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23/02/16

REPUBLIC OF KENYA



NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT – FOURTH SESSION

THE DEPARTMENTAL COMMITTEE ON LABOUR & SOCIAL WELFARE

REPORT ON THE CONSIDERATION OF H.E. THE PRESIDENT'S MEMORANDUM ON THE
NATIONAL EMPLOYMENT AUTHORITY BILL, 2015

CLERK'S CHAMBER

DIRECTORATE OF COMMITTEE SERVICES

PARLIAMENT BUILDINGS

NAIROBI

FEBRUARY, 2016

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1.0 PREFACE

Mr. Speaker,

It is my pleasure to table the report of the Departmental Committee on Labour and Social Welfare on its consideration of the Presidential memoranda on the National Employment Authority Bill, 2015. A memorandum from H.E. the President on the Bill was committed to the Committee on 9th February, 2016 and it is on the basis of H.E. the President's reservations that the Committee makes this report pursuant to Standing Order 154.

1.1 Mandate

The Committee on Labour and Social Welfare is one of the Departmental Committees of the National Assembly established under Standing Order 216 and mandated to:-

- (a) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;
- (b) study the programme and policy objectives of ministries and departments and the effectiveness of the implementation.
- (c) study and review all legislation referred to it.;
- (d) study, assess and analyse the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;
- (e) investigate and inquire into all matters relating to the assigned ministries and departments as they may deem necessary and as may be referred to them by the House;
- (f) vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204 (*Committee on Appointments*); and
- (g) Make reports and recommendations to the House as often as possible, including recommendation of proposed legislation.

1.2 Membership

The Committee was constituted by the House on Thursday 16th May, 2013 comprising of the following members:

1. Hon. David Were, MP - **Chairperson**
2. Hon. Tiyah Galgalo, MP - **Vice Chairperson**
3. Hon. Janet Teyiaa, MP
4. Hon. Peris Tobiko, MP
5. Hon. John Ndirangu Kariuki, MP
6. Hon. Winnie Karimi Njuguna, MP
7. Hon. Janet Nangabo, MP
8. Hon. John Serut, MP
9. Hon. Samuel Gichigi, MP

10. Hon. Elijah Lagat, MP
11. Hon. Cornelly Serem, MP
12. Hon. Abdi Noor Ali, MP
13. Hon. Daniel Wanyama, MP
14. Hon Regina Nyeris, MP
15. Hon. Wesley Korir, MP
16. Hon. Kinoti Gatobu, MP
17. Hon. Elijah Mosomi Moindi, MP
18. Hon. James Onyango K'Oyoo, MP
19. Hon. Omondi John Ogutu, MP
20. Hon. Aisha Jumwa Karisa, MP
21. Hon. Patrick Wangamati, MP
22. Hon. Rose Museo Mumo, MP
23. Hon. Silvanice Onyango Osele, MP
24. Hon. Mustafa Idd, MP
25. Hon. Nyasuna Gladys Wanga, MP
26. Hon. John Owuor Onyango Kobado, MP
27. Hon. Mwanyoha Hassan Mohammed, MP
28. Hon. Mlolwa Jones Mwangogo, MP
29. Hon. Ferdinand Waititu, MP

1.3 Message from the President

On 9th February, 2016, the Speaker of the National Assembly informed the House that he had received a memorandum dated 23rd December 2015 from His Excellency the President referring the National Employment Authority Bill, 2015, to the National Assembly for reconsideration pursuant to the provisions of Article 115(1)(b) of the Constitution. The Speaker further informed the House of the President's memorandum to the Bill citing reasons for refusal to assent as:-

Although the principle object and purpose of the Bill is to establish the National Employment Authority which will assume the function of the National Employment bureau currently a Department under the Ministry of Labour and East Africa Affairs, the Bill contains no transitional provisions to facilitate the transformation of the Bureau into Authority or to cater for legal consequences of such transformation. Such provisions should, in particular provide for the transfer of assets and liabilities of the current bureau to the Authority and for the implications of the transformation on the staff currently attached to the Bureau.

At the Conclusion of his communication, the Speaker of the National Assembly referred the memoranda on National Employment Authority Bill, 2015 to the Departmental Committee on Labour and Social Welfare for consideration. He further directed the Committee to report on or before Monday 22nd February, 2016.

