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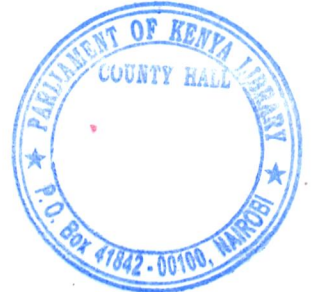
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9/6/2022

THE NATIONAL ASSEMBLY	
DATE: 09 JUN 2022	
DAY: Thursday	
TABLED BY:	Hon. Zuleikha Hassan
CLERK-AT THE TABLE:	G. Chebet



REPUBLIC OF KENYA

THE NATIONAL ASSEMBLY  
TWELFTH PARLIAMENT - SIXTH SESSION



Directorate of Departmental Committees

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**EXIT REPORT  
OF  
THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL  
AFFAIRS**

**(NOVEMBER 2017 TO JUNE 2022)**

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**JUNE 2022**

**PUBLISHED BY:-**

**THE DIRECTORATE OF DEPARTMENTAL COMMITTEES  
CLERK'S CHAMBERS  
PARLIAMENT BUILDINGS  
NAIROBI.**

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## CHAIRPERSON'S FORWARD

Standing Order 200A (1) and (2) of the National Assembly Standing Orders provides that “(1) A Committee which is unable to complete its work before the expiry of its term shall table an exit report to the Assembly detailing reasons for such inability; and (2) The report shall be available to the succeeding committee which may consider it in preparing its work plan”.

The Exit Report is an important tool of gauging the Committee's performance in the Twelfth Parliament. It gives details of the business transacted by the Committee from November 2017 to June 2022 and offers a starting point for the succeeding Committee as it highlights the business pending before the Committee at the end of the Sixth Session.

The following business was referred to the Departmental Committee on Justice and Legal Affairs in the Twelfth Parliament: forty eight (48) Bills; forty six (46) Legislative Proposals; twenty seven (27) Petitions; ; three Questions (3), one (1) Statement; twenty(20) nominees for vetting and approval for appointment to public office. The Committee carried most of the work referred to it despite the difficult times that Members had to work under particularly the COVID-19 Pandemic during which Members could not hold in-person meetings, among other challenges.

The Committee was able to positively impact the country in several ways including reviewing of critical legislation in the management of elections as well as well as reviewing all laws critical in ensuring access to justice.

It is therefore my pleasant duty and privilege, on behalf of the Departmental Committee on Justice and Legal Affairs and pursuant to provisions of Standing Order 200A (1) to present to this House the Committee's Exit Report.



**HON. CLEMENT MUTURI KIGANO, CBS, MP**

**CHAIRPERSON, DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS**

## ACKNOWLEDGEMENT

I wish to sincerely appreciate the efforts and sacrifices by Members of the Committee who have worked tirelessly for the achievement of the Committee's objectives during the period under review. Their tireless efforts ensured that the Committee succeeded in delivering on its mandate.

The Committee is also grateful to the Offices of the Speaker and the Clerk of the National Assembly for the support extended to it in the execution of its mandate. It is out of their support that the Committee has not lacked resources to undertake its oversight function.

In conclusion, I wish to single out and specifically appreciate the following officers who worked diligently and sometimes beyond the call of duty to support the Committee deliver on its mandate: -

1. Mr. Gearge Gazemba - Principal Clerk Assistant I (2017-2019)
2. Mr. Abenayo Wasike - Principal Clerk Assistant II (2019 - 2022)
3. Mr. Samuel Kalama - Principal Clerk Assistant II (2022)
4. Ms. Halima Hussein - Clerk Assistant II (2017-2022)
5. Mr. Clive Onyancha - Hansard Reporter III (2021-2022)
6. Mr. Denis Abisa - Deputy Director Legal Services, NA (2017-2022)
7. Ms. Doreen Karani - Legal Counsel I (2017 - 2020)
8. Ms. Emma Essendi - Legal Counsel I (2022)
9. Ms. Fiona Musili - Research Officer II (2017-2020)
10. Mr.(Dr) Danold Manyala - Research Officer II (2021 - 2022)
11. Mr. Joseph Okongo - Media Officer (2017 - 2021)
12. Ms. Noelle Chelagat - Media Relations Officer (2022)
13. Mr. James Kimiti - Audio Officer (2017-2020)
14. Mr. Nickson Kibet - Audio Officer (2020-2022)
15. Mr. Job Owaga - Audio Officer (2019 -2021)

I would also like to thank Mr. Peter Chemweno, Director, Departmental Committees; Mr. John Mutega, Deputy Director Departmental Committees; and Mr. George Gazemba, ACI Arb, CPM, Head of Department for Governance, Administration and Social Sector Committees for the administrative guidance and support that they provided to the Committee.

