

SENATE SPEAKER'S ROUNDTABLE 2018





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Foreword



Engagement between the Senate and the Kenya Private Sector Alliance (KEPSA) dates back to the infancy of the Senate, in 2013. The Speaker's Round Table (SPRT) has since been a dominant annual feature on the calendars of both our institutions; a testament to the significance we attach to our complementary agendas.

Through our interactions, KEPSA has been an instrumental voice that has offered welcome input into new pieces of legislation or amendments to existing ones; with the aim of creating a healthy business environment across the various counties.

As the voice of the private sector in Kenya and the umbrella body for private sector associations and corporate bodies in all sectors of the economy including Trade Associations, Multinationals, Corporates, and MSMEs from all sectors of the economy, KEPSA has been instrumental to fulfilment of one of our key constitutional obligations: public participation. As a result, the Senate is keen on enacting legislation that support the business community and by extension, benefit our citizens as well as protect the interests of the counties and their governments.

This year's Round Table – the inaugural one between the Senate of the 12th Parliament and KEPSA – is crucial. It provides a unique opportunity to reflect on the milestones achieved during the term of the Senate of the 11th Parliament, take stock of where we are, and accelerate the attainment of sustainable development.

KEPSA, Senate and BIG Four

On 12th December, 2017 H.E. the President, Uhuru Kenyatta unveiled the Government's Big Four Agenda that include— food security, manufacturing, affordable housing and universal healthcare. Agriculture and healthcare are devolved functions; therefore, county governments are expected to be key actors for their realization. That notwithstanding, all Big Four projects will have to be executed within counties.

Article 96 (1) of the Constitution of Kenya, 2010 provides the cardinal roles of the Senate as— to “represent the counties and serve to protect the interests of the counties and their governments” and “participate in the law-making role of Parliament by considering, debating and approving Bills concerning counties.”

Cognizant of the high level of commitment required to realize the Government's Development Agenda, greater onus is on the Senate to debate and pass legislation that provides not only an enabling environment in the counties for the private-sector but also makes business sense to promote uptake of Public-Private Partnerships (PPP) across all sectors of the Big Four.

Public-Private Partnerships (PPPs) Crucial to Achieve Big Four

Considering the centrality of PPPs to the success of the Big Four, a discourse at the SPRT on proposed amendments to the PPP Act of 2013 – to spur economic development in the counties – shall be interesting and informative for necessary action.

The nexus between the Private Sector and the county governments is necessary for the realization of the Big Four. The interface of policy and implementation can only be realized through this.

Senate Steadfast to Protect Devolution

I wish to reaffirm that the Senate remains steadfast in jealously guarding devolution by ensuring objective oversight and ensuring ease of doing business in the counties.

We are alive to the benefits that Foreign Direct Investments have on our economy but we remain committed to seeing our local private sector flourish; to create employment, improve quality and lower the cost of goods and services and provide a reliable income stream for Government through taxes.

As UNCTAD Secretary-General, Dr. Mukhisa Kituyi aptly said at the 14th UNCTAD Conference in Nairobi: “We need to balance attractiveness to the foreign investor by first satisfying the local investor and turning them to the best marketer for foreign investment but many at times we have looked too much on the foreigner.”

I look forward to fruitful deliberations that will resonate with Dr. Kituyi's counsel and result in action that will realize economic growth and shared prosperity that will go a long way in creating the much-needed opportunities for our people.

Rt. Hon. Sen. Kenneth M. Lusaka,
EGH, MP

SPEAKER OF THE SENATE



KEPSA has been an instrumental voice that has offered welcome input into new pieces of legislation or amendments to existing ones

Preface

Reimagining Kenya in Partnership between Business and Parliament



KEPSA has identified the Counties as the most important administrative units where business takes place



Since 2009, the Speakers Roundtable has played a critical role in strengthening the relationship between the Legislature and the Private Sector. Before Speaker's Roundtable was established, the private sector engaged with the Legislature in an ad hoc manner thus calling for a structured way of engagement that would present the private sector a platform and opportunity to contribute and foster pro-growth laws and policies for economic growth of the country.

Following the roll out of devolution in 2013, KEPSA has identified the Counties as the most important administrative units where business takes place. Therefore we established a number of engagement platforms with the key institutions mandated with ensuring the success of devolution (including the Senate through the Speaker's Roundtable and the various Departmental Committees, the Council of Governors, the Ministry of Devolution and Planning, the Intergovernmental Technical Relations Committee (IGRTC), the specific County Governments through engagements with the Governors, the County Executive Committees (CECs), among others) in order to support the transformation of Counties as the frontiers of economic development and progress.

The first Speaker's Roundtable with the Senate was convened in October 2013 and has since been meeting annually to engage on matters regarding devolution, ease of doing business in the counties and ensuring the legislative environment is supportive for social economic development across the country. After the years of engagement there is a lot to count as achievement in our partnership which has led to a clear understanding of the way our institutions work.

The partnership has ensured that the private sector engage on an almost day to day basis with Senate through the Parliamentary Departmental Committees (PDCs) providing input to Bills that affect businesses and are crucial to private sector development.

Our last Speaker's Roundtable with the Senate was convened at the Pride Inn Beach Resort & Convention Centre on July 28th-30th, 2016, and with the current Senate we met during the Induction in September 2017 where we had an opportunity to interact and engage on facilitating the role of the private sector in devolution.

Now that the Country is focused on the Big Four agenda as set by Government, it is incumbent of us to work together even more than ever in order to achieve the ambitious plan in the very shortest time possible. This does call for a change of tact and approach, and a need to reimagine Kenya through a legislative partnership. We are awake to the fact that it is not going to be business as usual, as we need to address the underlying issues in lightning speed to ensure that the various stakeholders including the Private sector are facilitated to maximize their contribution to delivering the agenda.

To successfully achieve the Big four agenda we have to partner in addressing some of the underlying impediments; To spur manufacturing competitiveness we have to reduce cost of doing business within and across the counties, we have to facilitate access to cheaper energy, curb proliferation of illicit trade, enhance access to industrial inputs and machinery, improve access to affordable financing, improve quality of infrastructure at the county level especially markets and logistics, enhance market linkages for our SMEs, and ensure prompt payment system to suppliers.

Similarly, to attain a food secure nation we need to reduce the cost of production in the sector, enhance access to quality inputs (i.e. seeds, fertilizer, animal feeds, etc.), reduce post-harvest losses, ensure farmers access markets by encouraging local sourcing, ensuring the farmers are paid in time, enhancing access to affordable credit, capacity development and providing incentives to on-board youths into the agriculture sector.

On health, it important for us to ensure that our policies support more inclusion of private sector in provision of universal healthcare through requisite incentives and enhance Public- Private Partnership in the provision of health services. Alike, private sector participation in the provision of affordable housing is key but we have to ensure that enablers such land is cheaply facilitated to investors, provide critical infrastructure, simplify the process of property registration, transfer or obtaining construction approvals, supporting innovative local building technologies and lowering the cost of construction materials.

As we soldier on, we have to ensure that the counties are more aware of their roles in implementation of the Big 4 Agenda, how they can support, partner with and facilitate the private sector towards realization of the set targets. We must ensure the counties are able to raise the revenue needed in a more efficient and effective way to fund their projects without stifling businesses, tackle mismanagement and wastage of resources, ensure all stakeholders are involved in identifying and implementing the development priorities, and ensuring timely resourcing of the counties by the National government to effectively perform their mandates.



The partnership has ensured that the private sector engage on an almost day to day basis with Senate through the Parliamentary Departmental Committees



JOINT-PARLIAMENT
CONFERENCE HELD IN AUGUST
2009, LEISURE LODGE HOTEL

Similarly, we cannot be oblivious of the political economy in the country and the role politics play and impact on development. From our history, politics have played a big role in shaping the direction of our economic growth and it is upon us as we forge next steps to ensure that there is political accountability and certainty to spur growth.

As we look beyond our generation, we have to focus on sustainable development. Develop our towns and cities in a progressive way that will ensure we have clean and organised urban environment, which will help in attracting Foreign Direct Investment. As policy makers, it is our call to ensure that we plan our cities and towns properly with proper utilities that are efficient and functional and curtail sporadic development that are encroaching public land meant for public utilities. This calls for affirmative action both in planning and in budgeting for public utilities such as hospitals, schools for education and infrastructure e.g. transport, adoption of smart technologies and other measures to address challenges such as traffic congestion.

Finally, I wish to appreciate the invaluable partnership and support with the Senate under the leadership of the Speaker. As we march forward together in supporting the Government to achieve the Big Four agenda, our partnership in ensuring a predictable environment for the private sector to invest and operate in will be key. This Speakers Roundtable is just but the start of our collaboration with the Twelfth house and we look forward to leverage on such to foster a conducive business environment. As the private sector, we will remain focused in pushing for pro-growth laws and policies and working with the house through the respective committees to steer Kenya into an economic hub in the region.

Carole Kariuki HSC, MBS

CHIEF EXECUTIVE OFFICER
KENYA PRIVATE SECTOR ALLIANCE

About KEPSA

The Kenya Private Sector Alliance (KEPSA) is the voice of the private sector in Kenya and the umbrella body for private sector associations and corporate bodies in all sectors of the economy including trade associations. KEPSA speaks for multinationals, SMES and start-ups organized under different sector boards and working groups reflective of the 16 sectors of the economy. KEPSA has over 500,000 members through business member organizations and companies. It provides a platform for the private sector to engage in Public Private Dialogue at Local, National and International level. It also offers information, advisory and networking opportunities for members and is a key partner to government and other stakeholders in the formulation and implementation of policies and strategies geared towards spurring economic growth, wealth creation and national development.

KEPSA partners with the administration of the day by engaging the three arms of Government in ensuring that there is a favourable environment for doing business. We are also non-partisan and non-political but we do engage on political stability of the country with politicians especially around the election year since this is important for a conducive business environment.

The full list of KEPSA members is available at the back of this booklet.



KEPSA is the voice of the private sector in Kenya and the umbrella body for private sector associations and corporate bodies in all sectors of the economy



ESTABLISHED PUBLIC PRIVATE DIALOGUE PLATFORMS



UPDATE OF THE 8TH PRESIDENTIAL ROUNDTABLE FORUM HELD IN JUNE 2018, STATE HOUSE-

PRESIDENTIAL ROUND TABLE (PRT)

An engagement with the Head of State on issues of national importance affecting the economy as well as those issues that require his direct intervention as Head of State. The PRT resolutions and commitments are cascaded down to the respective implementing Ministries and other arms of government.



EAC MINISTERIAL STAKEHOLDER FORUM HELD IN SEPTEMBER 2018, CO-OPERATIVE HOUSE

MINISTERIAL STAKEHOLDER FORUM (MSF)

A platform that brings together respective Ministries and KEPSA Sector Boards on quarterly basis (or as frequently as may be agreed) to address sector specific priority issues relating to policy, administrative and operational issues affecting them.

SPEAKERS ROUNDTABLE (SRT)

An annual engagement platform with the National Assembly and the Senate. The SRT facilitates joint review of legislative matters involving respective parliamentary Departmental Committees and the Private Sector.