1.4 Committee meetings

The Committee held two sittings during which it considered the memoranda from H.E. the President.

1.5 Committee observations and recommendations

Observations

1. There was no oversight by Parliament in the National Employment Authority Bill, 2015 as passed by the National Assembly since the Bill envisaged the establishment of a new Authority.
2. The Committee concurred with H.E. the President's memorandum to provide for transitional provisions to facilitate the transformation of the Bureau into the Authority and cater for the legal consequences of such transformation.

Recommendations

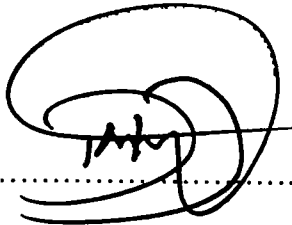
The Committee having considered H.E. the President's recommendations to introduce a New Clause 45, unanimously resolved to introduce a New Clause 45 immediately after Clause 44.

1.6 Acknowledgement

The Committee is thankful to the Offices of the Speaker and the Clerk of the National Assembly for the logistical and technical support accorded to it during its Sitting.

I wish to express my appreciation to the Honourable Members of the Committee who sacrificed their time to participate in the activities of the Committee and preparation of this Report.

It is therefore my pleasant duty and privilege, on behalf of the Departmental Committee on Labour and Social Welfare, to table its Report in the House on the consideration of H.E. the President's memoranda on the National Employment Authority Bill, 2015 for consideration.

Signed  Date 22-02-2016

(HON. DAVID WERE, M.P)

CHAIRPERSON,

DEPARTMENTAL COMMITTEE ON LABOUR AND SOCIAL WELFARE

2.0 CONSIDERATION OF H.E. THE PRESIDENT'S MEMORNADA

2.1 Background information

On 8th October, 2015, the National Assembly passed the National Employment Authority Bill, 2015. Thereafter, the Speaker of the National Assembly presented the Bills for assent to H.E. the President on 14th December, 2015. However, on 23rd December, 2015, H.E. the President, by way of a Memorandum, referred the Bill to the National Assembly for reconsideration, pursuant to the provisions of Article 115(1)(b) of the Constitution.

Parliament was obligated to consider H.E. President's reservations/recommendations in line with Article 115 (2)-(5) of the Constitution. Since the Bill does not concern counties and therefore their considerations do not require approval from the Senate, the National Assembly could only proceed pursuant to Standing Order 154.

The Speaker on 9th February, 2016 referred H.E. the President's memoranda to the Committee for consideration and reporting to the House.

2.3 The National Employment Authority Bill, 2015

In his Memorandum to Parliament on the Bill, H.E. the President recommended that the Bill be amended by adding New Clause 45 immediately after Clause 44 as follows;

45 (1) Upon the commencement of this Act, the functions that were immediately before the commencement of this Act being undertaken by the National Employment Bureau within the Ministry responsible for Labour shall be transferred to the Authority.

(2) All property, assets, rights, powers, liabilities and duties, whether arising under any written law or otherwise, which immediately before the commencement of this Act were vested in, imposed on or enforced against the government in respect of the National Employment Bureau shall, on commencement of this Act, be transferred to, vested in, imposed on or before the enforcement against the Authority.

(3) The lawful directions, orders, rules, authorizations and other things published, made, given or done by the National Employment Bureau relating to its function subsisting at the commencement of this Act shall be deemed to have been published, given, made or done by the Authority.

(4) Any legal act or thing done or purported to be done or any act or thing omitted to be done on behalf of, or on the name of the National Employment Bureau that relates to its functions before the commencement of this Act, by any person acting in good faith and with due or apparent authority in that behalf shall be deemed to be an act or thing made or done or omitted to be done by the Authority.

(5) The Cabinet Secretary for Finance, may, in consultation with the Cabinet Secretary, by Order in the Gazette direct that any assets and liabilities which immediately before the Commencement of this Act, were vested in the government for the use of the National Employment Bureau shall on such commencement vest in the Authority.

(6) Every person who immediately before the commencement of this Act, was an employee of the National Employment Bureau shall, upon the commencement of this Act, be employed or appointed as a member of staff of the Authority for the unexpired period, if any, of the term.

(7) The employees of the Government who were, immediately before the commencement of this Act, serving in the National Employment Bureau at the Ministry responsible for Labour shall, upon the commencement of this Act be given an option to serve in the Authority and if not appointed by the Authority be redeployed in the Public Service.