## PART ONE

### 1 PREFACE

#### 1.1 ESTABLISHMENT OF THE COMMITTEE

##### **1.1 Establishment and Mandate of the Committee**

- 1) The Departmental Committee on Justice and Legal Affairs derives its mandate from Standing Order No. 216 (5) which provides for the functions of Departmental Committees as follows:-
  - (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 their 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 enquire 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);*
  - (g) *examine treaties, agreements and conventions;*
  - (h) *make reports and recommendations to the House as often as possible, including recommendation of proposed legislation;*
  - (i) *consider reports of Commissions and Independent Offices submitted to the House pursuant to provisions of Article 254 of the Constitution; and*
  - (j) *examine any questions raised by Members on a matter within its mandate.*
- 2) The Second Schedule of the Standing Orders on Departmental Committees further outlines the subjects of the Committee, as follows-
  - (a) Constitutional affairs;
  - (b) The administration of law and Justice
  - (c) The Judiciary;
  - (d) Public prosecutions;
  - (e) Elections;

- (f) Ethics, integrity and anti-corruption; and
  - (g) Human rights.
- 3) In executing its mandate, the Committee oversees the following government ministries and departments and agencies, namely;
- (a) Judicial Service Commission (JSC);
  - (b) Judiciary;
  - (c) Office of the Attorney General and Department of Justice;
  - (d) Ethics and Anti-Corruption Commission (EACC);
  - (e) Independent Electoral and Boundaries Commission (IEBC);
  - (f) Kenya National Commission on Human Rights (KNHCR);
  - (g) Office of the Directorate of Public Prosecution (ODPP);
  - (h) Registrar of Political Parties;
  - (i) Witness Protection Agency (WPA);
  - (j) Commission on Administration of Justice (COAJ)

## 1.2 Committee Membership

- 4) The Committee was constituted on Thursday, 14<sup>th</sup> December, 2017. The current membership is as follows-

### Chairperson

Hon. Clement Muturi Kigano, M.P.  
Kangema Constituency

### Jubilee Party

### Vice Chairperson

Hon. Francis Tom Kajwang', M.P.  
Ruaraka Constituency

### Orange Democratic Movement (ODM)

Hon. Emmanuel Wangwe, M.P.  
Navakholo Constituency

### Jubilee Party

Hon. John Olago Aluoch, M.P.  
Kisumu West Constituency

### FORD-Kenya

Hon. Roselinda Soipan Tuyu, M.P.  
Narok County

### Jubilee Party

Hon. Zuleikha Hassan, M.P.  
Kwale County

### Orange Democratic Movement (ODM)

Hon. Jennifer Shamalla, M.P.  
Nominated MP

### Jubilee Party

Hon. Daniel Rono Kipkogei, M.P.  
Kirinyaga Central

### Jubilee Party

Hon. Anthony Githiaka Kiai, M.P.  
Mukurueni Constituency

### Jubilee Party

Hon. John Kiarie Waweru, M.P.  
Dagoretti South Constituency

### Jubilee Party

Hon. Junet Sheikh Nuh Mohamed, M.P.  
Suna East Constituency

### Orange Democratic Movement (ODM)

Hon. George Peter Kaluma, M.P.  
Homa Bay Town Constituency

### Orange Democratic Movement (ODM)

Hon. Josephine Naisula Lesuuda, M.P.  
Samburu West Constituency

### KANU-Kenya

Hon. Robert Gichimu Githinji, M.P.  
Gichugu Constituency

### Jubilee Party

Hon. Adan Haji Yussuf, M.P.  
Mandera West Constituency

### Economic Freedom Party (EFP)

Hon. George Gitonga Murugara, M.P.  
Tharaka Constituency

### Democratic Party (DP)

Hon. Japheth Mutai, M.P.  
Bureti Constituency

### Jubilee Party

Hon. Anthony Oluoch, M.P.  
Mathare Constituency

### Orange Democratic Movement (ODM)

5) Previous Members of the Committee in the 12<sup>th</sup> Parliament were as follows-