SPEAKER'S ROUNDTABLE WITH THE SENATE HELD IN JULY 2016, SHANZU MOMBASA

COUNCIL OF GOVERNORS FORUM (COG)

A partnership with Governors that meets annually. The forum provides a platform of dialogue and stocktaking on devolution besides establishing mechanisms for better interaction and coordination between the Private Sector and Council of Governors.



THE GOVERNORS AND DEPUTY GOVERNORS INDUCTION FORUM HELD IN DECEMBER 2017 IN DIANI, KWALE COUNTY

CHIEF JUSTICE FORUM

A forum aimed at improving the Commercial Justice process in a manner that ensures efficient resolution of Commercial and Industrial Relations Disputes as well as discuss other ways the Judiciary can facilitate an enabling business environment.



CHIEF JUSTICE ROUNDTABLE HELD IN JUNE 2018



KEPSA - KRA TAX ROUND TABLE HELD IN MAY 2018

PLATFORMS WITH SELECTED STATE AGENCIES

KEPSA meets with state agencies and departments among which are: Attorney General, Immigration, Kenya Revenue Authority (KRA, National Police Service Commission, Kenya Police Service, KPLC, and ERC on specific business issues that require resolution by the respective departments.



DEVELOPMENT PARTNERS ROUNDTABLE IN FEBRUARY 2017

DEVELOPMENT PARTNERS ROUNDTABLE (DPRT)

This is an engagement that provides an opportunity for the private sector to inform and partner on the development agenda and priorities for the country's national development and private sector development.



KEPSA - EALA MEETING HELD IN MAY 2018 AT INTERCONTINENTAL HOTEL

REGIONAL FORUMS

A forum aimed at improving the Commercial Justice process in a manner that ensures efficient resolution of Commercial and Industrial Relations Disputes as well as discuss other ways the Judiciary can facilitate an enabling business environment.

Introduction

STATE OF THE ECONOMY AND CHARTING THE FUTURE



Coming out of a tough year that was 2017, Kenya's economy proved its resilience with a modest 4.9% growth rate. In the first quarter of 2018, the economy has recorded GDP growth of 5.7% compared to 4.8% in similar quarter last year. This is a more reflective representation of the projected 5.5% growth for 2018.

Merchandise exports grew by 7.1% to KSh 162.9 billion in quarter one of 2018 compared to similar quarter in 2017, while merchandise imports grew by 6.5% to KSh 432.1 billion. Current account deficit improved to KSh 107.9 billion compared to KSh 129.7 billion in quarter one of 2017. On investment, Kenya's received a total of \$672 million FDI inflows¹ in 2017 representing a 71% increases from 2016 owing to a buoyant domestic demand and inflows into ICT industries.

(L-R) KEPSA CHAIR NICK NESBITT, WORLD BANK COUNTRY DIRECTOR FELIPE JARAMILLO & CS TRADE, INDUSTRY & COOPERATIVES PETER MUNYA DURING THE RELEASE OF THE EASE OF DOING BUSINESS 2019 REPORT HELD ON NOVEMBER 1ST 2018 AT WORLD BANK OFFICES

¹World Investment Report 2018



Kenya has been able to consistently improve in the Ease Doing Business Index (DBI) year on year since 2015 moving up 75 places from position 136 to position 61

Kenya's economic growth has been supported by a conducive business environment as reflected by positive ranking in Key global indices which include the World Bank's Ease of Doing Business Index and the World Economic Forum's Global Competitiveness Index that are majorly used by investors in making investment decisions.

On account of key regulatory reforms, Kenya has been able to consistently improve in the Ease Doing Business Index (DBI) year on year since 2015 moving up 75 places from position 136 to position 61; Equally, Kenya has been improved in the Global Competitiveness Index (GCI) even though not at the pace it has in the Doing Business Index and is currently ranked at position 91.

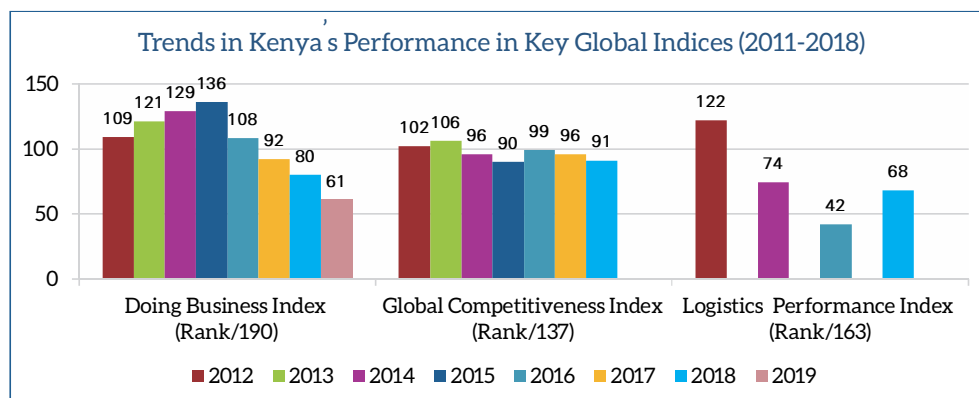
The Doing Business Index (DBI) was the foundation and focus of the Presidential Round Tables (PRT) held from 2013 to 2017 between KEPSA, the three arms of Government and International Finance Corporation (IFC). It all started in the first PRT in February 2014 when KEPSA presented Kenya's position (then at 129)

to the president and managed to get his endorsement on the business environment focus of its Business Strategy (2013-2018) and National Business Agenda (NBA-II). In 2015, our position worsened further to 136 due to challenges encountered during the embryonic phase of implementing a new system of devolved governance. Since then, our hard work focused on ensuring that Kenya's global ranking moves up to top 50 by 2020 and we are elated to see that dream coming to true as we now rank in position 61 globally.

We hold PRT every 6 months to review each indicator. This then resulted in the establishment of a tripartite arrangement bringing together the Ministry of Industry, Trade and Cooperatives, KEPSA and the World Bank Group to spearhead policy, legislative and administrative reforms in the country. On the other hand, KEPSA sector boards and the line Ministries, Parliamentary Committees, Judiciary and County Government would follow up on the agreements that each was to action on and monitor before the next PRT.



KEPSA CHAIR NICK NESBITT DURING THE LAUNCH OF THE WORLD BANK DOING BUSINESS 2019 REPORT HELD IN NOVEMBER 2018. STATE HOUSE NAIROBI



The achievements have been crucial to ensuring a stable, secure and enabling business environment where all businesses large and small, domestic and foreign can start, grow and thrive. This is a good example of what good Public Private Dialogue (PPD) is all about.

In spite of these remarkable trends, there is more to be done to sustain the achievements. This requires a multi-sectorial approach including partnership between the private sector and the legislature.

Therefore, we need to:

- › Focus our strategy on key productive sectors (manufacturing, agriculture, services, etc.), improve our exports capacity, stem corruption and misuse of public resources, improve our public debt management, controlled planning and development, among others.
- › On export trade, Kenyan exports remain highly focused on commodities. This situation reflects export growth that is typically fuelled by a limited number of mineral and primary commodities that have only narrowed impacts on the wider economy, and formal sectors that remain small. To support export development, we have to work together on a Bill to support export development and promotion, fast-track the establishment of Special Economic Zones and spearhead the integration of county regional economic blocs to promote cluster development and attract investment to the counties.
- › Equally, the role of SMEs in creating jobs and growing the economy should be enhanced and scaled up so that Kenya can develop a new set of SMEs that become large scale businesses with capacity to compete and penetrate global markets in the next ten years. Parliament and the private sector could start thinking of the requisite SME facilitation needed to strengthen linkages with large firms, supporting SME to globalise through sustained economic diplomacy to open up new market opportunities, improving access to credit which includes timely payment for supplies delivered and services offered, and improving infrastructures such as market facilities.
- › Similarly, there is need to keep tabs with the political economy, check the quality of leadership and politics to ensure we do not curtail development, as well as the properly managing emerging security threats and ethnic disputes. More than once, Kenya's economy has proved its responsiveness to the political uncertainties with investors holding back during elections, dormancy in private sector operations and negative effects to economic growth. A predictable policy and regulatory environment backed with a stable political economy is key in improving Kenya's competitiveness and sustaining economic growth.



... Kenya can develop a new set of SMEs that become large scale businesses with capacity to compete and penetrate global markets in the next ten years

01

Senate's Partnership With KEPSA



As KEPSA coordinates the Private Sector's engagement with the government and other stakeholders through the established Public-Private Dialogue (PPD) structures (which the Speaker's Roundtable is an important one), our main goal is to help establish pro-growth laws and policies that support the economy and business.



OPENING SESSION OF THE SPEAKER'S ROUND TABLE WITH SENATE HELD IN JULY 2016, SHANZU MOMBASA



SENATE RETREAT HELD IN
SEPTEMBER 2014

KEPSA, as the voice of the private sector in Kenya, having come to the realization of the expanding role of the private sector to deliver more jobs, wealth and other Vision 2030 objectives, develops and implements a National Business Agenda (NBA) every five years. The NBA aligns itself with the National Vision 2030 and the broader goal of private sector development. The next five years to 2022, we have incorporated role of private sector in delivering the Big Four Agenda in partnership with the government.

As KEPSA coordinates the Private Sector's engagement with the government and other stakeholders through the established Public-Private Dialogue (PPD) structures (which the Speaker's Roundtable is an important one), our main goal is to help establish pro-growth laws and policies that support

the economy and business. These are goals to be realised through increased trade and investment and, more importantly, by ensuring greater inclusion of Kenyans in all the growth levers of the economy. Through its PPD engagements, KEPSA has realized key achievements in the business environment in the past five years, with year-on-year improvement in our global ranking in the ease of doing business environment and competitiveness to levels that will attract more investors and promote trade in the country.

The first Senate Speaker's Roundtable was held October 15, 2013 at Intercontinental Hotel, Nairobi. The roundtable discussed among other things the best way of implementing devolution and creating a conducive environment in the counties through policy and legislative support for private sector to invest.



The Second SRT-Senate was held between September 4 and 6, 2014 at Sarova Whitesands Hotel and Beach Resorts, Mombasa. The continued partnership saw the third SRT-Senate held on July 28th-30th, 2016 at the Pride Inn Beach Resort & Convention Centre under the theme, "Securing Kenya's Competitiveness through an enabling Legislative Framework" with focus on

Enhancing Kenya's competitiveness; and, the country's election preparedness and mitigating the impact of the 2017 General Elections on business.

The 2018 SRT –Senate, marks the fourth convention of the SRT with the Speaker of Senate and the maiden one with the 12th Parliament. The 2018 SRT provides an opportunity for Parliament and the private sector to understand relationships between law, economy and business

since effective legal systems are required to support an economy and its businesses. It is in this regard that the SRT was formed to enable the private sector to conduct structured engagement with Parliament and provide inputs into legislation that lead to the desired impact on the business environment. It is without a doubt, therefore, that increased sharing of information and cooperation between Parliament and business community are ingredients of continuous improvement in the quality of laws and effectiveness of public policy decisions.