The Committee concurred with H.E. the President's memorandum.

3.0 COMMITTEE RECOMMENDATION

Having considered H.E. the President's memorandum, the Committee concurs and recommends introduction of the following amendments to the National Employment Authority Bill, 2015:

New Clause 45

THAT a New Clause 45 be introduced to the Bill to read as follows;

- (1) Upon the commencement of this Act, the functions that were immediately before the commencement of this Act being undertaken by the National Employment Bureau within the Ministry responsible for Labour shall be transferred to the Authority.
- (2) All property, assets, rights, powers, liabilities and duties, whether arising under any written law or otherwise, which immediately before the commencement of this Act were vested in, imposed on or enforced against the government in respect of the National Employment Bureau shall, on commencement of this Act, be transferred to, vested in, imposed on or before the enforcement against the Authority.
- (3) The lawful directions, orders, rules, authorizations and other things published, made, given or done by the National Employment Bureau relating to its function subsisting at the commencement of this Act shall be deemed to have been published, given, made or done by the Authority.
- (4) Any legal act or thing done or purported to be done or any act or thing omitted to be done on behalf of, or on the name of the National Employment Bureau that relates to its

functions before the commencement of this Act, by any person acting in good faith and with due or apparent authority in that behalf shall be deemed to be an act or thing made or done or omitted to be done by the Authority.

(5) The Cabinet Secretary for Finance, may, in consultation with the Cabinet Secretary, by Order in the Gazette direct that any assets and liabilities which immediately before the Commencement of this Act, were vested in the government for the use of the National Employment Bureau shall on such commencement vest in the Authority.

(6) Every person who immediately before the commencement of this Act, was an employee of the National Employment Bureau shall, upon the commencement of this Act, be employed or appointed as a member of staff of the Authority for the unexpired period, if any, of the term.

(7) The employees of the Government who were, immediately before the commencement of this Act, serving in the National Employment Bureau at the Ministry responsible for Labour shall, upon the commencement of this Act be given an option to serve in the Authority and if not appointed by the Authority be redeployed in the Public Service.

MINUTES OF THE 5TH SITTING OF THE LABOUR AND SOCIAL WELFARE COMMITTEE
HELD ON TUESDAY 16TH FEBRUARY, 2016 IN THE BOARDROOM ON 5TH FLOOR
CONTINENTAL HOUSE, AT 10:30 AM.

Present

1. Hon. David Were, MP - **Chairperson**
2. Hon. TiyahGalgalo, MP - **Vice Chairperson**
3. Hon. PerisTobiko, MP
4. Hon. Nyasuna Gladys Wanga, MP
5. Hon. Winnie KarimiNjuguna, MP
6. Hon. John Serut, MP
7. Hon. Elijah MosomiMoindi, MP
8. Hon. Mlolwa Jones Mwagogo, MP
9. Hon. Samuel Gichigi, MP
10. Hon. Janet Teyiaa, MP
11. Hon. Abdinoor Mohamed Ali, MP
12. Hon. Mwanyoha Mohammed, MP
13. Hon. CornellySerem, MP
14. Hon. Wesley Korir, MP
15. Hon. John NdiranguKariuki, MP
16. Hon. Dan Wanyama, MP

Apologies

1. Hon. Janet Nangabo, MP
2. Hon. Omondi John Ogutu, MP
3. Hon. Regina NyerisChangorok, MP
4. Hon. Patrick Wangamati, MP
5. Hon. KinotiGatobu, MP
6. Hon. Silvanice Onyango Osele, MP
7. Hon. Aisha JumwaKarisa, MP
8. Hon. James Onyango K'Oyoo, MP
9. Hon. Rose MuseoMumo, MP
10. Hon. Mustafa Idd, MP
11. Hon. Ferdinand Waititu, MP
12. Hon. Elijah Lagat, MP
13. Hon. John Owuor O. Kobado,

In Attendance - **National Assembly**

1. Mr. Erick Nyambati Third Clerk Assistant
2. Mr. Abdirahman G. Hassan Third Clerk Assistant
3. Ms. Nuri K. Nataan Third Clerk Assistant

Min/DC-LSW/2016/022 Preliminaries

The Chairman called the meeting to order at 10:55 am and said the opening prayers.

