSC
Date: 29/05/23

STANDING COMMITTEE ON LABOUR AND SOCIAL
WELFARE

PARLIAMENT
OF KENYA
LIBRARY

REPORT ON THE PERSONS WITH DISABILITIES BILL, 2023
(SENATE BILLS NO. 7 OF 2023)

PAPERS LAID	
DATE	31/5/2023
TABLED BY	
COMMITTEE	Labour
CLERK AT THE TABLE	Chania

Clerk's Chambers,
The Senate,
Parliament Buildings,
NAIROBI.

May, 2023

TABLE OF CONTENTS

CHAPTER ONE: INTRODUCTION	5
1.0 Background	5
1.1 Overview of the Bill	6
1.2 Consequences of the Bill	9
CHAPTER TWO: PUBLIC PARTICIPATION ON THE BILL	10
2.0 Committee Undertakings	10
2.1 Overview of Stakeholder Submissions on the Bill	11
CHAPTER THREE: COMMITTEE OBSERVATIONS AND RECOMMENDATIONS	17
3.0 Committee Observations on the Bill	17
3.1 Committee Recommendations	17
APPENDICES	19
<i>Appendix 1:</i> Committee Stage Amendments	19
<i>Appendix 2:</i> Minutes of the sittings of the Committee in considering the Bill	19
<i>Appendix 3:</i> The Persons with Disabilities Bill (Senate Bills No. 7 of 2023)	19
<i>Appendix 4:</i> Advertisement published in the <i>Daily Nation</i> and <i>Standard</i> Newspapers on Tuesday, 28 th February, 2023	19
<i>Appendix 5:</i> The Public Participation Matrix	19
<i>Appendix 6:</i> Public Participation Submissions	19

PRELIMINARIES

Establishment and Mandate of the Committee

The Senate Standing Committee on Labour & Social Welfare is established pursuant to standing order 228 of the Senate Standing Orders. The Committee is mandated to consider all matters related to *Manpower and human resources planning, pension, gender, culture and social welfare, youth, National Youth Service, children's welfare; national heritage, betting, lotteries and sports, public entertainment, public amenities and recreation.*

Membership of the Committee

The Committee is comprised of –

- | | |
|--|--------------------|
| 1. Sen. Julius Murgor Recha, MP, | - Chairperson |
| 2. Sen. George Mungai Mbugua, MP, | - Vice Chairperson |
| 3. Sen. (Rtd.) Justice Stewart Madzayo, CBS, MP, | - Member |
| 4. Sen. Mohamed Faki Mwinyihaji, MP, | - Member |
| 5. Sen. Erick Okong'o Mogeni, SC, MP, | - Member |
| 6. Sen. Alexander Munyi Mundigi, MP, | - Member |
| 7. Sen. Crystal Kegehi Asige, MP, | - Member |
| 8. Sen. Miraj Abdullahi Abdulrahman, MP, | - Member |
| 9. Sen. Gloria Magoma Orwoba MP, | - Member |

FOREWORD BY THE CHAIRPERSON

Hon. Speaker,

The Persons with Disabilities Bill, 2023 (Senate Bills No. 7 of 2023), sponsored by Senator Crystal Kegehi Asige, MP was published *vide* Kenya Gazette Supplement No. 16 of 20th February, 2023. The Bill was read a First Time in the Senate on Wednesday, 22nd March, 2023 and thereafter stood committed to the Standing Committee on Labour and Social Welfare for consideration.

The Bill seeks to repeal the Persons with Disabilities Act, No. 14 of 2003 and have in place a law that is consistent with the Constitution. The Bill places emphasis on human rights approach towards the realization of specific rights for persons with disabilities. The Bill also sets out the obligations of both the National and County Governments in line with the Constitution to ensure that county government obligations are delineated in accordance with the provisions of the Fourth Schedule to the Constitution.

Hon. Speaker,

Pursuant to Article 118 of the Constitution and standing order 145 (5) of the Senate Standing Orders, the Committee published an advertisement in the Daily Nation and Standard Newspapers on Friday, 24th March, 2023, inviting members of the public to submit written memoranda to the Committee on the Bill. The advertisement was also posted on the Parliament website and social media platforms. Following the call for submissions, the Committee received written memoranda from stakeholders.