IMMEDIATE FORMER KEPSA
CHAIR AMB. DENNIS AWORI
AND FORMER SENATE SPEAKER
HON. EKWE ETHURO DURING
THE THIRD SRT-SENATE HELD
ON JULY 28TH-30TH, 2016 AT
THE PRIDE INN BEACH RESORT &
CONVENTION CENTRE, SHANZU



Since 2013, KEPSA has engaged with the Senate, particularly by providing memoranda to Bills...

Senate's Constitutional Mandate in PPD Engagements

This proposed structured engagement between the Senate and the private sectors draws from the Senate's Constitutional mandate enshrined in Article 174 and Article 96 of the Constitution of Kenya 2010. This mandate provides for various roles of the Senate inter alia:

1. Senate's role to enhance participation of the people in the exercise of the powers of the State and in making decisions affecting them. This can be promoted through the private sector's engagement in Public-Private Sector Dialogue which is one of the strategic focus points of KEPSA. The private sector can then be involved in advisory and advocacy of sound policies during the decision making process that ultimately crystalizes into County and national legislation.
2. Senate's role to promote socio-economic development and the provision of proximate, easily accessible services throughout Kenya. One of the key parameters would be services that create an enabling business environment within the 47 Counties.

Regulatory best practices are at the core of ease of doing business parameters. With Senate's role of considering, debating and approving Bills concerning Counties; this places a huge responsibility on the representatives of the various counties to come up with policies and legislation that will create an enabling business environment within the various counties, and how they can be integrated with national government functions and legislation touching on the same issues.

The implementation aspect would include roping in Senate's role to facilitate the decentralisation of State organs, their functions and services, from the capital of Kenya as this would promote easy access to various services throughout Kenya. Senate would then also be keen whilst exercising its oversight over national revenue allocated to the county governments role to push for part of this revenue to be used in capacity building to promote an enabling environment for the private sector and economic development at large.

Since 2013, KEPSA has engaged with the Senate, particularly by providing memoranda to Bills on Energy, Access to Information, Mining, Community Land, and the Framework of Public Participation among others. While the Senate has a specific oversight mandate over Counties and debating laws that impact on County Governments, a major concern for the Business Community is in the manner in which some County Governments' legislation contradicts specific provisions of the Constitution and are counter effective in promoting a thriving business and investments in the Counties. Through the Speaker's Roundtable with the Senate in September 2014 and in 2016, KEPSA has been able to highlight the need for strong Senate oversight over legislation developed by County Assemblies to ensure that levies and taxation measures do not undermine business enterprise by increasing the cost of doing business. Counties are seen as and must remain important frontiers of investment in this country.

We therefore need to work together more to get the right laws that boost business confidence and encourage Private Sector investment. The private sector alone cannot achieve this without direct and indirect support of the Legislative arm of the government. Moreover, to walk together on this transformative agenda, we need to work together on four key things:

- a) collaborating with the business community in identifying and marketing of the enormous business and investment opportunities inherent in the different counties;
- b) collaborating with the business community in developing and implementing County investment plans in ways that encourage and attract investments for positive impact on county development outcomes;
- c) establishing an innovative legislative role of the Senate in helping to promote industries unique to certain counties and establishing centres of excellence that serve clusters of counties on specific skills training among other needs; and,
- d) rejigging the County Assemblies as the direct levers of effective county legislation and regulations by avoiding disruptive laws to business in the counties.



We therefore need to work together more to get the right laws that boost business confidence and encourage Private Sector investment

Sampling Legislative Achievements Since Inception of The Partnership in 2009

KEPSA's business legislative agenda is carried through the Speaker's Roundtable (SRT) established in 2009 while its engagement in policy formulation, tracking and implementation is carried out through an array of Public-Private Dialogue (PPD) platforms with the wider Executive arm of the government, i.e., Ministries, Departments and Agencies (MDAs). The SRT process ensures that Parliament passes laws that have input from the private sector, thus laws that lead to the desired impact on the business environment. It enables the private sector to conduct structured engagement with both houses of Parliament (the National Assembly (NA) and Senate)). This engagement is conducted through the legislative process, which primarily include the budget-making process, engagement with parliamentary departmental committees (PDCs) in their roles of

scrutinizing Bills and inquiries, policy approval, and, advising members of parliament on technical issues in the various sectors of the economy so that they can have broader, informed and inclusive debate in the house.



THE JOINT KEPKA PARLIAMENT CONFERENCE HELD ON 14TH -15TH AUGUST 2009 IN DIANI, KWALE COUNTY



SENATE INDUCTION MEETING
HELD IN 2017, NAIVASHA

At the beginning of every Parliament, and given that more than half of both Houses usually have new members, KEPSA holds inaugural SRT with each of the Houses to raise awareness about the role of Parliament in the creation of conducive business environment and to set the business legislative agenda for the subsequent life of the prevailing Parliament. The first meeting (SRT) also serves as an induction platform for both the legislatures, with most being newly elected and the private sector including KEPSA's new members to create an understanding of the working relations of the two institutions. Having set the tone in the first meeting and understanding of the partnership, the two partners continue to engage throughout in the committees and others factions.

Notably, much of the technical engagement on business legislation happens at the Parliament Departmental Committees (PDC)-level throughout the year in line with the agreed agenda from the first SRT at the beginning of each parliament. Thereafter, subsequent SRTs are being organised each year to take stock of progress made in the obtaining year and agree on the business legislative agenda to be prioritized for the subsequent year.

Through our continued engagement with the Legislature, we have seen key legislations that have contributed to a conducive business environment and thus spurred private sector growth. Notably, some of these laws have been pending for more than a decade whilst others having been unchanged since independence.

KEPSA has engaged Parliament through the SRT in more than 100 laws that are pertinent to the businesses for their enactment. The following is a highlight of some of key business Laws passed through the SRT engagement:

ANTI-COUNTERFEIT BILL 2008

KEPSA though SRT participated in pushing for the Anti-Counterfeit Bill which sought to outlaw production of counterfeits and protection of industries from dumping of contrabands.

PROCEEDS OF CRIME AND MONEY LAUNDERING ACT 2009:

KEPSA though SRT participated in pushing for enactment of the Bill in 2008. The Bill was accented to in 2009 through continued engagement with parliament. The Act introduced measures for combating the offence, provide for the identification, tracing, freezing, seizure and confiscation of the proceeds of crime. It therefore complements the internal controls that stockbrokers and investment banks already have in place to combat money laundering.

THE MICRO AND SMALL ENTERPRISE ACT 2012:

KEPSA engaged parliament on the MSE Bill since 2010 and it was later enacted in 2012 after being prioritised in the 2012 SRT. The law had been pending since 2002. The Act regulates the MSE sector in Kenya and bring them under a legal framework in order to access credit and within the tax bracket.



ANTI-COUNTERFEIT EXECUTIVE DIRECTOR ELEMA HALAKE DURING THE 8TH PRESIDENTIAL ROUND TABLE FORUM HELD ON 10TH MAY 2018 AT STATE HOUSE

PUBLIC PRIVATE PARTNERSHIP (PPP) ACT 2012:

KEPSA engaged parliament through the respective PDCs on the need to have the law enacted and it was considered in the 2012 SRT and was enacted into law. The Act provides framework for private sector participation in financing government projects.



LAUNCH OF SME ACT 2012



*technical
engagement on
business
legislation
happens at the
Parliament
Departmental
Committees
(PDC)-level ...*



H.E. PRESIDENT UHURU KENYATTA POSES FOR A GROUP PHOTO WITH PRIVATE SECTOR PLAYERS DURING THE SIGNING OF KEY BUSINESS ENVIRONMENT BILLS IN 2015

THE COMPANIES ACT 2015:

For a very long time Kenya was regulated by Pre-Independence Company Act, but through private sector's prioritization of overhaul of the Act in the SPRT, the country got its new Company Act in July 2015. Among other things, enhances corporate governance and protects the interest of shareholders including, minority shareholders, creates a single window for registration of companies which further improve Kenya's competitiveness under the Doing Business Index ranking and simplifies documentation requirements for registration of companies.

THE INSOLVENCY ACT 2015:

This Act represents a key element of legislative reform in the management of businesses facing liquidation and provides an enabling legal regime that will create opportunity for recovery to profitability. This further improves Kenya's position as a viable and attractive investment destination for investors where the law provides support to businesses at risk of liquidation.

THE BUSINESS REGISTRATION SERVICE ACT, 2015:

This Act creates a legal framework for a more effective and efficient administration of at least 11 laws that regulating business operations in Kenya. These laws include the Companies Act, Partnership Act, Limited Liability Partnership Act, Societies Act, College of Arms Act, Registration of Business Names Act, Hire Purchase Act, Books and Newspapers Act, Bankruptcy Act and Chattels Transfer Act.

THE BRIBERY ACT 2016:

KEPSA engaged with parliament on the need to have a Bribery law to deal with corruption resulting from dealings with foreign entities by extending the mandate of various agencies beyond Kenya. KEPSA through Business Against Kenya (BACK) drafted the Bribery Bill and was fast tracked for enactment into Law through engagement with respective committees.

PRIVATE SECURITY INDUSTRY REGULATION BILL 2016:

KEPSA pushed for the enactment of the Bill into law through the SRT, which seeks to regulate the operations of the Private Security Sector. The Bill has since been enacted, even though the Private sector will be pushing for a few amendments to reflect the current trends, which is among the agenda for SRT 2018.



KEPSA PUBLIC FINANCE CHAIR DR. HABIL OLAKA PRESENTING DURING THE INTEREST RATE CAP MEETING HELD IN AUGUST 2016



NATIONAL CALL TO ACTION AGAINST CORRUPTION HELD IN NOVEMBER 2015, STATE HOUSE NAIROBI-

02

KEPSA's Anti-corruption and Good Governance Initiatives



One of the key agendas that KEPSA has championed over years is on improving governance and stemming corruption in the country to ensure value for money, and efficient and accountable use of public resources for a conducive business environment.



NATIONAL CALL TO ACTION AGAINST CORRUPTION HELD IN NOVEMBER 2015, STATE HOUSE NAIROBI

KEPSA's engagement with parliament has seen a number of Bills that the private sector has championed being enacted into law. The continued and regular engagement through the Parliamentary Committees and submissions from the private sector by way of public participation as mandated by the Constitution has resulted into pro-growth legislations and a conducive business environment.

One of the key agendas that KEPSA has championed over years is on improving governance and stemming corruption in the country to ensure value for money, and efficient and accountable use of public resources for a conducive business environment.

Corruption is considered as a top impediment in doing business. In Kenya, it is estimated that the cost of corruption is equivalent to a third of the budget every year, this hampers the attainment of key development goals and economic growth. On the other hand, it is estimated that individual companies lose 12.8% of their revenues to fraud and other malpractices, hampering the company's growth and a ripple effect to the economy in terms of lost jobs, reduced tax revenues among other things.

The benefits of combating corruption are far too much to be ignored. It is argued that with good governance and corruption controls there is 400% increase in income per capita. In this regard, KEPSA has pursued a number of initiatives with the Private sector, the legislature and the public sector to ensure that the issue of corruption is aptly addressed. Within the private sector, KEPSA has been involved in the following:

The Code of Ethics for Business



SIGNING OF THE KEPSA CODE OF ETHICS FOR BUSINESS IN KENYA BY KENYA BANKERS ASSOCIATION

KEPSA has been involved in championing the adoption of the Code of Ethics for Business in Kenya under the United Nations Global Compact Network Kenya whose secretariat is hosted by the Kenya Association of Manufacturers (KAM). So far 400 companies have signed up to the code of ethics 12 of whom are Business Member Organizations and Professional Associations who are expected to motivate their members to sign up and abide by the Business Code of Ethics. This initiative is significant in the wake of closure of three banks in this year only on concerns that have a governance and ethical bearing.