Min/DC-LSW/2016/023 Confirmation of Minutes

The minutes of the 4th Sitting were confirmed as true records of the proceedings having been proposed by Hon. Elijah Mosomi Moindi, M.P. and seconded by the Hon. John Serut, M.P.

Min/DC-LSW/2016/024 Meeting with the Cabinet Secretary for the Ministry of Sports, Culture and Arts on implementation of programmes for the Financial Year 2014/2015, 2015/2016 and the 1st and 2nd Quarter Budget

The agenda was deferred since the Cabinet Secretary and the Principal Secretary could not attend the meeting due to unavoidable circumstances.

Min/DC-LSW/2016/025 Consideration of the Memorandum by the President on the National Employment Authority Act, 2015

The Committee considered the memoranda from the President on the aforesaid Bill which was committed before it on 9th February, 2016 and agreed to incorporate clause 45 immediately after clause 44 for ease of transition;

Clause 45

(1) Upon the commencement of this Act, the function that were immediately before the commencement of the Act being undertaken by the National Employment Bureau within the Ministry responsible for labour shall be transferred to the Authority.

(2) All property, assets, rights, powers, liabilities and duties, whether arising under any written law or otherwise, which immediately before the commencement of this act were vested in, imposed on or enforced against the government in respect of the National Employment Bureau shall, on commencement of this act, be transferred to, vested in, imposed on or before the enforcement against the Authority.

(3) The lawful directions, orders, rules, authorizations and other things published made, given or done by the National Employment Bureau relating to its function subsisting at the commencement of this act shall be deemed to have been published, given, made or done by the Authority.

(4) Any legal act or thing done or purported to be done or any act or thing omitted to be done on behalf of, or on the name of the National Employment Bureau that relates to its functions before the commencement of this act, by any person acting in good faith and with due or apparent authority in that behalf shall be deemed to be an act or thing made or done or omitted to be done by the Authority.

(5) The Cabinet Secretary for Finance, may, in consultation with the Cabinet Secretary, by Order in the Gazette direct that any assets and liabilities which immediately before the Commencement of this Act, were vested in government for the use of the National Employment Bureau shall on such commencement vest in the Authority.

(6) Every person who immediately before the commencement of this Act, was an employee of the National Employment Bureau shall, upon the commencement of this Act, be employed or appointed as a member of staff of the Authority for the unexpired period, if any, of the term.

(7) The employees of the Government who were, immediately before the commencement of this Act, serving the National Employment Bureau at the Ministry responsible for Labour shall, upon the commencement of this Act be given an option to serve in the Authority and if not appointed by the Authority be redeployed in the Public Service.

Min/DC-LSW/2016/026

Petition

The Chairman informed the Committee that a Petition by the former employees of Indu-Farm EPZ Limited on unlawful termination of employment of over three hundred

employees of Indu-Farm EPZ Limited was conveyed in the House by the Speaker of the National Assembly and committed to the Labour and Social Welfare Committee on Thursday, 11th February, 2015.

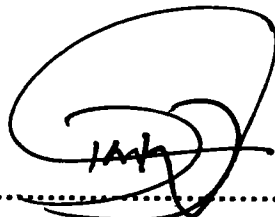
Min/DC-LSW/2016/027 Any Other Business

The Committee resolved:-

- To invite the Cabinet Secretary Public Service, Youth & Gender Affairs accompanied by National Youth Service, Youth Enterprise Fund, Women Enterprise Fund and Uwezo Fund management so that they can apprise the Committee on the implementation status of the itemized 2015/2016 budgetary programme allocation.

Min/DC-LSW/2016/028 Adjournment

There being no other business, the meeting was adjourned at 11.35 am to be reconvened on Thursday, 18th February, 2016 at 10.00 am.



SIGNED.....