- (a) Hon William Cheptumo, MP, Baringo North Constituency served as the Chairperson of the Committee from September, 2017 to July, 2020
- (b) Hon. Alice Muthoni Wahome, M.P, Kandara Constituency served as the *Vice Chairperson of the Committee* September, 2017 to July, 2020
- (c) Hon. Charles Gimose, M.P, Hamisi Constituency served as a Member from September, 2017 to July, 2020
- (d) Hon. Johana Ng'eno, M.P, Emurua Dikirr Constituency served as a Member from September, 2017 to July, 2020
- (e) Hon. Ben Orori Momanyi, M.P, Borabu Constituency served as a Member from September, 2017 to July, 2020
- (f) Hon. Beatrice Adagala, M.P, Vihiga County served as a Member from September, 2017 to July, 2020
- (g) Hon. Gladys Boss Shollei, CBS, M.P, Uasin Gishu County served as a Member from September, 2017 to July, 2020
- (h) Hon. (Dr.) Paul Otiende Amollo, M.P, Rarieda Constituency served as the Vice-Chairperson from July, 2020 to April, 2021
- (i) Hon. John Munene Wambugu, M.P, Kirinyaga Central served as a Member from September, 2017 to October, 2021
- (j) Hon. W. Kamoti Mwamkale, M.P, Rabai Constituency (deceased) served as a Member from September, 2017 to May, 2022



## PART TWO

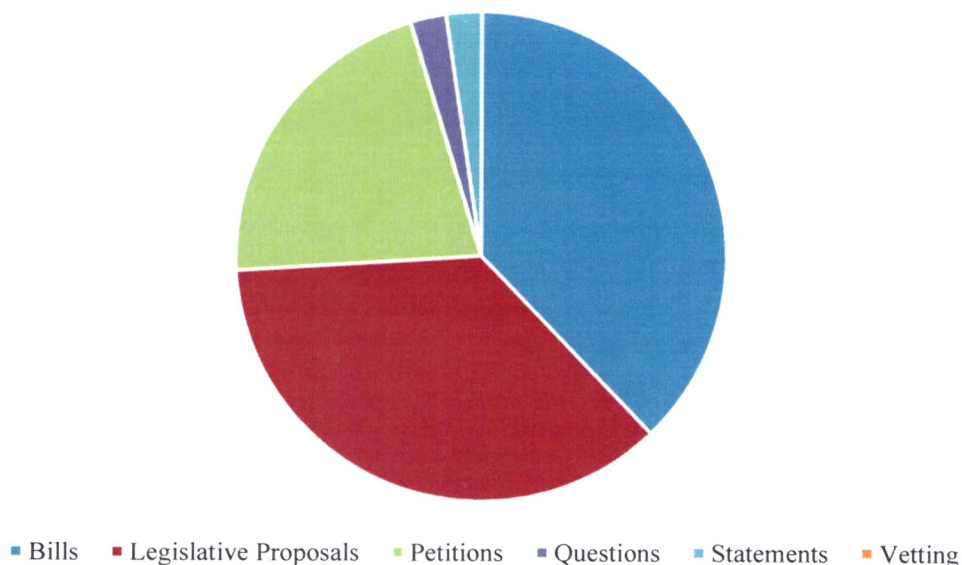
### 2 EXIT REPORT

1. Standing Order No. 200A of the National Assembly Standing Orders provides that: “(1) A Committee which is unable to complete its work before the expiry of its term shall table an exit report to the Assembly detailing reasons for such inability; (2) The report shall be made available to the succeeding Committee which may consider it in preparing its work plan”.
2. The Departmental Committee on Justice and Legal Affairs was assigned various duties by the House most of which the Committee was able to consider and report back to the House and some of which were pending before the Committee at the end of the 12<sup>th</sup> Parliament. The Committee considered business in the following areas:
  - i. Bills
  - ii. Legislative Proposals
  - iii. Petitions
  - iv. Questions
  - v. Statements
  - vi. Vetting
  - vii. Budgetary Review
  - viii. Stakeholder Engagement
  - ix. Workshops/Retreats/Field Visits
  - x. Foreign Travel
3. The table 1 below shows a summary of the business referred to the Committee in the Twelfth Parliament:

*Table 1: Summary of business referred to the Committee*

NO.	BUSINESS	REFERRED	CONCLUDED	LAPSED	WITHDRAWN
1.	Bills	50	35	14	1
2.	Legislative Proposals	46	32	13	1
3.	Petitions	27	20	7	0
4.	Inquiries	0	0	0	0
5.	Questions	3	2	1	0
6.	Statements	3	2	1	0
7.	Vetting	20	20	0	N/A
8.	Agreements	0	0	0	0