To further give credence to the Code of Ethics, the Private Sector sought the intervention of the President to ensure that government only procures from companies who have signed up to a code of ethics. To this end the Public Procurement Oversight Authority (PPOA) has developed the Code of Ethics for Suppliers in Public Procurement and Disposal which the private sector is currently reviewing. The private sector is also pursuing for the gazettment of Master Item List with prices for common user good and services in public sector. This is will help reduce procurement of goods and services at inflated prices while the known prices are available in the public domain. The government has already directed PPOA to gazette quarterly lists for the procurement of common user goods and services.

Corruption Risk Mapping (CRM) Survey

In 2014, KEPSA undertook a corruption risk mapping survey to identify the loopholes within the public sector that create avenues for corruption. The Survey identified 7 areas of trade and service delivery where the public and private sector often interact to be the high risk areas for corruption in public sector operations. The import and export sub sector tops the list of points of interaction where corruption is highly likely to occur with a 36% chance. This is followed by Procurement and tax collection at third place with 13% risk chance; the Licensing process at 11% while inspection and quality assurance processes are at 8% with Environment and safety certification at the bottom of the list at 3%.

Business Against Corruption

Following a resolution of the Presidential Round Table (PRT) in November 2015 where the Private sector identified corruption as a top impediment to doing business in Kenya and a threat to our economic growth and development, thus KEPSA took championed the enactment of the Bribery law.

From that PRT a group of business leaders was formed known as **Business Against Corruption Kenya (BACK)** to solemnly to lead private sector efforts against corruption in Kenya, support a new legal framework against corruption, and work with Government to reward honest behaviour.

Through **BACK**, a draft Anti-Corruption Bill was presented to the 11th Parliament and passed on 1st December, 2016 and later on assented to law by H.E Uhuru Kenyatta on 24th December 2016. Even though the regulations that will allow full operationalization of the law are yet to be passed, the law extends the fight against corruption to the private sector.

Implementation of the Bribery Act 2016 will not only help in curbing corruption but also improve our ranking in the Transparency International Corruption Perception Index (CPI) where are currently ranked at positions 143 earning as the 35th worst globally.



*Through **BACK**, a draft Anti-Corruption Bill was presented to the 11th Parliament and passed on 1st December, 2016*

The 10 Point Agenda of the Joint Sub-Committee on Anti-Corruption

KEPSA was part of the Joint Sub-Committee on Anti-Corruption and the development a 10-point agenda. Even though the process of implementing the 10-point Agenda is ongoing. There is notable success in implementing the recommendations by the Committee. The Bribery Act, 2016 was enacted On 23rd December 2016 and it focuses on preventing Bribery in the Private Sector and the regulations to fully operationalize the Act are underway.

The others which have recorded progress and are yet to be enacted include the Anti-Corruption Laws Amendments Bill, which is an omnibus amendment bill to all anticorruption legislation; the Whistle blowers Protection Bill that establishes responsible mechanism for protection of whistle blowers who provide information that may lead to disclosure of a misconduct (e.g. corruption and embezzlement of public funds.); and the False Claims bill incentivizes whistleblowing and will help stop fraudulent and false claims against Government. It has been drafted and will be validated by stakeholders in June 2018.

Corruption Risk Mapping in the Private Sector

KEPSA has partnered with Centre for International Private Enterprise (CIPE) to mobilise the Private sector to combat corruption in Kenya through enhancing business ethics and compliance. KEPSA is conducting a corruption risk mapping assessment on the private sector to assess the corruption exposure and counter measures under the KEPSA-CIPE partnership. In addition to the result from the mapping, KEPSA looks at capacity building of business and support informed private sector advocacy on anti-corruption and regulatory reforms in Kenya. This initiative will build on the enormous work that KEPSA has been undertaking to improve governance and more importantly foster reform agenda on improving governance in Kenya and ranking on key global indices namely the Doing Business Index, the Global Competitiveness Index and the Corruption Perception Index.



KEPSA - CIPE TRAINING ON ANTI-CORRUPTION HELD IN APRIL 2018

03

Setting the Pace With The Senate: 2018 And Beyond



THE SPEAKER'S ROUNDTABLE WITH THE SENATE HELD IN JULY 2016 IN SHANZU, MOMBASA COUNTY



KEPSA LEADERSHIP SUMMIT DECEMBER, 2016

04

Focus Of The SRT 2018



This year's SRT will focus discussions in defining the role and legislative agenda of the Senate in the Big Four Agenda for sustainable and inclusive growth through legislative partnership with the Private Sector.



FORMER SPEAKER OF THE SENATE, HON. EKWE ETHURO AT THE SPEAKERS' ROUND TABLE IN 2016



MEMBERS FOLLOW
PROCEEDINGS DURING THE
SPEAKER'S ROUNDTABLE WITH
SENATE IN JULY 2016

This year's SRT will be the inaugural roundtable with the second Senate.

It will focus discussions in defining the role and legislative agenda of the Senate in the Big Four Agenda for sustainable and inclusive growth through legislative partnership with the Private Sector. The Big Four recognizes the key role that the Private sector plays in Kenya's development and puts more emphasis on Public-Private Partnership. Engagement with Parliament ensures that more facilitative policies and legislation are developed with inputs from private sector, thereby enabling businesses to fully leverage on the opportunities presented by the Big Four.

The specific objectives of the 2018 SRT will be:

1. To outline recommendations and a strategy for the conclusion of the list of policies, laws and regulations identified by business as necessary for creating a conducive business environment to facilitate job and wealth creation.
2. To increase uptake and adoption by Parliament of key private sector recommendations on the legislative agenda as identified by private sector.
3. To increase coordination between the Legislature and Private Sector on Legislative agenda needed to drive the Big Four development agenda and to unlock private sector investment.
4. Enhance engagement between the Senate and the Private sector through the Parliamentary Department Committees

The Roundtable has been structured into a sector approach envisioning five breakout sessions comprised of the four sectors of the Big Four Agenda and one session on 'Enablers', and rigorous Private Sector meetings with respective PDCs as follow up on the agreed agenda in SRT.

The Breakout sessions will enable the respective committee members to deeply engage with private sector members from each of the sectors on legislative issues impeding their sector and the course of redress. These in-depth discussions will be led by a proposed legislative agenda in each of the sector with an ultimate goal of having commitment from the Parliamentarians on fast tracking the enactment of the proposed laws/amendments. Each sector will agree on an implementation matrix that will be used to gauge progress through the respective PDCs.

The break out session will include the following:

1. **MANUFACTURING COMPETITIVENESS**
2. **AGRICULTURE**
3. **HEALTH CARE**
4. **HOUSING**
5. **ENABLERS:**
 - a. *Energy and Extractives,*
 - b. *ICT,*
 - c. *Environment, Water & Waste Management,*
 - d. *Finance*
 - e. *Devolution*
 - f. *Good Governance and Anti-Corruption*

Manufacturing Competitiveness

Manufacturing sector is among the key pillars to Kenya's economy. The sector is central to Kenya's policies on job creation, value addition, international trade and foreign exchange. In addition, the sector plays a pivotal role to the agriculture sector through direct and indirect linkages. As the Big Four Agenda envisions the sector to contribute 15% of the GDP by 2022, there are challenges that could impede these targets if not addressed in time. Some of these challenges include proliferation of illicit trade, declining competitiveness due to high cost of production, narrowing market access, and unpredictable and unstable policy environment. This calls for multi-sectorial interventions the Legislature included.



KEPSA MEETING WITH CABINET SECRETARY FOR INDUSTRIALISATION, TRADE & COOPERATIVES HON. PETER MUNYA IN JULY 2018



KEPSA DIRECTOR AND IMMEDIATE FORMER CHAIR KENYA ASSOCIATION OF MANUFACTURERS MS. FLORA MUTAHI DURING THE 8TH PRESIDENTIAL ROUNDTABLE HELD IN MAY 2018

Manufacturing sector is among the key pillars to Kenya's economy. The sector is central to Kenya's policies on job creation, value addition, international trade and foreign exchange. In addition, the sector plays a pivotal role to the agriculture sector through direct and indirect linkages. As the Big Four Agenda envisions the sector to contribute 15% of the GDP by 2022, there are challenges that could impede these targets if not addressed in time. Some of these challenges include proliferation of illicit trade, declining competitiveness due to high cost of production, narrowing market access, and unpredictable and unstable policy environment. This calls for multi-sectorial interventions the Legislature included.

To spur manufacturing competitiveness, a number of interventions are required that will ensure that the operational costs in the industries are reduced and there is market facilitation for local products. Among the challenges that pose a risk to attaining manufacturing competitiveness include unpredictable policy environment, high cost of energy, proliferation of illicit trade and cheap imports, shrinking domestic and regional market, delayed payment to suppliers among others.

Among the interventions that the private sector is keen on to address the challenges and a turnaround for the manufacturing sector include the reduction of energy cost, removal of IDF and RDL on industrial input and machinery to reduce the operational costs, enhance the prompt payment system to suppliers

The SPRT will present a platform for policy and legislative redress. Some of the policies and laws to be discussed under this session as the sector legislative agenda include, but not limited to:

POLICY/LAW	ACTION & BUSINESS CASE
a) National Policy to support Enhancement of County Governments' Own-Source Revenue, and the County Government (Revenue Raising Process) Bill, 2017	Finalisation of the Policy and the enactment of the Bill will contribute to enhancing manufacturing competitiveness through reduction of cost related with double taxation by different counties as the law will stipulate clear procedures for counties source revenue
b) Integrated National Wage Policy c) Repeal Section 46 of Labour Institution Act 2007 (Publications of Wages Order)	These two interventions are meant to augment Labour Productivity and competitiveness in the sector, allowing for de-pegging of the piece rate from the minimum wage.
d) Implementation of the Trade Remedies Act 2017	Full implementation of the Act will help in safeguarding the local manufacturers from illicit trade.
e) Enactment of the East African Counterfeit Bill	The law will help in protecting the local industries in the EAC from unfair competition by counterfeit products entering in the region and promote consumption of local products
f) Finalization of the Preference and Reservation Regulations under PPDA (2015)	The regulations will help in promoting consumption of 'Brand Kenya' products, thus opening and expanding market access for the local manufacturers
g) Movable Property Security Rights Act 2017	Full operationalization of the Act, this will lead to increased availability of capital for investment



To spur manufacturing competitiveness, a number of interventions are required that will ensure that the operational costs in the industries are reduced

Agriculture & Food Security



KEPSA AGRICULTURE,
LIVESTOCK AND FISHERIES
MINISTERIAL STAKEHOLDERS'
FORUM HELD IN OCTOBER, 2018

Agriculture is the bread basket of the Kenyan economy and accounts for about 30% of the GDP. Even with this statistics, the sector remains underutilised despite having the potential to alleviate poverty and engage the unemployed youth. Currently, Kenya's youth unemployment (15 – 34 years) is estimated at 67% and a total of 1.3 million jobs are required to be created annually to ease this pressure.