HON. DAVID WERE, M.P
(Chairperson)

DATE..... **22-02-2016**

**MINUTES OF THE 6TH SITTING OF THE LABOUR AND SOCIAL WELFARE COMMITTEE
HELD ON THURSDAY 18TH FEBRUARY, 2016 IN THE BOARDROOM ON 5TH FLOOR
CONTINENTAL HOUSE, AT 10:30 AM.**

Present

1. Hon. David Were, MP - **Chairperson**
2. Hon. Tiyah Galgalo, MP - **Vice Chairperson**
3. Hon. Peris Tobiko, MP
4. Hon. Nyasuna Gladys Wanga, MP
5. Hon. Winnie Karimi Njuguna, MP
6. Hon. John Serut, MP
7. Hon. Elijah Mosomi Moindi, MP
8. Hon. Samuel Gichigi, MP
9. Hon. Janet Teyiaa, MP
10. Hon. Abdinoor Mohamed Ali, MP
11. Hon. Mwanyoha Mohammed, MP
12. Hon. Cornelly Serem, MP
13. Hon. Wesley Korir, MP
14. Hon. John Ndirangu Kariuki, MP
15. Hon. Dan Wanyama, MP
16. Hon. Janet Nangabo, MP
17. Hon. Patrick Wangamati, MP
18. Hon. Kinoti Gatobu, MP
19. Hon. Elijah Lagat, MP

Apologies

1. Hon. Mlolwa Jones Mwagogo, MP
2. Hon. Omondi John Ogutu, MP
3. Hon. Regina Nyeris Changorok, MP
4. Hon. Silvanice Onyango Osele, MP
5. Hon. Aisha Jumwa Karisa, MP
6. Hon. James Onyango K'Oyoo, MP
7. Hon. Rose Museo Mumo, MP
8. Hon. Mustafa Idd, MP
9. Hon. Ferdinand Waititu, MP
10. Hon. John Owuor O. Kobado, MP

In Attendance - **National Assembly**

1. Mr. Erick Nyambati Third Clerk Assistant
2. Mr. Abdirahman G. Hassan Third Clerk Assistant
3. Ms. Nuri K. Nataan Third Clerk Assistant

Min/DC-LSW/2016/029 Preliminaries

The Chairman called the meeting to order at 10:45 am and said the opening prayers.

Min/DC-LSW/2016/030 Confirmation of Minutes

The minutes of the 5th Sitting were confirmed as true records of the proceedings having been proposed by Hon. Samuel Gichigi, M.P. and seconded by the Hon. Nyasuna Gladys Wanga, M.P.

Min/DC-LSW/2016/031 Meeting with the Cabinet Secretary for the Ministry of Youth, Public Service and Gender Affairs on implementation of programmes for the Financial Year 2014/2015, 2015/2016 1st and 2nd Quarter Budget

The agenda was deferred since the Cabinet Secretary could not attend the meeting as she was attending a Cabinet Meeting.

Min/DC-LSW/2016/032 Adoption of the report on Memorandum by the President on the National Employment Authority Act, 2015

The Committee considered the report and adopted it with the following observations:-

Committee Observations

1. There was no oversight by Parliament in the National Employment Authority Bill, 2015 as passed by the National Assembly since the Bill envisaged the establishment of a new Authority.
2. The Committee concurred with H.E. the President's memorandum to provide for transitional provisions to facilitate the transformation of the Bureau into the Authority and cater for the legal consequences of such transformation.

Adoption of the report on Petition by Hon. Zuleikha Juma Hassan, MP on the deplorable working conditions of workers at Kwale International Sugar Company Ltd


The Committee considered and adopted the report with the following observations and recommendations:-

Committee Observations

1. In the agricultural operation sector, the farm workers were paid Kshs.210 per day while the cane cutters were paid Kshs.230 for every tone of sugarcane harvested which is contrary to the Kenya Gazette Notice No.91 of 26th June, 2015 that states that the minimum wage for unskilled employee was Kshs.265.90 which translates to Kshs.6, 278.80 per month.
2. Most of the workers in the farm did not have protective gears like gumboots, reflectors, helmets and overalls. However, the Management provided documents showing that the Company had bought and issued the same.
3. The employees especially those in the farms were not provided with basic needs like food, drinking water and proper sanitation.
4. Permanent workers were provided with employment contracts clearly stipulating the terms of employment whereas the casual workers in the farm had no contract or agreement.
5. Due to large number of employees, most of them including pregnant mothers were transported to and from their homes using Lorries and tractors which was not a conducive mode of transport.
6. The Committee established that KISCOL did not meet its staffing requirement from the local community in Msambweni Constituency even after lowering the qualifications for factory workers. This had forced KISCOL to search for laborers in the neighboring regions like Kinangop, Likoni, Lungalunga among others.
7. Consequently, the Company transports workers from the furthest point of Matuga which is over 100km from the location of the factory. This poses logistical challenge of transporting each worker after completing his/her allocated task of the day.
8. Some workers had suffered industrial injuries which had caused them to be maimed while others were disabled.