The Committee proceeded to consider the Bill extensively, scheduled meetings with various stakeholders including the Ministry of Labour and Social Protection, the Council of Governors, the County Assemblies Forum, the Kenya National Commission on Human Rights (KNCHR) and the National Gender and Equality Commission (NGEC). The Committee held stakeholder engagements with the KNCHR and the NGEC.

The Committee received both oral and written submissions, including reservations on the Bill by the Ministry of Labour and Social Protection. This report therefore presents an account of the deliberations, including the resolutions outline in Chapter Three, that have been transformed into the Committee Stage Amendments in *Appendix I* of this Report.

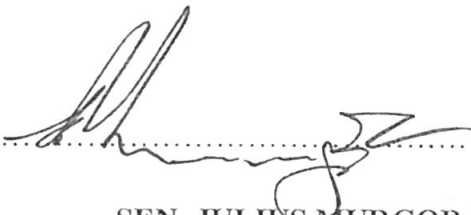
Hon. Speaker,

I take this opportunity to commend the Members of the Committee for their devotion and commitment to duty, which made the consideration of the Bill successful. I also wish to thank the Offices of the Speaker and the Clerk of the Senate for the support extended to the Committee in undertaking this assignment.

Hon. Speaker,

It is now my pleasant duty, pursuant to standing order 148(1) of the Senate Standing Orders, to present the Report of the Standing Committee on Labour and Social Welfare on the Persons with Disabilities Bill, 2023 (Senate Bills No. 7 of 2023).

Signed



Date Friday, 12th May, 2023

SEN. JULIUS MURGOR RECHA, MP
CHAIRPERSON, STANDING COMMITTEE ON LABOUR AND SOCIAL
WELFARE

CHAPTER ONE: INTRODUCTION

1.0 Background

1. The Persons with Disabilities Bill, 2023 (Senate Bills No.7 of 2023), sponsored by Senator Crystal Kegehi Asige, MP was published *vide* Kenya Gazette Supplement No.16 dated 20th February, 2023. The Bill was introduced in the Senate by way of First Reading on 22nd March, 2023 and thereafter stood committed to the Standing Committee on Labour and Social Welfare for consideration. A copy of the Bill is annexed to this Report as *Appendix 3*.
2. Pursuant to the provisions of Article 118 of the Constitution and standing order 145(5) of the Senate Standing Orders, the Committee published an advertisement in the Daily Nation and Standard Newspapers on Friday, 24th May, 2023, inviting members of the public to submit written memoranda to the Committee on the Bill. A copy of the advertisement is attached as *Appendix 4*. The advertisement was also posted on the Parliament website and social media platforms.
3. Following the call for submissions, the Committee received written memoranda from various stakeholders including the Ministry of Labour and Social Protection, Council of Governors, National Gender and Equality Commission, Kenya National Commission on Human Rights, Transparency International, Digital Accessibility for Persons with Disabilities (KICTANet), Amazing Grace Bawo Foundation, Consortium of Disabled Persons Organizations in Kenya (CDPOK), Kesho Kenya.
4. The Committee also received submissions from individuals including Dennis Ochieng' Orengo Juma, Timothy W. Mwangi, Nathaniel Mtunji and Evans Gichia. Copies of the Stakeholder submissions are attached as *Appendix 6*.
5. The Persons with Disabilities Bill, 2023 (Senate Bills No.7 of 2023) seeks to repeal the Persons with Disabilities Act, No. 14 of 2003 and have in place a law that is consistent with the Constitution. The Bill places emphasis on human rights approach towards the realization of specific rights for persons with disabilities.
6. The Bill also sets out the obligations of both the National and county governments in line with the Constitution to ensure that county government obligations are delineated in accordance with the provisions of the Fourth Schedule to the Constitution.

1.1. Overview of the Bill

7. Currently there is no legal framework that sets out the obligations of the county governments with regard to persons with disabilities. The Bill therefore seeks to impose obligations on each level of government to address the needs of persons with disabilities in line with Article 54 of the Constitution which provides that a person with any disability is entitled—
 - (a) *to be treated with dignity and respect and to be addressed and referred to in a manner that is not demeaning;*
 - (b) *to access educational institutions and facilities for persons with disabilities that are integrated into society to the extent compatible with the interests of the person;*
 - (c) *to reasonable access to all places, public transport and information; ...*
8. The Bill sets out the respective obligations of the National and County Governments in relation to the persons with disabilities. Under the Bill, the National Government is mandated to among other functions—
 - (a) develop policies on the protection of persons with disability;
 - (b) promote integration of persons with disability in schools;
 - (c) promote inclusion of persons with disability in the public service; and
 - (d) implement preferential procurement measures for persons or entities managed with persons with disabilities.
9. On the other hand, county governments are mandated to among other functions—
 - (a) implement the national policy and strategy on persons with disabilities;
 - (b) allocate adequate resources to programmes targeting persons with disabilities;
 - (c) promote inclusion of persons with disability in the county public service; and
 - (d) develop mechanisms for identification of persons with disabilities residing within the county.
10. The Bill seeks to review the membership of the National Council for Persons with Disabilities to include a person nominated by the Council of Governors to represent county governments. The Bill, further seeks to provide for qualifications for appointment, procedure for appointment, vacation of office, tenure of office and remuneration of Council members.