It is against this backdrop that the private sector sees a greater a role in creating innovative, sustainable and meaningful solutions in the agriculture sector to attract more youth participation in the sector, and to have a food secured country. However, there are underlying policy and legislative pain-points that continue to ail the sector and need Parliaments redress to foster the growth of the sector. Some of the challenges include low productivity, huge post-harvest losses, low agro-processing, high costs of production, low yields, low mechanization, over reliance on rainfall for production among others. Some of the policies and laws to be discussed under this session as the sector legislative agenda include, but not limited to:

POLICY/LAW	ACTION & BUSINESS CASE
a) Agriculture Policy	Fast track the finalisation of the policy to provide a framework for the management of the sector
b) The Warehouse Receipts System Bill (Sen. Bill No. 10 of 2017)	The Bill seeks to provide a legal framework for the development and regulation of a warehouse receipt system for agriculture commodities. The Bill envisioned a warehouse receipt as a negotiable instrument
c) The Irrigation Bill (Sen. Bill No. 5 of 2017)	The Bill seeks to promote and regulate the development and management of irrigation in Kenya
d) The Food Security Bill (Sen. Bill No. 12 of 2017)	Bill seeks to give effect to Article 43(1) (c) of the Constitution on the freedom from hunger and the right to adequate food of acceptable quality; Article 53(1)(c) of the Constitution on the right of every child to basic nutrition and Article 21 of the Constitution on the implementation of rights and fundamental freedoms under the Constitution
e) The Statute Law (Miscellaneous Amendments) (No.2) Bill, 2018	<p>The Bill Seeks to amend the following Acts</p> <ul style="list-style-type: none"> › The Dairy Industry Act (Cap. 336) › The Crops Act, 2013 (No. 16 of 2013) › The Fisheries Management and Development Act, 2016 (No. 35 of 2016) › The Biosafety Act No. 2 of 2009 › The Kenya Agriculture and Livestock Research Act No. 17 of 2013 › The Crops Act, 2013 (No. 16 of 2013)



Agriculture is the bread basket of the Kenyan economy and accounts for about 30% of the GDP.

Universal Healthcare



KEPSA HEALTH SECTOR BOARD
MINISTERIAL STAKEHOLDERS'
FORUM HELD IN OCTOBER, 2018

Provision of Universal Health Care in Kenya will not only accelerate the progress towards the achievement of Vision 2030, but also Sustainable Goal Number 3 on “ensuring healthy lives and promote well-being for all at all ages”

Universal Health care calls for a 'whole-of-society' approach that entails using all the available resources from public and the private sector to attain a mixed system that can attain UHC. For this to actualise, there is need for a conducive environment presided by supportive policies, legislations and regulations. This will ensure greater private sector participation and investment in the Health care sector.

Some of the policies and laws to be discussed under this session as the sector legislative agenda include, but not limited to:

POLICY/LAW	ACTION & BUSINESS CASE
a) Enactment of Health Laws Amendments Bill (2018)	This law will promote local manufacturing of pharmaceuticals and medical equipment and tackle influx of trade in illicit trade in Kenya.
b) Fast track NHIF Bill	This will strengthen governance, improve efficiency & make NHIF more responsive to Kenyans needs

Affordable Housing



Kenya faces challenges with housing as the population grows and the subsequent increase in rural-urban migration; urban population growth is estimated at 4.2% and housing deficit is estimated at an annual average of over 250, 000 units. Currently, a housing deficit of over 2 million units with 61% of urban dwellers living in slums represents a huge investment opportunity for small and large-scale investors. The government's key housing objectives include: construction of 1 million homes by 2022 i.e. 800,000 affordable units and 200,000 social units; increasing real estate and construction contribution to GDP from 7% to 14% by 2022; and, raising low-cost funds from the public and private sector for large-scale housing production. Other key objectives include raising 60% Private funding, 10% budget allocation and 30% funding from the National Social Security Fund; creating a market for building materials - an opportunity for manufacturers and suppliers; and, creating 350,000 jobs – 225,000 directly.

However, some of the key bottlenecks that will require interventions by Parliament include: high land costs and insufficient serviced land; lack of a digital Land Information Management System; complex and inefficient legal and policy framework to deal with large scale land projects; and high financing and mortgage costs which are out of reach of low income earners; outdated building code. Other bottlenecks identified are uncontrolled urban development and a lack of integration between County Integrated Development Plans (CIDP), County Spatial Plans (CSP) and County Integrated Urban Development Plans (CIUDP); and, lack of National Spatial Data Infrastructure Policy to facilitate sharing of data.

LANDS PHYSICAL PLANNING
SECTOR BOARD MEETING
OCTOBER 2018



urban population growth is estimated at 4.2% and housing deficit is estimated at an annual average of over 250,000 units

Some of the policies and laws to be discussed under this session as the sector legislative agenda include, but not limited to:

POLICY/LAW	ACTION & BUSINESS CASE
a) Housing Amendment bill 2017	Bill is to amend the Housing Act, (Cap117.) to provide for incentives to investors, including tax waivers in the housing and construction industry
b) Estates Agents Amendment (Draft) Bill 2017	Amend The Estate Agents Act Cap 533 Laws of Kenya to enhance public confidence in the performance of real estate agency work and for connected purposes
c) Urban areas and cities Amendment bill 2017	The Bill seeks to amend the Urban Areas and Cities Act 2011, in order to review the criteria provided for classifying an area as a city, municipality, town or market centre
d) Land Value Index Laws (Amendment) Act, 2018	Amend the Land Act, the Land Registration Act and the Prevention, Protection and Assistance to Internally Displaced Persons and Affected Communities Act in order to provide for the assessment of land value index in respect of compulsory acquisition of land.
e) Outdated building code	Review, syndicate and enact through parliament
f) Sectional Properties Act	Review, syndicate and enact through parliament
g) Outdated building code	Review, syndicate and enact through parliament
h) National Spatial Data Infrastructure Policy to facilitate sharing of data	Review, syndicate and enact through parliament

Enablers

Enablers are key drivers in the attainment of the Big Four Agenda. The enablers have potential of derailing the Big Four agenda if they are not addressed. For instance, Energy plays a vital role in the enhancing manufacturing competitiveness and needs to supply to the industries with ease reliability and at competitive prices. Others include land for housing, ICT, Water, good governance among others.

Some of the policies and laws to be discussed under this session as the sectors legislative agenda include, but not limited to:

POLICY/LAW	ACTION & BUSINESS CASE
ENERGY & EXTRACTIVES	
a) Energy Policy and The Energy Bill 2017	<p>Fast track the finalisation of the Energy Policy to provide the framework in the energy sector</p> <p>Seeks to consolidate the existing laws relating to energy i.e. the Energy Act, 2006, the Kenya Nuclear Electricity Board Order, 2013 and the Geothermal Resources Act. It addressed itself on various sub-sectors namely renewable energy, geothermal energy, midstream and downstream petroleum and coal activities, electricity and nuclear power.</p>
b) The Petroleum (Exploration, Development and Production) Bill, 2017	<p>Provides a framework for the contracting, exploration, development and production of petroleum and for the cessation of upstream petroleum operations</p>
c) The Local Content Bill, 2016	<p>This was a Bill introduced in the Senate by the Standing Committee on Energy. The Bill sought to facilitate local ownership, control and financing of activities connected with the exploitation of gas, oil and other mineral resources. The Bill also proposed a framework to increase the local value capture along the value chain in the exploration of these resources.</p>
d) The Draft Critical Infrastructure Protection Bill, 2015	<p>The Bill imposes a duty on any person who destroys Critical Infrastructure Assets to reinstate the asset to its original state. Acts of destruction and interference will be considered criminal offences. This provision protects private sector players who have invested in Critical Infrastructure Assets.</p>



The enablers have potential of derailing the Big Four agenda if they are not addressed



Energy plays a vital role in enhancing manufacturing competitiveness

POLICY/LAW	ACTION & BUSINESS CASE
ICT	
e) Computer and Cybercrimes Bill, 2017	Upon its passing, Sections 83U, 83V, 83W, 83X, 83Z, 84A, 84B and 84F of the Kenya Information Communication Act, 1998 will be repealed.
f) Copyright (Amendment) (Draft) (Bill) 2016	<p>Bill addresses aspects of copyright protection including protection of copyright online.</p> <p>The Copy rights Act should be overhaul to be reflective of the industry emerging trends</p>
WATER & SANITATION	
g) National Water Policy	Need of strategic direction and coordination with devolved units on water function
h) Water Act 2016 Regulations	Water Act recognized water functions as shared responsibility between national and county governments. It placed the Water Service providers under county governments.
DEVOLUTION	
i) Intergovernmental Alternative Dispute Resolution Regulations (2018)	Regulations provides for alternative dispute resolution mechanism between county governments and national government.
FINANCE	
j) The PPP Act Amendment Bill	<p>Provides framework for private sector participation in financing government projects.</p> <p>Amendment seeks to overhaul the PPP Act for business to participate in Big-4; the PPP Committee to be done away with; and New amendments to the PPP Act to do away with requirements for feasibility studies and instead only require submission of a business case for the project.</p>
GOOD GOVERNANCE AND ANTI-CORRUPTION	
k) Bribery Act	Parliament to use its oversight role to oversee the operationalization of the Act through development of regulations.

Expected Outcomes

a) SRT to be integrated in the 12th parliament's calendar

b) Adoption of an integrated KEPSA-Parliament legislative agenda to be cascaded into the departmental committee work. This will degenerate from the breakout session with ideally four respective sector legislative agenda and implementation timelines where possible

c) Increased partnership between the Legislature and the Private Sector including the House Committees

d) Increased private sector participation in the Big Four agenda leading to job, investment and wealth creation

e) Parliament's awareness and capacity build on its key roles and legislative areas of interventions for delivery of the Big Four Agenda.

f) Sustained engagement with between the Senate and the Private sector through the PDCs.

04

The KEPSA Legislative Agenda 2018 With The Senate



A comprehensive matrix of Sector Issues, Proposed interventions by the Senate & Business Case for Private Sector engagement



Manufacturing & Retail

ISSUE	PROPOSED INTERVENTIONS BY THE SENATE	BUSINESS CASE
<p>1) DELAYED PAYMENTS TO MANUFACTURERS AND RETAILERS</p>	<ul style="list-style-type: none"> a) Expedite prompt payment legislation for suppliers to county governments. In order to encourage compliance with the Prompt Payment Legislation, it should: <ul style="list-style-type: none"> › Be statutorily binding and expressly override contractual terms and to curb the mischief of circumventing it through contract; › There has to be an incentive to Counties which comply with the directive, or punitive measures tied to Chapter 6 of the Constitution. Else the law will be merely aspirational; › Give the enforcement body/commissioner prosecutorial powers else it would take the suppliers back to the same position they are in currently where court intervention is the only redress. Even after court intervenes, the County officers take a long time before they comply and contempt proceedings against them have to be instituted. › For the small claims, there should be a push for the Small Claims Court Act 2016 to be operational. This would help solve disputes for the small traders with small claims who would not find it economically feasible to file their claims in the Magistrate's courts. b) Liaise with the National Treasury to expedite the two schedule of funds disbursement to the Counties. c) Assumption to the Office of the County Governor Bill, 2018. This Bill was passed by Senate with amendments and referred to the National Assembly, where it should now be fast-tracked. 	<ul style="list-style-type: none"> a) The two payment schedule will ensure liquidity flows in the counties for bills settlement. b) Assumption to the Office of the County Governor Bill, 2018 will ensure accountability and transparency during transitioning of Counties to ensure timely settlement of bill by Counties. c) Put stringent consequences for Counties for incurring expenditures that have not been budgeted for or approved thus creating a lot of "bad debt" incapable of being remedied.