Committee Recommendations

In response to the prayers by the petitioners, the Committee recommends that the Management of Kwale International Sugar Company Limited (KISCOL) should:-

- 
1. Review the wage rate of its employees as per the Kenya Gazette Notice No.91 of June, 2015.
 2. Enforce the safety measures, regulations and use of protective gears in the company as required by the law.
 3. Provide proper sanitation, food and water to its employees.
 4. Issue documentations such as contract letters and letters of agreements to all its employees so that it can be the term of reference for job description.
 5. Provide better alternative modes of transportation for their employees and further provide separate compartment for tools and its workers in the mode of transport.
 6. Have a structured capacity building plan for the local community.
 7. Provide for medical scheme for its workers and compensation for those who have been disabled.
 8. Implement the Committee's recommendations within ninety days from the day that the report is adopted by the whole House.

Min/DC-LSW/2016/034

Any Other Business

The Chairman brought to the attention of the Committee that he had received a letter from the Ministry of Youth, Public Service and Gender Affairs requesting the Committee to nominate four Members of the Committee to attend the 60th Commission on the Status of Women (CSW) to be held in New York from 14th to 24th March, 2016. They resolved that priority be given to Members who had not previously travelled to the USA while nominating the participants for the CSW.

Min/DC-LSW/2016/035

Adjournment

There being no other business, the meeting was adjourned at 12.00 pm to be reconvened on Tuesday, 23rd February, 2016 at 10.30 am.

SIGNED..........DATE 22-02-2016.....

HON. DAVID WERE, M.P

(Chairperson)



THE CONSTITUTION OF KENYA

REFUSAL TO ASSENT TO THE NATIONAL EMPLOYMENT AUTHORITY BILL, 2015

MEMORANDUM

By His Excellency the Honourable
Uhuru Kenyatta, President and Commander-
in-Chief of the Kenya Defence Forces.

Submitted to the Speaker of the National
Assembly.

WHEREAS a Bill entitled “A Bill for An Act of
Parliament to establish the National Employment
Authority; to provide for a comprehensive institutional
framework for employment management; to enhance
employment promotion interventions; to enhance access to
employment for youth, minorities and marginalised groups,
and for connected purposes,” the short title of which is
“The National Employment Authority Act, 2015”, was
passed by the National Assembly on the 8th October, 2015;

AND WHEREAS the National Employment Authority
Bill, 2015, was presented to me for assent, in accordance

with the provisions of the Constitution, on the 14th December, 2015;

NOW THEREFORE, in exercise of the powers conferred on me by Article 115 of the Constitution, I refuse to assent to the National Employment Authority Bill, 2015, for the reasons set out hereunder:

NEW CLAUSE 45

Although the principle object and purpose of the Bill is to establish the National Employment Authority which will assume the functions of the National Employment Bureau, currently a Department under the Ministry of Labour and East African Affairs, the Bill contains no transitional provisions to facilitate the transformation of the Bureau into the Authority or to cater for the legal consequences of such transformation. Such provisions should, in particular, provide for the transfer of assets and liabilities of the current Bureau to the Authority and for the implications of the transformation on the staff currently attached to the Buareau. ~~This may have been an oversight on the part of Parliament.~~

RECOMMENDATION:

In view of the foregoing, I recommend that the Bill be amended by adding new clause 45 immediately after clause 44 as follows:

Transitional and
saving
provisions.

45. (1) Upon the commencement of this Act, the functions that were immediately before the commencement of this Act being undertaken by the National Employment Bureau within the Ministry responsible for labour shall be transferred to the Authority.

(2) All property, assets, rights, powers, liabilities and duties, whether arising under any written law or otherwise, which immediately before the commencement of this Act were vested in, imposed on or enforced against the Government in respect of the National Employment Bureau shall, on the commencement of this Act, be transferred to, vested in, imposed on or be enforceable against the Authority.

(3) The lawful directions, orders, rules, authorizations and other things published, made, given or done by the National Employment Bureau relating to its functions subsisting at the commencement of this Act shall be deemed to have been published, given, made or done by the Authority.