11. In order to align the functions of the Council with the Constitution of Kenya, the Bill proposes to enhance the powers and functions of the National Council for Persons with Disabilities by including functions that will require the Council to liaise and consult with county governments and other relevant agencies. The Bill seeks to ensure that county governments are consulted by the Ministry responsible for sports when developing designs to make sports facilities accessible to persons with disabilities.
12. Further, in keeping with the current technological developments, the Council is required to undertake research and recommend development of new technologies including assistive devices suitable for use by persons with disability.
13. The Bill proposes to include a part to deal with realization of specific rights and incentives for persons with disabilities. The Bill is specific on the following rights, among others—

(a) right to equality and non-discrimination

14. Under this right, every person with disability is equal before the law in the social, cultural, economic, political, or any other field of life and is guaranteed to protection, benefit of the law and to effective legal protection against discrimination on all grounds and entitled to the full and equal enjoyment of the goods, services, facilities, or accommodations on an equal basis with others.

(b) right to legal capacity

15. Under this right, every person with disability is entitled to the support services he or she may require in exercising the right to legal capacity. Additionally, every person with disability has equal right to own or inherit property, to control his or her own financial affairs and to have equal access to bank loans, mortgages and other forms of financial credit.

(c) right to marry and form a family

16. Under this right, every person with disability who is of marriageable age has the right to marry and form a family on the basis of free and full consent. Further, a person with disability shall not be separated from their child on the ground of disability.

(d) right to human dignity

17. The right provides that in addition to respecting and protecting a person with disability's right to human dignity, a person with disability should not to be

referred to by demeaning, embarrassing, derogatory and any other term that may be considered as lowering his or her human dignity.

(c) right to education

18. Under this right, among other things—

- (i) every child and person with disability has a right to admission to any institution of learning and access to an inclusive, quality and free primary and secondary education on an equal basis; and
- (ii) every person with a disability is entitled to receive the support services required, within the general education system, to facilitate his or her effective inclusive education.

(f) right to work

19. Every public service employer is expected to -

- (i) reserve at least five per cent direct employment opportunities for persons with disability to secure employment;
- (ii) formulate policies and programmes to promote basic human rights, improve working conditions and enhance employment opportunities for persons with disability; and
- (iii) carry out appropriate modifications in their work premises to accommodate the employment of persons with disability.

(g) right to health

20. Under this right -

- (i) every person with a disability has the right to free medical care and treatment on condition of his or her disability in public owned health institutions;
- (ii) medical assessment reports undertaken with respect to a person with disability for purposes of registration, employment or compensation shall be carried out free of charge in public-owned health facility; and
- (iii) every national or referral health facility shall employ at least two Kenya Sign Language interpreters and shall take into account the need for gender balance in the hospital organizational structure.

- 21. The Bill makes a provision against harmful practices, torture and cruel treatment against persons living with disabilities and provides for life imprisonment on conviction.
- 22. Additionally, the Bill amends the Films and Stage Plays Act to compel makers or exhibitors of films to make such films accessible to persons with disabilities.
- 23. The Bill also contains other amendments of general nature to align the Act with the 2010 Constitution.

1.2. Consequences of the Bill

24. The Constitution establishes two levels of government, that is the national government and county governments. These two levels of government have an obligation to ensure that persons with disabilities within their jurisdiction are protected and that the requirements of Article 54 (1) of the Constitution, which includes the right to access various social amenities and the right to be treated with dignity and respect, are met. It is in this context that this Bill proposes to impose obligations on each level of government to address the socio-economic needs of persons with disabilities.