ISSUE	PROPOSED INTERVENTIONS BY THE SENATE	BUSINESS CASE
2) REGULATION AND TAXATION OF INFORMAL FAMILY OWNED BUSINESSES	<p>a) The Counties should come up with policies that encourage those in the informal sector and family owned businesses to register them and make their taxation easier by making the formalization process less bureaucratic and offering the proprietors incentives in return for paying taxes.</p> <p>b) This will also widen the pool of those contributing to universal health care and social protection.</p>	Formalisation and taxation of small businesses will allow for expansion of the tax bracket, thus providing resources for infrastructure development that will have a positive impact on the business environment. Tax regimes for small businesses must be easy to apply to support compliance and be matched with business support.
3) CREATING A BALANCE BETWEEN THE USE OF LOCALLY AVAILABLE RAW MATERIALS AS OPPOSED TO CHEAPER IMPORTS	Push for the finalization and enactment of the Local Content Bill 2018 which seeks to promote the maximisation of value-addition and the creation of employment opportunities in the extractive industry value chain through the use of local expertise, goods, services, businesses and financing and their retention in the country.	There is a need to protect local production of raw materials as this will ensure growth of local industries and provide employment.
4) MULTIPLE FEES AND CHARGES	Fast-track finalization of County Own Source Revenue Enhancement Policy and County Government (Revenue Raising Regulation Process) Bill	Consider the Private Sector proposals as elaborated in the Memos to the National Treasury (Annex 1 & 2)

Agriculture & Food Security

ISSUE	PROPOSED INTERVENTIONS BY THE SENATE	BUSINESS CASE
1) INCREASED COST OF DOING BUSINESS THROUGH THE PROPOSED 10% HORTICULTURAL CROPS DIRECTORATE (HCD) LEVY	<p>a) Cap HCD levy charge to 1% as opposed to the proposed 10% in the Crops Act Amendment Bill. This provision is provided for under the Statute Law (Miscellaneous Amendments No. 2) which is a National Assembly Bill No. 13. It is currently under the Committee stage.</p> <p>b) Clarity on who is responsible for charging the HCD levy between the Authority and County Government</p>	<p>a) Despite the levy being charged at 10%, the Authority is charging the HCD levy as well as the Counties. The Counties demand the levy arguing that agriculture is devolved.</p> <p>b) Not only does this raise the cost it also causes confusion.</p>

ISSUE	PROPOSED INTERVENTIONS BY THE SENATE	BUSINESS CASE
<p>2) FINANCING</p>	<p>a) Fast-track the enactment of the Warehousing Receipts System Bill (Sen. Bill No. 10 of 2017). This Bill passed by the Senate with amendments and referred to the NA.</p> <p>Discussions</p> <ol style="list-style-type: none"> 1. Change the wording of the Bill to make it apply to all commodities and not just grain; <ul style="list-style-type: none"> › Have serious collateral control regulations; 2. Sync this with changes in the insurance and banking players as early as possible prior to the roll out as they are key components of a successful warehousing receipts system; 3. Make the Warehousing receipts system subject to the Capital Markets Authority so that it can: <ul style="list-style-type: none"> › Act as a regulator independent of the warehouse operator; › Compete globally (price wise and standard wise in terms of export certification and to reduce wastage) and to also make financiers have more faith that the financiers have assurance of payment; <p>b) Raising the Agricultural budget of the Counties to the recommended average of 10% of the budget as per Maputo declaration</p>	<p>a) The Warehousing receipt Bill will address the issue of liquidity to farmers and ensure timely farming operations</p>

ISSUE	PROPOSED INTERVENTIONS BY THE SENATE	BUSINESS CASE
<p>3) OVERRELIANCE ON RAIN FED PRODUCTION AND LOW PRODUCTIVITY IN THE SECTOR</p>	<p>Fast-track the enactment of the:</p> <ul style="list-style-type: none"> › The Irrigation Bill (Sen. Bill No. 5 of 2017) <p>The Bill seeks to promote and regulate the development and management of irrigation in Kenya</p> <ul style="list-style-type: none"> › The Food Security Bill (Sen. Bill No. 12 of 2017) <p>Bill seeks to give effect to Article 43(1) (c) of the Constitution on the freedom from hunger and the right to adequate food of acceptable quality; Article 53(1)(c) of the Constitution on the right of every child to basic nutrition and Article 21 of the Constitution on the implementation of rights and fundamental freedoms under the Constitution</p> <ul style="list-style-type: none"> › The Statute Law (Miscellaneous Amendments) (No.2) Bill, 2018 <ul style="list-style-type: none"> › The Dairy Industry Act (Cap. 336) › The Crops Act, 2013 (No. 16 of 2013) › The Fisheries Management and Development Act, 2016 (No. 35 of 2016) › The Biosafety Act No. 2 of 2009 › The Kenya Agriculture and Livestock Research Act No. 17 of 2013 	<ul style="list-style-type: none"> a) The Bill seeks to promote and regulate the development and management of irrigation in Kenya and for connected purposes. It will enhance private sector participation in the development of irrigation schemes for increased food production

Housing

ISSUE	PROPOSED INTERVENTIONS BY THE SENATE	BUSINESS CASE
1) HIGH COST OF HOUSING DEVELOPMENT	<ul style="list-style-type: none"> a) Ring-fencing of land for housing development under the PPP model. The National and County governments to set aside land banks for housing development. b) Fast-track the enactment PPP Act Amendment Bill 	<ul style="list-style-type: none"> a) The PPP Act needs to be overhauled to ensure that it facilitates investment in the Counties by simplifying the process b) Private sector will invest in bankable projects. Since land is a key a factor of production in the projects, there is urgent need for assured land. Ring-fencing, land banks and provision of idle land will facilitate the PPP projects.
2) UNCONTROLLED DEVELOPMENT	<ul style="list-style-type: none"> a) Implementation of County Spatial Plans b) Prioritize the finalisation of the Urban Areas and Cities (Amendment) Bill, 2017. Bill passed by the Senate with amendments and referred to the NA. 	Implementation of the CIDP with clear demarcation of the industrial areas and business centers will create an enabling environment for businesses to develop business hubs/districts in all counties.
3) LACK OF CRITICAL INFRASTRUCTURE	Develop critical infrastructure to attract investment such as sewer, road, electricity, ICT	The cost of doing business is greatly impacted by the available critical infrastructure including roads, telecommunications and internet availability. Investment in infrastructure enables growth of business and expansion to new markets.
4) HIGH COST OF FINANCING	Alternative Financing: Explore the use of tax exempt Municipal/County Government Bonds	Access to and cost of financing are two critical considerations for businesses as they determine access to raw materials, mechanization of processes and other investments that ensure competitive products can make it to the market.

Health

ISSUE	PROPOSED INTERVENTIONS BY THE SENATE	BUSINESS CASE
1) LACK OF AN EFFECTIVE REGULATORY FRAMEWORK	<ul style="list-style-type: none"> a) Prioritize enactment of Health Laws Amendments Bill (2018)² within six months to promote local manufacturing of pharmaceuticals and medical equipment and tackle influx of trade in illicit trade. b) Fast track NHIF Bill that seeks to strengthen governance, improve efficiency & make NHIF more responsive to Kenyans needs 	<ul style="list-style-type: none"> a) The law will promote local manufacturing of pharmaceuticals and medical equipment and tackle influx of trade in illicit trade. b) This will strengthen governance, improve efficiency & make NHIF more responsive to Kenyans needs

Cross-cutting

ISSUE	PROPOSED INTERVENTIONS BY THE SENATE	BUSINESS CASE
1) BOUNDARY RESOLUTION IN THE COUNTIES	Expedite the enactment of the County Boundaries Commission Bill 2017 to establish independent county boundaries committee and provide for the resolution of county boundary disputes through mediation committee	<ul style="list-style-type: none"> a) The law will promote local manufacturing of pharmaceuticals and medical equipment and tackle influx of trade in illicit trade. b) This will strengthen governance, improve efficiency & make NHIF more responsive to Kenyans needs
2) CONFLICTS BETWEEN THE NATIONAL AND THE COUNTY GOVERNMENTS	Fast-track the enactment of the Intergovernmental Alternative Dispute Resolution Regulations (2018)	The Bill provides for alternative dispute resolution mechanism between county governments and national government.
3) CLASSIFICATION OF AREAS IN THE COUNTIES	The Urban Areas and Cities (Amendment) Bill (Sen. Bill No. 4 of 2017)	The Bill considers private sector participation in the development decisions in the counties

²It is a National Assembly Bill No. 14 and it is currently under on Committee stage.

A CALL FOR ACTION TO OUR LEADERS

#WajibuWangu

'MKENYA DAIMA' is a non-partisan platform whose primary purpose is to inspire all Kenyans towards peaceful elections and a better Kenya for all. The initiative is for all Kenyans and the steering team is made up of representatives from private sector, civil society, religious leaders, NCIC, Vision 2030, media, university student leaders, among others. It draws lessons from business involvement in the 2008 National Accord negotiation.

As part of advocating for 2017 peaceful elections, the MKenya Daima Initiative is currently rallying all Kenyans towards National Unity by "Speaking Truth to Power". We have been urging key leaders from each arm of government and sector to sign the MKenya Daima (NON-VIOLENCE) peace pledge as their commitment to ensure peaceful elections and also for other leaders to emulate.

Hongera to all the 225 leaders that have so far signed the peace pledges including:

- ▶ **H.E. President Uhuru Kenyatta**
- **The Chief Justice Hon. David Maraga**
- **The Speaker of the National Assembly Rt.Hon. Justin Muturi**
- **Speaker of the Senate Hon. Ekwee Ethuro**
- **The minority leader National Assembly Hon. Francis Nyenze**
- **Deputy Minority leader National Assembly Hon. Jakoyo Midiwo**
- **Council of Governors Chair Hon. Peter Munya (Meru County Governor)**
- **Council of Governors Deputy Chair John Mruttu (Taita Taveta Governor)**
- **The Kiambu County Governor Hon. William Kabogo**
- **The Kwale County Governor Hon. Salim Mvurya**
- **The Bungoma County Governor Kenneth Lusaka**
- **The Kakamega Governor Wycliffe Oparanya**
- **The Vihiga Governor Moses Akaranga**
- **The Kitui Governor Julius Malombe**
- **The Turkana County Governor Josephat Nanok**
- **The Kisumu County Governor Jack Ranguma**



H.E. President Uhuru Kenyatta signs the Mkenya Daima peace pledge during the Leadership Summit on peaceful elections in Kwale County on 1st December 2016.