(4) Any legal act or thing done or purported to be done or any act or thing omitted to be done on behalf of, or in the name of the National Employment Bureau that relates to its functions before the commencement of this Act, by any person acting in good faith and with due or apparent authority in that behalf shall be deemed to be an act or thing made or done or omitted to be done by the Authority.

(5) The Cabinet Secretary for Finance, may, in consultation with the Cabinet Secretary, by Order in the Gazette direct that any assets and liabilities which immediately before the Commencement of

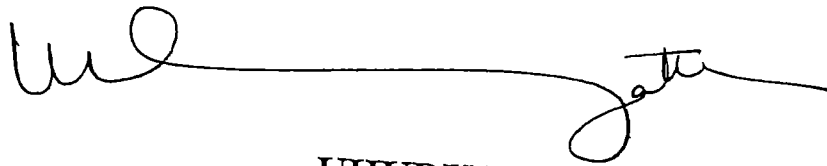
this Act, were vested in the government for the use of the National Employment Bureau shall on such commencement vest in the Authority.

(6) Every person who immediately before the commencement of this Act, was an employee of the National Employment bureau shall, upon the commencement of this Act, be employed or appointed as a member of Staff of the Authority for the unexpired period, if any, of the term.

(7) The employees of the Government who were, immediately before the commencement of this Act, serving in the National Employment Bureau at the Ministry responsible for Labour shall, upon the commencement of this Act be given a option to serve in the Authority and if not

appointed by the Authority be redeployed in
the Public Service.

Dated the 23rd December, 2015.

A handwritten signature in black ink, appearing to read 'Uhuru Kenyatta', written over a horizontal line.

UHURU KENYATTA,
President.

The National Assembly



Eleventh Parliament—4th Session

Departmental Committee—J: Labour and Social Welfare

AGENDA


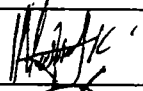


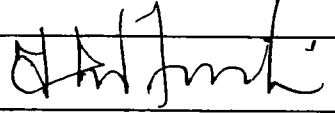
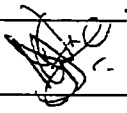
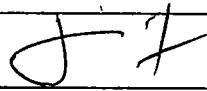
1. **Consideration and adoption of the Report on the National Employment Authority Bill, 2015.**
2. **Consideration and adoption of the Report on the Petition by Hon. Zuleikha Juma Hassan, MP on the deplorable working conditions of workers at Kwale International Sugar cane Company Limited.**

VENUE : Boardroom on 5th Floor, Continental House

DATE : Thursday 18th February, 2016

Time: 10:30 a.m.

NO.	NAME	SIGNATURE
1.	Hon. David Were (Chairperson), MP	
2.	Hon. Tiyah Galgalo (Vice Chairperson), MP	
3.	Hon. Janet Teyiaa, MP	
4.	Hon. Peris Tobiko, MP	
5.	Hon. John Ndirangu Kariuki, MP	
6.	Hon. Winnie Karimi Njuguna, MP	
7.	Hon. Janet Nangabo, MP	
8.	Hon. John Serut, MP	
9.	Hon. Samuel Gichigi, MP	
10.	Hon. Elijah Lagat, MP	
11.	Hon. Cornelly Serem, MP	
12.	Hon. Abdinoor Mohamed Ali, MP	

13.	Hon. Dan Wanyama, MP	
14.	Hon. Regina Nyeris Changorok, MP	
15.	Hon. Wesley Korir, MP	
16.	Hon. Kinoti Gatobu, MP	
17.	Hon. Elijah Mosomi Moindi, MP	
18.	Hon. James Onyango K'Oyoo, MP	
19.	Hon. Omondi John Ogutu, MP	
20.	Hon. Aisha Jumwa Karisa, MP	
21.	Hon. Patrick Wangamati, MP	
22.	Hon. Rose Museo Mumo, MP	
23.	Hon. Silvanice Onyango Osele, MP	
24.	Hon. Mustafa Idd, MP	
25.	Hon. Nyasuna Gladys Wanga, MP	
26.	Hon. John Owuor O. Kobado, MP	
27.	Hon. Mwanyoha Mohammed, MP	
28.	Hon. Mlolwa Jones Mwangogo, MP	
29.	Hon. Ferdinand Waititu, MP	

Erick Nyambati—Committee Clerk

For: CLERK OF THE NATIONAL ASSEMBLY