



Legislative UPDATE

Dear Esteemed Member,

This Bulletin summarizes some of the key Bills and Motions were set for debate and consideration before Parliament in the week ending 1st March 2019.

THE NATIONAL ASSEMBLY



1. The Kenya Accreditation Service Bill

The Bill was coming for a Committee of the Whole House. However, the Committee was deferred as there were a lot of amendments that needed to be harmonized. The objective of the Bill is to establish the Kenya National Accreditation Service and make it an internationally recognized effective accreditation system, and give Kenyans an effective and reliable accreditation system.



2. Proposal for Introduction of Bill on the Abolishment of Medical Fees in Referral Hospitals Up-On the Death of a Patient

The matter was coming up for a resumption of the Debate interrupted last week, the motion was passed.



3. Measures to Regulate Importation of Eggs

The Cabinet Secretary for Agriculture, Livestock, Fisheries and the Blue Economy was tasked to provide details on the quantities of eggs imported into the country for the period 2017/2018 indicating the countries of origin and the firms/companies licensed to import eggs and what criteria is used in the licensing of such companies. He is also to report to the House on what measures the Ministry taking to regulate importation of eggs with a view to protecting the local poultry farmers. The question was deferred to the Departmental Committee on Agriculture and Livestock.



4. The Constitution of Kenya (Amendment) Bill

Debate on the Bill was concluded on 20th November, 2018 and was coming up for a vote on the second reading of the Bill. The Bill sought to implement the provisions of Article 81(b) of the Constitution on the two-thirds gender rule as well as the Advisory Opinion, No. 2 of 2012, issued Supreme Court of Kenya issued in 2012 where the Court observed that the rights under Article 27(6) and (8) of the Constitution could only be fully realized using the legislative measures. Only 174 members were present, which is less than the 233 members required to be present to vote on the Bill. Consequently, the Bill was lost.



5. The Insurance (Amendment) Bill, National Assembly Bill No.21 of 2018

The Bill was coming up for a Committee of the whole House. It was reported that the Committee considered the Bill and approved the same with Amendments. The Bill was then read a third time and passed. The Bill seeks to streamline the operations and the relationship between the underwriters who are the main insurance companies and their counterparts who trade together, and who are the insurance brokers and agents. It also introduces amendments that are going to create offences related to the insurance industry and penalties intended to address the problems of insurance fraud.



6. Consideration of the President's Reservations to the Health Laws (Amendment) Bill

The reservations were being considered in the Committee of the whole House.

The Health Laws Amendment Bill comprises of the following Acts;

- (a) Pharmacy and Poisons Act, CAP. 244;*
- (b) The Medical Practitioners and Dentists Act, CAP 253;*
- (c) The Nurses Act, CAP 257;*
- (d) The Counselors and Psychologists Act, 2014, No. 14 of 2014 and*
- (e) The Clinical Officers (Training, Registration and Licencing) Act No.20 of 2017.*

The Committee of the Whole House considered the President's Reservations to the Health Laws (Amendment) Bill (National Assembly Bill No.14 of 2018) and approved the same with amendments.

THE SENATE



1) The Statutory Instruments (Amendment) Bill (Senate Bills No.24 Of 2018)

The Bill was coming up for a resumption of the Debate interrupted on 28.11.2018. The Bill was read a Second Time and Committed to a Committee of the Whole.



2) Implementation of Universal Health Care in Counties

It was noted that the Committee of Health was yet to table the report on the implementation of UHC before the House, despite receiving numerous reminders to deal with the matter. As such, the Deputy Speaker directed that the Senate Business Committee seize itself of the matter and make recommendations to the House by Tuesday 5th March, 2019.



3) The Constitution of Kenya (Amendment) Bill (Senate Bills No.2 Of 2019)

The Bill was coming up for a First Reading, and thereafter referred to the relevant Senate Committee. This Bill seeks to amend the Constitution to make it mandatory for the Independent Electoral and Boundaries Commission to submit a Report to Parliament, containing details of proposed alterations to names and boundaries of constituencies and wards. Parliament then has thirty days to make recommendations on the report of the Independent Electoral and Boundaries Commission containing details of proposed alteration to names or boundaries of constituencies and wards.



4) The Urban Areas and Cities (Amendment) Bill (Senate Bills No.4 of 2017)

Since the Bill originated from the Senate and went to the National Assembly and came back to the Senate and considering that the Senate had concurred with the amendments of the National Assembly, voting on the Bill ended at the Committee of the Whole stage and the Bill will proceed directly to the President for assent



5) Adjournment of The Senate

The Senate was adjourned until Tuesday 12th March, 2019 2.30PM to allow members engage at the Devolution Conference.

Your comments will be most appreciated – please send to kepsappd@kepsa.or.ke

Best regards,



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