Signing of the peace pledge by the Minority Leader National Assembly Hon. Francis Nyenze and Deputy Minority Leader National Assembly Hon. Jakoyo Midiwo during the Speakers RoundTable in Mombasa on 14th October 2016.



Signing of the peace pledge by the Council of Governors Chair Hon. Peter Munya during the Devolution conference held in Nakuru County on 18th March 2017.



Signing of the peace pledge by Speaker of the National Assembly Rt.Hon. Justin Muturi during the Speakers RoundTable held in Mombasa on 14th December 2016.



Signing of the peace pledge by the Chief Justice Hon David Maraga on 20th February 2017 at the supreme court, Nairobi.

Call to action!

We urge the general public to push their leaders to sign the Mkenya Daima (NON-VIOLENCE) peace pledge and to hold those who cause chaos accountable by not voting for them!



To sign the peace pledge, email us at secretariat@mkenyadaima.co.ke

05

Mkenya Daima & Peace Campaign in the Last Elections



MKENYA DAIMA Initiative is a non-partisan platform whose primary purpose is to inspire Kenyans towards peaceful elections and prosperity thereafter



The country suffered great loss during the Kenyan Post Election Violence of 2007/2008 which led to over 1000 people killed and injured, over 600,000 Kenyans internally displaced, and a severe drop in the GDP. Evidence shows that civil unrest and instability, has considerable cost and losses to businesses. This in turn erodes social and economic activities affecting the cohesion of communities at local and national levels. The disruption of civic order occasions considerable cost and losses to the business community. The private sector thus moved swiftly and became actively involved in the National Dialogue and Reconciliation Process that was led by Kofi Annan and contributed to the development of the National Accord. This proactive role was key to returning stability to the country.

Subsequently, KEPSA resolved to be proactive around electoral seasons, through the launch of Mkenya Daima Initiative on 30th January 2012 with a primary purpose of inspiring peaceful elections and a peaceful transition.

MKENYA DAIMA Initiative is a non-partisan platform whose primary purpose is to inspire Kenyans towards peaceful elections and prosperity thereafter. The initiative is inspired by KEPSA but it is for all Kenyans and the steering team is made up of representatives from business community, civil society, religious leaders, NCIC, Vision 2030, media, University student leaders among others. It draws lessons from Kenyans-for Kenya initiative and business involvement in the 2008 National Accord negotiation.

MKENYA DAIMA KEY ELECTION
MANAGERS BREAKFAST
MEETING HELD ON 17TH JULY
2017



MKENYA DAIMA PRESS BRIEFING
JUNE 2017

The initial phases of the Mkenya Daima campaign were successfully implemented in 3 phases namely:

- › Phase I- focused on creating citizenship awareness and commitment to peaceful elections. That is: **MY KENYA IS...** (Mwenye-nchi sio Mwana-nchi)
- › Phase II- aimed to celebrate Kenya and handle the negatives that divide us as Kenyans.... **MY KENYA IS NOT...** (Tushangilie Kenya)
- › Phase III- called on all Kenyans to be responsible for Kenya... **MY KENYA WILL BE...** Rights come with Responsibilities

Following the successful implementation of the first three phases of the Mkenya Daima campaign, the private sector initiated and launched Mkenya Daima Phase IV on 10th November 2015 at the Serena Hotel with the overall aim of delivering national values, responsibilities and prosperity over a period of 5 years. This fourth phase of the campaign focused on Accountability, transparency and leadership ethos, as articulated in Article 10 of the constitution and expressed in the National Anthem as well as inspire a peaceful 2017 election. This campaign aimed to shift the paradigm for Kenyans from "Haki Yetu" (our rights) to "Wajibu Wetu" (our responsibility); From Identity Politics to Issue Politics; From an IEBC discourse that "Generates Heat" to an IEBC discourse that "illuminates light"; and from a "Me First Mentality" to a "Kenya First Mentality".

The campaign was to be implemented in three stages;

Stage 1. Integrity

To create an attitude and behaviour change that will influence the trajectory of national values and address the vices of corruption in Kenya using the slogan, *“Angamiza ufisadi”*

Stage 2. Civility

To push the values that are based on a humane way of co-existing in a just and modern society using the slogan *“Haifai”*

Stage 3. Electioneering

To create a culture of vetting leaders before voting them in power. *“Kagua kabla Kuchagua #niwajibuwangu.”*

To this effect Mkenya Daima held stakeholder engagements with various stakeholders including religious leaders, civil society, student leaders, Media, private sector, development partners, the Senate, Judiciary, IEBC, and other organs charged with managing elections including National Police service, Ministry of Interior and coordination of National Government, Judiciary, CMA and NCIC. Additionally, Mkenya Daima was also involved in grassroots engagements and activations such as Mathare North Children for peace walks, meeting with Kibera community leaders and university students' peace forums.



In December 2016 Mkenya Daima held a Leadership Summit on Competitiveness, Nationhood & Peaceful Elections. The Summit drew participation of top leadership from political, civil society, religious groups, media and the business community. Amongst the top leadership present during the forum were H.E the President of Kenya Uhuru Kenyatta, Speaker of the National Assembly and Senate, Key government officials, development partners, religious leaders and top leadership from the private sector. The thrust of the conversation was the 2017 August General Elections, and how all stakeholders represented could contribute towards ensuring a peaceful and credible electioneering process.

MKENYA DAIMA STEERING
COMMITTEE MEETING WITH
IEBC HELD ON 24TH JULY 2017



MKENYA DAIMA COORDINATOR MS. WAHU KAGWI DURING A PEACE WALK WITH SCHOOL GOING CHILDREN LIVING AND SCHOOLING IN MATHARE NORTH HELD IN JULY 2018

Subsequently and in addition to playing a role in the joint parliamentary committee where they presented a memorandum of submissions on matters relating to IEBC in July 2016, Mkenya Daima had the opportunity to present its views to the Senate on the contested changes to poll laws noting Kenya's need for a truly independent IEBC and a political consensus on the credibility, impartiality and effectiveness of the elections process.

In February 2017 the KEPSA leadership and Mkenya Daima met with the Judiciary led by the Chief Justice and President of the Supreme Court, Hon. David Maraga, to discuss the Judiciary's strategic vision in light of the elections. As a result, the Chief Justice signed the peace pledge as a sign of his commitment to ensuring a peaceful process.

With the heightened political environment during the 2017, Mkenya Daima took a proactive role and held consultative meetings with the IEBC throughout the electioneering period. The first such engagement was held in January 2016 and subsequently, several meetings ensued at various strategic points before and during the general elections and the presidential re-run. The objective of these meetings was to review the commission's preparedness and provide support and reinforcement.

During this period, Mkenya Daima was vocal on the need for the IEBC to remain independent and free from external political and public pressures and the adherence to the rule of law as outlined in the constitution. Additionally, Mkenya Daima members also volunteered as election observers during the presidential electoral re-run and despite the continued hostile political environment, IEBC delivered a constitutionally sound election on 26th October.

A key component during this phase of Mkenya Daima was the Mkenya Daima Peace Pledge. As a commitment to observe peace during the electioneering season and thereafter over 350 political leaders, civil society leaders, religious and student leaders signed the Mkenya Daima peace pledge. This included: H.E President Uhuru Kenyatta, The Chief Justice Hon. David Maraga, Speaker of the National Assembly Rt. Hon. Justin Muturi, former Speaker of the Senate Hon. Ekwee Ethuro, the former minority leader National Assembly, the late Hon. Francis Nyenze, former chair of the Council of Governors, Hon. Peter Munya, former Kiambu County Governor Hon. William Kabogo amongst others. Additionally, students and youth leaders across the country and a number of companies (including all staff) signed the peace pledge after attending Mkenya Daima sensitization meetings.



In the build up towards the General elections Mkenya Daima initiated a spirited multi-media campaign dubbed “Kagua Kabla Kuchagua” (vet your leader before electing them in power) that aimed to change the narrative from “Haki Yetu” (our rights) to “Wajibu Wetu” (our responsibility). The objective of this particular campaign was to inspire Kenyans to vet the aspiring leaders first before voting for them in accordance to Article 10 of the constitution and to steer away from tribal politics.

Additionally, Mkenya Daima in collaboration with the media fraternity held public political debates for candidates vying for specific key political seats including; the Nairobi Senators Debate, Nairobi Governors Debate, Nairobi Deputy Governors Debate and the Presidential Debate.

In September 2018 Mkenya Daima was invited to the Economic Community of West African States (ECOWAS) conference in Abuja, Nigeria to represent Kenya as one of the key African state where the private sector is engaging aggressively within the political space for the sake of economic stability and peaceful co-existence across the country. The conference titled “Leveraging the power of the private sector in peace building” sought to examine opportunities and mechanisms that West African Countries can employ to better understand the role of the private sector in conflict prevention and management across the region. During the conference, it emerged that despite the Kenyan challenges, Africa indeed was watching and learning from Mkenya Daima's level of engagement and as such the business community under the Mkenya Daima initiative has a responsibility not only to the country but to the entire continent as a whole to continue in the same spirit of engagement and advocacy of a peaceful co-existence to the benefit of all.

MKENYA DAIMA NAIROBI
SENATORS DEBATE HELD IN
JULY 2017

Conclusion



MKENYA DAIMA PEACE TRAIN
RIDE IN JUNE 2017

The SPRT is expected to yield the following outcomes:

- a) SRT to be integrated in the 12th Parliament's Calendar
- b) Adoption of an integrated KEPSA-Parliament legislative agenda to be cascaded into the departmental committee work. This will degenerate from the breakout session with ideally four respective sector legislative agenda and implementation timelines where possible
- c) Increased partnership between the Legislature and the Private Sector including the House Committees
- d) Increased private sector participation in the Big Four agenda leading to job, investment and wealth creation
- e) Parliament's awareness and capacity build on its key roles and legislative areas of interventions for delivery of the Big Four Agenda.
- f) Sustained engagement with between the Senate and the Private sector through the PDCs.