CHAPTER TWO: PUBLIC PARTICIPATION ON THE BILL

2.0 Committee Undertakings

25. Pursuant to the provisions of Article 118 of the Constitution and standing order 145 (5) of the Senate Standing Orders, the Committee published an advertisement in the *Daily Nation* and *Standard* Newspapers on Friday, 24th May, 2023, inviting members of the public to submit written memoranda on the Bill. The advertisement was also posted on the Parliament website and social media platforms.
26. The Committee received written memoranda from various stakeholders including the Ministry of Labour and Social Protection, Council of Governors, National Gender and Equality Commission, Kenya National Commission on Human Rights, Transparency International, Digital Accessibility for Persons with Disabilities (KICTANet), Amazing Grace Bawo Foundation, Consortium of Disabled Persons Organizations in Kenya (CDPOK), Kesho Kenya.
27. The Committee also received submissions from individuals including Dennis Ochieng' Orengo Juma, Timothy W. Mwangi, Nathaniel Mtunji and Evans Gichia.
28. The Committee met with stakeholders on the Persons with Disabilities Bill, 2023 on 18th April, 2023. The Kenya National Commission on Human Rights and the National Gender and Equality Commission made their submissions on the Bill.
29. A detailed public participation matrix is attached as *Appendix 5*.
30. The Committee considered the public hearing submissions Thursday, 11th May, 2023. The Committee considered the Committee stage amendments on Friday, 12th May, 2023 and adopted its report thereafter. The minutes of the Committee in considering the Bill are annexed to this Report as *Appendix 2*.

2.1 Overview of Stakeholder Submissions on the Bill

31. Below is an overview of the stakeholder submissions on the Persons with Disabilities Bill, 2023 (Senate Bills No.7 of 2023).
32. The Ministry of Labour and Social Protection rejected the Bill.
33. The Council of Governors agreed with the contents of the Bill and made the following amendments –
 - a) clause 2 - amend the definition of the term “assistive devices” to include “**prosthetics**”.
 - b) clause 4 - include a clause on capacity building, funding and consultation of county governments.
 - c) clause 5 - include a clause on increase of funding by the national government to enable counties mainstream disability rights in all county plans, programmes and projects.
 - d) clause 10, 11 and 13 - amend the clauses to include protection from sexual abuse, sexual exploitation and harmful practices.
 - e) clause 20 - include consultation with county governments.
 - f) clause 20 (8) (c) (vi) to read— introduction of Kenya sign language interpretation course in all learning and training institutions
 - g) Amend clause 20 (2) (a) to apply to employers in the public sector only.
 - h) Amend clause 31 by introducing consultation and collaboration with the county governments and other government regulatory agencies.
 - i) Amend clause 40 to increase membership of COG to the Council from one to three.
 - j) delete clause 42.
34. The Kenya National Commission on Human Rights was in support of the Bill and made the following submissions –
 - a) Amend the long title to include: “to provide for the recognition and protection of the rights of persons with disabilities and to promote their full and equal participation in society.”
 - b) Consider including in the long title a liner on further operationalization of the provisions of the Convention on the Rights of Persons with Disabilities. Alternatively, as a separate Clause on ‘purpose/object’.

- c) Include the word enforce to read in clause 4 (g): Prescribe and enforce minimum standards and guidelines to be adhered to by public transport vehicles, communication service companies and infrastructure developers to facilitate reasonable access by persons with disability.
- d) Amend clause 4 (i) to read as follows: “ensure access to free and compulsory inclusive education, training and other social amenities to learners and trainees with disabilities, including by setting aside 15 per cent of all public-funded bursaries for pupils with disabilities;”
- e) Add a subclause in clause 4 that provides for community-based health care services.
- f) Add a new subclause to read: Ensure participation and involvement of organizations of/ for persons with disabilities in every aspect of policy and development.
- g) Include another obligation to read as: “Put in place affirmative action to waive licenses and fees of new businesses established by persons with disabilities”
- h) Add a subclause under 21 (2) (e) to the effect that every employer shall provide reasonable accommodation for employees with disabilities.
- i) Delete 21 (3).
- j) Add a subclause in clause 24 to the effect that: ‘every person with a disability has the right to access health care on the basis of his/her free and informed consent’.
- k) Amend 24 (8), to read - (8) Persons with disabilities, including children, have the right to retain their fertility on an equal basis with others.
- l) In 55 (1), insert the word “permanent” before “exemption” to read: All persons with disabilities who are in receipt of an income may apply to the Cabinet Secretary responsible for finance for permanent exemption from income tax and any other levies on such income.
- m) In 55 (2), amend to a transparent figure applicable across the board.
- n) In 60 (2), include “denial of reasonable accommodation” as a form of discrimination.
- o) Delete Clause 61.
- p) clause 62 (1) add the words “or any other institution” immediately after the word “disabilities”.
- q) Review the penalty for the offence of concealment of persons with disabilities in 62 (2).
- r) clause 65, harmonise the offence and penalty with the provisions of Prevention of Torture Act.
- s) Merge the National Fund for the Disabled of Kenya with the National Council for Persons with Disabilities and ensure parliamentary oversight for accountability.