### Summary of business referred to the Committee



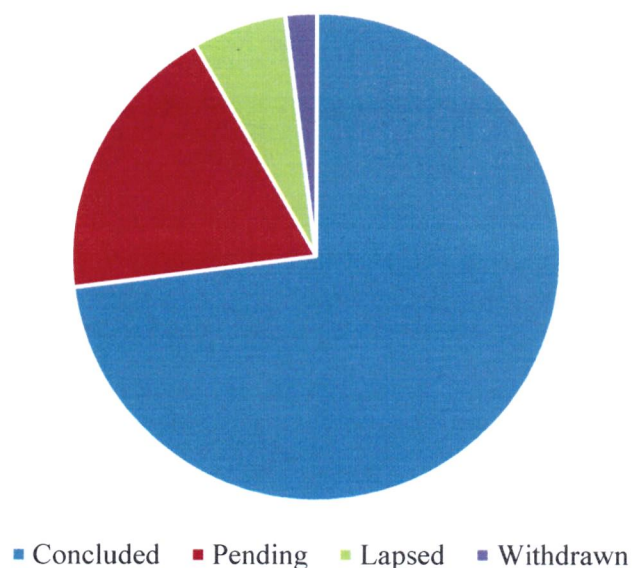
4. Below are details of the business transacted by the Committee:

#### 2.1 BILLS

5. One of the roles of the National Assembly is to enact legislation. Committees assist the House in the in-depth consideration of Bills by incorporating public participation in the legislative process as well as consider and making recommendations for approval of the Bills.

Fifty (50) Bills were committed to the Departmental Committee on Justice and legal Affairs. The Committee concluded consideration of thirty five (35). Bills, eleven (11) Bills were pending before the Committee, three (3) lapsed and one (1) Bill was withdrawn. The position is as shown in this pie chart below-

### Summary of Bills Referred to the Committee



6. Table 2 below shows the status of Bills that were referred to the Committee-

*Table 2: Bills referred to the Committee*

NO.	BILL TITLE	COMMITTAL DATE	STATUS
<b>FIRST SESSION</b>			
1.	No bills were referred to the Committee		
<b>SECOND SESSION</b>			
2.	The Public Trustees (Amendment) Bill, 2018 (amend various provisions of the Public Trustee Act to, among other things, bring it into conformity with the Constitution and expand the scope of the Public Trustee)	28 <sup>th</sup> Sept, 2017	Concluded
3.	The Constitution of Kenya (Amendment) Bill, 2018 (Bill is on the two-thirds gender principle) by the Leader of Majority	27 <sup>th</sup> Feb, 2018	Concluded

NO.	BILL TITLE	COMMITTAL DATE	STATUS
4.	The Constitution of Kenya (Amendment) (No. 2) Bill, 2018 (Seeks to change the general election date from August to December of every general election year) by Hon Chris Wamalwa, MP	14 <sup>th</sup> March, 2018	concluded
5.	The Parliamentary Service Bill, 2018 by the Leader of Majority (an Act of Parliament to make further provisions as regards the Parliamentary Service Commission and the Parliamentary Service as re-established under the Constitution of Kenya 2010; to repeal and replace the Parliamentary Service Act, 2000)	13 <sup>th</sup> March, 2018	Concluded
6.	The Statute Law (Miscellaneous Amendments) Bill, 2018. (NA Bill No. 12 of 2018)		Concluded
7.	The Statute Law (Miscellaneous Amendments) (No. 2) Bill, 2018		Concluded
<b>THIRD SESSION</b>			
8.	The Law of Contract (Amendment) Bill, 2019	15 <sup>th</sup> Feb, 2019	Concluded
9.	Office of the County Attorney (Senate Bill No. 3, 2019)	21 <sup>st</sup> March, 2019	Concluded
10.	The Institute of Directors of Kenya Bill, 2019	10 <sup>th</sup> April, 2019	concluded
11.	Statute Law (Miscellaneous Amendments), Bill, 2019	10 <sup>th</sup> May, 2019	Concluded
12.	The Anti-Corruption and Economic Crimes (Amendment) Bill, 2019	10 <sup>th</sup> Sept, 2019	Concluded
13.	Statute Law (Miscellaneous Amendments), Bill, 2019	13 <sup>th</sup> June, 2019	Concluded
14.	The Independent Electoral and Boundaries Commission (Amendment) (No. 3) Bill, 2019	8/8/2019	Concluded
15.	Presidential Memorandum on PSC Bill, 2018	8/8/2019	Concluded
16.	The Petition to County Assemblies (Procedure) Bill, 2019 (Senate Bill No. 22 of 2018)	13 <sup>th</sup> May, 2019	Concluded