KEPSA Members

BUSINESS MEMBER ORGANIZATIONS (BMOs)

1	African Women Agribusiness Network (K) Limited	20	Eastern Africa Grain Council
2	Agricultural Employers Association	21	Electronic Cargo Tracking Systems Providers Association of Kenya
3	Agrochemicals Association of Kenya	22	Environment Institute of Kenya
4	American Chamber of Commerce (K) Limited	23	Federation of Kenya Employers
5	Association of Consulting Engineers of Kenya	24	Federation of Women Entrepreneurs Association
6	Association of Gaming Operators Kenya	25	Global Innovation Society of Kenya
7	Association of Insurance Brokers of Kenya	26	Institute of Certified Public Accountants of Kenya
8	Association of Kenya Insurers	27	Institute of Certified Secretaries
9	Association of Practitioners in Advertising	28	Institute of Quantity Surveyors of Kenya
10	Association of Public Relations and Communication Management Firms	29	Institution of Engineers of Kenya
11	Automobile Association of Kenya	30	Institution of Surveyors of Kenya
12	British Chambers of Commerce Kenya	31	Inter-County Young Entrepreneurs and Professionals Associations
13	Chartered Institute of Arbitrators	32	Kenya Association of Air Operators
14	Clean Cookstoves Association of Kenya	33	Kenya Association of Independent International Schools
15	Courier Industry Association of Kenya	34	Kenya Association of Manufacturers
16	Delegation of German Industry & Commerce Kenya	35	Kenya Association of Pharmaceutical Industry
17	Domain Registrars Association of Kenya	36	Kenya Association of Travel Agents
18	East African Tea Trade Association	37	Kenya Association of Women Business Owners
19	East African Venture Capital Association	38	Kenya Association of Women in Tourism

39	Kenya Auto Bazaar Association	63	Marketing & Social Research Association
40	Kenya Bankers Association	64	Marketing Society of Kenya
41	Kenya Biogas Stakeholders Network	65	Media Owners Association
42	Kenya Chamber of Mines	66	Micro & Small Enterprises Federation
43	Kenya Flower Council	67	Motorcycle Assemblers Association of Kenya
44	Kenya Forex & Remittance Association	68	Music Associations Alliance of Kenya
45	Kenya Green Building Society	69	National Association of Private Universities in Kenya
46	Kenya Healthcare Federation	70	National Potato Council of Kenya
47	Kenya Institute of Supplies Management	71	Oil and Gas Contractors Association of Kenya
48	Kenya International Freight & Warehousing Association	72	Organization of Women in International Trade
49	Kenya Motor Industry Association	73	Petroleum Institute of East Africa
50	Kenya Motor Repairers Association	74	Protective Security Industry Association
51	Kenya Oil & Gas Association	75	Responsible Alcohol Drinks Companies Association
52	Kenya Private Schools Association	76	Retail Trade Association of Kenya
53	Kenya Property Developers Association	77	Roads & Civil Engineering Contractors Association
54	Kenya Renewable Energy Association	78	Safaricom Dealers Association
55	Kenya Security Industry Association	79	Seed Trade Association of Kenya
56	Kenya Ships Agents Association	80	Shopping Centres Association of Kenya
57	Kenya Tea Growers Association	81	Social Enterprise Society of Kenya
58	Kenya Tourism Federation	82	Technology Service Providers Association of Kenya
59	Kenya Water Industry Association	83	Teep Kenya
60	Laikipia Farmers Association 2014	84	The Architectural Association of Kenya
61	Leasing Association of Kenya	85	Town & County Planners Association of Kenya
62	LIWA Programme Trust	86	United Business Association
		87	Young Leaders Association

CORPORATE MEMBERS

1	Accurite Diagnostics	21	Azuri Technologies Kenya Limited
2	Actis Africa Limited	22	Bamburi Cement Limited
3	Advantage Financial S.A.	23	Base Titanium Limited
4	Africa Practice East Africa Limited	24	Bata Shoe Kenya PLC
5	Africa Spirits Limited	25	Beverage Three Sixty Limited
6	African Banking Corporation	26	Beyond Borders Limited
7	African Voices Dubbing Company Limited	27	Bidco Africa Limited
8	Agri Experience Limited	28	Biogas Power Holdings (EA) Limited
9	AIG Kenya Limited	29	Blackberry Investments
10	Airtel Networks Kenya Limited	30	Blue Nile Rolling Mills Limited
11	Akiira Geothermal Limited	31	Blue Sky Films (EPZ) Limited
12	Amboseli Court Limited	32	BNT Construction & Engineering Kenya Limited
13	Apec Consortium Limited	33	BOC Kenya Limited
14	Ashleys Kenya Limited	34	Bollere Africa Logistics (K) Limited
15	Associated Battery Manufacturers (EA) Limited	35	Brands & Beyond Limited
16	Astral Aviation Limited	36	Bridge International Academies Limited
17	Atlas Copco East Africa Limited	37	Bright Vision Media Limited
18	Avcon Contractors Limited	38	British American Tobacco (BAT) Limited
19	Avenue Group Limited	39	Brookside Dairy Limited
20	Azuri Blockchain Consultants Limited	40	Capricon Group Limited

41	Cardno Emerging Markets East Africa	61	Dorion Associates
42	Cekeha Enterprises Limited	62	Dow Chemical East Africa
43	Centum Investment Company Limited	63	East African Breweries Limited
44	Cerberrus Capital Limited	64	Eastern Produce Kenya Limited
45	Chandaria Industries Limited	65	Ebrima I-Mart Limited
46	Citibank N.A. Kenya	66	E-Cart Services Kenya Limited (Jumia)
47	CMC Motors Group Limited	67	Ecobank Kenya Limited
48	Coca Cola East & Central Africa	68	Elgon Kenya Limited
49	Computer Pride Limited	69	Enel Green Power Kenya Limited
50	Control Risks East Africa Limited	70	Engen Kenya Limited
51	Cooper-K Brand Limited	71	Engie Eastern Africa Limited
52	CPF Financial Services Limited	72	English Press Limited
53	Dalberg Global Development Advisors	73	Eselle Group Company Limited
54	Damaza Dynamic Cleaning & Contractors Limited	74	Esri Eastern Africa Limited
55	Davis & Shirliff Limited	75	Express Communications Limited
56	Dawa Limited	76	Fairmont Hotels and Resorts Kenya
57	Deloitte Limited	77	Financial and Property Consultants Limited
58	DHL Worldwide Express (K) Limited	78	Freight Forwarders Kenya Limited
59	Dik Dik Property Limited	79	Frontier Investment Management Africa Limited
60	Dorfkem Limited	80	Fusion Capital Limited

81	G4S Kenya Limited	101	IBL International Limited
82	Galana Oil Kenya Limited	102	IBM East Africa Limited
83	Ganatra Plant & Equipment Limited	103	Ignite Trade Africa
84	GAPCO Kenya Limited	104	Imperial Housing Group Limited
85	GE East Africa Services Limited	105	Inforparts Limited
86	Genghis Capital Limited	106	Intercity Secure Homes Limited
87	Gertrude Children's Hospital	107	International Quality Awards Limited
88	Global Prime Time Solutions Limited	108	Internet Solutions Kenya Limited
89	Globeleq Africa Holdings Limited	109	Ipsos Limited
90	Good Testimony Junior School	110	Isuzu East Africa Limited
91	Google Kenya Limited	111	Jamii Telecommunications Limited
92	Grain Industries Limited	112	Jijenge Credit Limited
93	Grant Thornton Consulting Limited	113	Jungle Group Holdings Limited
94	Gumbo & Associates	114	Kaluworks Limited
95	HACO Tiger Brands (EA) Limited	115	Karanja Njenga & Company Advocates
96	Heineken East Africa	116	Kenergy Renewables Limited
97	HF Group	117	Kengas Link Limited
98	Hospitality Systems Consultants Limited	118	Kenwest Cables Limited
99	Human Capital Synergies Africa Limited	119	Kenya Bus Service Management Limited
100	I.S.C. Holdings Limited	120	Kenya Kazi Services Limited

121	Kenya Markets Trust	141	Mabati Rolling Mills Limited
122	Kenya Pipeline Company Limited	142	Madison Group Limited
123	Kenya Power & Lighting Company Limited	143	Maersk Kenya Limited
124	Kenya Tea Packers Limited	144	Maghreb Investment Limited
125	Kibo Africa Limited	145	Mars Wrigley Confectionary Kenya Limited
126	Kiptinness & Odhiambo Advocates	146	Marubeni Corporation
127	Kituo Cha Maadili Limited	147	Mckinsey and Company Limited
128	KN Law LLP	148	MIH (Multichoice Limited)
129	KOKO Networks Limited	149	Millennial Speak Limited
130	KPMG Kenya	150	MK Light Africa Right Limited
131	Kroll Associates UK Limited	151	M-KOPA Limited
132	KTDA Management Limited	152	Mobisoko Limited
133	KUSCCO Limited	153	Momentum Credit Limited
134	Kwale International Sugar Company Limited	154	Monsanto Kenya Limited
135	Liaison Group (I.B) Limited	155	Mwamba Tealand Enterprises Limited
136	Linksoft Intergrated Services (EA) Limited	156	Nairobi Bottlers Limited
137	Liquid Telecommunications	157	Nairobi Institute of Technology
138	Longitude Finance Limited	158	Nairobi Securities Exchange
139	Longonot Gate Development Limited (Resorts and Cities)	159	Newmatic Africa Limited
140	Lukenya High School Limited	160	NIC Bank Limited

161	Oakar Services Limited	181	Redhouse Group Limited
162	OBG Company Limited	182	Rentco East Africa Limited
163	OCP Kenya Limited	183	Rentworks East Africa Limited
164	Oil & Energy Services Limited	184	Resolution Health Limited
165	One Acre Fund	185	ResponsAbility Africa Limited
166	Optiven Limited	186	Revital Healthcare (EPZ) Limited
167	Oracle Corporation	187	Rexe Roofing Products
168	Oraro & Company Advocates	188	Riara Group of Schools
169	Osho Chemicals Industries Limited	189	RSM Eastern Africa Consulting Limited
170	Panafrican Equipment Limited	190	Safaricom Limited
171	Pevans East Africa Limited	191	SAP East Africa Limited
172	Pewin Cabs Limited	192	Sarova Hotels Limited
173	PKF Kenya	193	Sasini Limited
174	Polucon Services Kenya Limited	194	Savannah Cement Limited
175	Preferred Personnel Africa Limited	195	Sayani Investments Limited
176	Premier Academy	196	Scania East Africa Limited
177	PricewaterhouseCoopers Limited	197	Schneider Electric (K) Limited
178	Prideinn Hotels & Investment Limited	198	Senaca East Africa Limited
179	Procter & Gamble Services Limited	199	Serano Africa Limited
180	Protel Studios Limited	200	SGS Kenya Limited

201	Shreeji Development Company Limited	221	Trans Business Machines Limited
202	Silikon Consulting Group Limited	222	Transport & Lifting Services Limited
203	Simba Corporation Limited	223	Tullow Oil Kenya
204	Social Performance Advisory Limited	224	Tusker Mattresses Limited
205	Sowitec Kenya Limited	225	Twiga Chemical Industries Limited
206	Space and Style Limited	226	UAP Insurance Company Limited
207	Stanbic Bank	227	Uber Kenya Limited
208	Standard Chartered Bank	228	Ultra World Security Systems Limited
209	Standard Group Limited	229	Ultravetis East Africa Limited
210	Stima Sacco Society Limited	230	VISA International Service Association
211	Suraya Property Limited	231	Viva Africa Consulting LLP
212	Synergy Industrial Credit Limited	232	Vivo Energy Kenya Limited
213	Tanolope Consultancy Limited	233	Wamaitha Waweru & Company Advocates
214	Tata Chemicals Magadi Limited	234	Waste Electrical and Electronic Equipment Centre
215	Tecnofin Kenya Limited	235	Wells Fargo Limited
216	Telkom Kenya Limited	236	West Kenya Sugar Company Limited
217	The Nairobi Hospital	237	Wildlife Direct Kenya Limited
218	The Village Creative Limited	238	Yusudi Limited
219	TIFA Research Limited	239	Zamara Actuaries Administrators & Consult Limited
220	Toyota Kenya Limited		





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