35. The Kenya National Gender and Equality Commission were in support of the Bill and made the following submissions –

- a) Amend by inserting additional clauses on the obligations of National Human Rights Commissions and the Civil Society as follows—

Obligations of the National Human Rights Institutions

4A. The Kenya National Commission on Human Rights and the National Gender and Equality Commission are designated entities for monitoring the national implementation of the Convention on the Rights of Persons with Disability.

4B. All public entities shall submit quarterly reports on compliance of mainstreaming of disability in their respective entities to the National Gender and Equality Commission who shall issue a certificate of compliance for determination of budgetary allocations.

5A Civil society organizations shall be part of the governance structures at both national and County Levels to represent the interests of Persons with Disabilities and their organizations and shall be involved and participate fully in the monitoring process of the Convention.

- b) Amend Clause 13(a) by inserting after the word “Programmes” the following “for themselves and their care givers”
- c) Amend subclause 20 (1) by inserting the word “Suitable” after the word “any”
- d) Amend by 20 (1) (b) by inserting after the word “children” the word “and learners”
- e) Amend clause 21 by inserting an additional sub-clause as below-; (f) submit all job advertisements to the Council.
- f) Amend clause 21(3) by inserting after the word “Council” the following “and The National Gender and Equality Commission”.
- g) Propose to amend subclause 24(6) by inserting after the word “Facility “the following; - “and shall be signed by a designated and gazetted County Medical Officer”.
- h) Amend clause 24 (7) by substituting the words “Every national or referral” with the word “All”
- i) Amend clause 26 by inserting “the’ after the word “Public “the word “and private” in subclauses 4, 5 and 9.
- j) Amend clause 28(1) by inserting after the word ‘procedural” the word “reasonable”
- k) Amend clause 31 by inserting after the word “Council “the following “in collaboration with the relevant Regulatory Agencies”

- l) Amend clause 32(2) by inserting an additional subclause as follows-;
“(d)Ensuring that there is compliance by political parties on the requirement of nominative seats reserved for persons with disability.”
36. The Consortium of Disabled Persons Organizations in Kenya (CDPOK) were in support of the Bill and submitted as follows –
- a) In the long title-
 - i) Remove the word restructure and replace with the word ‘strengthen’ instead.
 - ii) Remove the word illness and replace with the word ‘condition’
 - b) Amend clause 26, by adding Kenyan sign language/television inset and or closed captioning, the inset should cover a third of television screen.
 - c) Amend clause 29 by reinstating the right to free access to recreational facilities for PWDs
 - d) Amend clause 32 to read that IEBC should consult the National Council for Persons with Disabilities to determine nomination for PWDs in Senate, National Assembly and County Assemblies.
 - e) Amend clause 37 to read - all institutions including political parties should work closely with NCPWD to collect and keep disintegrated data of PWDs members. Add standardization of data collection tools and central storage of PWDs data under this section
37. Transparency International was in support of the Bill and submitted as follows –
- a) Amend clause 2 - the definition of “discrimination” to read— “discrimination on the basis of disability” means any distinction, exclusion or restriction on the basis of disability which has the purpose or effect of impairing or nullifying the recognition, enjoyment or exercise, on an equal basis with others, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or any other field. It includes all forms of discrimination, including denial of, and or failing to make reasonable accommodation.
 - b) Amend clause 11 by including subclauses on protection from abuse, exploitation and harmful practices and living with family for as long as is necessary.
 - c) Amend clause 14 by stating that the documents should be issued at no cost.

38. Kesho Kenya, in clause 20 stated that the National and County governments to undertake review of budgetary allocations to inclusive/special needs education and make adjustments accordingly and the National government institute subsidies for assistive devices and technologies being imported in the country.

39. Mr. Timothy W Mwangi, submitted as follows –

a) Amend clause 2 by inserting new definitions of “building” and “reasonable accommodation” as follows—

i) “building” includes any structure or erection and any part of a building or works

ii) “reasonable accommodation” means necessary and appropriate modification and adjustments not imposing a disproportionate or undue burden, where needed in a particular case, to ensure to persons with disabilities the enjoyment or exercise on an equal basis with others of all human rights and fundamental freedoms;

b) Amend clause 4 by inserting a new paragraph immediately after 4(d) to read— (da) prescribe and disseminate minimum standards and guidelines for construction of buildings or structures to facilitate reasonable access to and movement for persons with disabilities.

c) Amend clause 30 by inserting a new sub clause immediately after 30(1) to read— The National Construction Authority shall within one year of commencement of this Act disseminate to county governments standards for construction of buildings that allow barrier free and disability friendly environment.

i) The National Construction Authority shall within six months of commencement of this Act submit to Parliament a report on progress made in (a).

d) Insert a new clause immediately after clause 49 to read:

(a) The Council may establish committees which shall consist of members as it deems appropriate to perform such functions as the Board may determine.

(b) Unless otherwise provided by the Act, the Council shall appoint chairpersons of committees established.

(c) The decisions of the committees shall be ratified by the Council unless otherwise provided for in this Act’.

(d) The Council may co-opt not more than four persons, whose knowledge and skills are found necessary for the performance of

the functions of the Council. Co-opted members have no right to vote at a meeting of the Council.

- e) Insert a new subclause immediately after 54(2)(b) to read: “progress made in realization of aspirations of Article 54 of the Constitution”

CHAPTER THREE: COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

3.0 Committee Observations on the Bill

40. Following extensive deliberations on the Bill, the Committee made the following observations-

- (a) That though the committee had extensively engaged the Ministry of Labour and Social Protection and the National Council for Persons with disability, the Ministry totally rejected the Bill; and
- (b) All the other organizations and institutions were in support of the Bill.

3.1 Committee Recommendations

41. Arising from the above observations, the Committee **recommends** that the Senate passes the Persons with Disabilities Bill, 2023 (Senate Bills No.7 of 2023) with the following amendments -

- a) In clause 2—
 - (i) insert the definition of the term “building” as provided for under the Physical and Land Use Planning Act; and
 - (ii) include the words “failing to make reasonable accommodation” in the definition of the term “discrimination on the basis of disability”.
- b) In clause 4—
 - (i) mandate the national government to develop and enforce minimum standards and guidelines to be adhered to by public transport vehicles, communication service companies and infrastructure developers to facilitate reasonable access by persons with disability; and
 - (ii) include a clause on capacity building, funding and consultation of county governments.
- c) In clause 5, mandate county governments to liaise with the Council to maintain a database of persons with disability in respective counties and include measures for affirmative action on persons with disabilities by county governments.
- d) Include a clause on social assistance to persons with disabilities care givers.
- e) In clause 14, make all registration documents free of charge.
- f) In clause 20, align the clause on education with the terms used in the Basic Education Act and introduce a clause on introduction of Kenyan Signed language in all learning institutions.

- g) In clause 24, amend to include employment of Kenyan Sign language interpreters in all health institutions and include the right of every person with a disability to access health care on the basis of his/her free and informed consent.
- h) Amend clause 29 to provide for the right to free access to recreational facilities for persons with disabilities.
- i) Amend clause 29 by introducing consultation and collaboration with the county governments and other government regulatory agencies in issuance of adjustment orders.
- j) Amend clause 60 to include “denial of reasonable accommodation” as a form of discrimination.
- k) Align the offences and penalties under clause 62 and 65 to other Acts of Parliament on the same.
- l) Amend clause 84 to merge the National Fund for the Disabled of Kenya with the National Council for Persons with Disabilities and ensure parliamentary oversight for accountability.

42. The Committee Stage Amendments are attached as *Appendix I* to this report.

APPENDICES

Appendix 1: Committee Stage Amendments

Appendix 2: Minutes of the sittings of the Committee in considering the Bill

Appendix 3: The Employment (Amendment) Bill (Senate Bills No. 11 of 2022)

Appendix 4: Advertisement published in the *Daily Nation* and *Standard* Newspapers on Tuesday, 28th February, 2023

Appendix 5: The Public Participation Matrix

Appendix 6: Public Participation Submissions