NO.	BILL TITLE	COMMITTAL DATE	STATUS
17.	The PSC Presidential memorandum, 2019	27th June, 2019	concluded
<b>FOURTH SESSION</b>			
18.	President's Reservation to the Law of Contract (Amendment) Bill No.1 of 2019	18/02/2020	concluded
19.	The Anti-Corruption and Economic Crimes (Amendment) Bill, 2019 (NA Bill No.6) –Hon.Silas Tiren	6/11/19	concluded
20.	The Constitution of Kenya (Amendment) Bill, 2019 by Hon. George Kariuki	8/8/2019	concluded
21.	The Constitution of Kenya (Amendment) Bill, 2019 by Hon. Boss Shollei	4/7/2019	concluded
22.	The Independent Electoral and Boundaries Commission (Amendment) (N.A Bill No.24) Bill, 2019 by Hon.Jude Njomo	2/5/2019	concluded
23.	The Impeachment Procedure Bill (Senate Bills No. 15 of 2018)	27/6/2019	concluded
24.	The Constitution of Kenya (Amendment) Bill, 2019 by Hon. Florence Mutua	13/5/2019	concluded
25.	The Public participation (No. 2) Bill, 2019 by Hon Chris Wamalwa	30/10/2019	concluded
26.	The Impeachment Procedure Bill (Senate Bills No. 15 of 2018)	26/6/2019	concluded
27.	The Law of Succession (Amendment) Bill, 2019	4/12/2019	concluded
28.	The Small Claims Court (Amendment) Bill, 2020 by majority leader	4/12/2019	concluded
29.	The Referendum (No.2) Bill (N.A Bill No.14 of 2020 by JLAC	14/4/20	concluded
30.	The Statute Law (Miscellaneous Amendments ) No.15 of 2020	18/6/2020	concluded
31.	The Waqf Bill, 2019 by former Leader of Majority	23/6/2020	concluded
32.	The Mediation Bill, 2020 by Leader of Majority	30/6/2020	Bill withdrawn
33.	The Constitution of Kenya (Amendment) Bill, 2019 by Hon.Vincent Kemosi	18/02/2020	lapsed

NO.	BILL TITLE	COMMITTAL DATE	STATUS
<b>FIFTH SESSION</b>			
34.	The Business Laws (Amendment) (No. 2) Bill (N.A. Bill No. 50 of 2020)	4/12/2019	concluded
35.	The Constitution of Kenya (Amendment) Bill, 2020 (BBI Bill)	6/11/2019	concluded
36.	the Political Parties (Amendment) Bill (National Assembly Bill No.56), 2021	30/10/2019	concluded
37.	The Determination of the Nature of Bills (Procedure) Bill, (Senate Bill No. 8 of 2018) by Senate Leader of Majority	27/6/2019	Pending
38.	Preservation of Human Dignity and Enforcement of Economic and Social Rights Bill (Senate Bill No. 27 of 2018), 2018)	27/6/2019	pending
<b>SIXTH SESSION</b>			
39.	The Elections (Amendment) Bill (NA Bill No 3 of 2022)		Report tabled in the House on Tuesday, June 7, 2022
40.	The Political Parties (Amendment) Bill, 2022 (NA Bill No.2 of 2021) by leader of Minority		Pending
41.	Supreme Court (Amendment) Bill, 2022		Report tabled in the House on Tuesday, June 7, 2022
42.	The Elections (Amendment) (Senate Bill No.42 of 2022).		Pending
43.	The Advocates (Amendment) Bill, 2021 (NA Bill 43 of 2021)		Pending
44.	The County Governments (Amendment) (Senate Bill No.38 of 2021)		Pending
45.	The Sexual Offences (Amendment)		Pending

NO.	BILL TITLE	COMMITTAL DATE	STATUS
	Bill, 2020 (NA Bill no. 24) by Hon Gathoni Wamuchomba, MP		
46.	The Criminal Procedure Code (Amendment) Bill, 2020 (National Assembly Bill No. 41) by Hon.Nelson Koech, MP		Pending
47.	The Penal Code (Amendment) Bill, (National Assembly Bill No. 2 of 2021) by Hon. Hon.David Gikaria, M.P.		Pending
48.	Penal Code (Amendment) Bill, (National Assembly Bill No. 40 of 2021) by Hon.Nimrod Bii, M.P.		Pending
49.	The Whistleblower Protection Bill, 2021 (National Assembly Bill No. 50) sponsored by Hon. (Dr).Irene Kasalu, M.P.		Pending
50.	The Kenya School of Law (Amendment) Bill (National Assembly Bill No. 20 of 2022) by the Leader of Majority	8/6/2022	Pending
51.	The Legal Education (Amendment) Bill (National Assembly Bill no. 23 of 2022) by the Leader of Majority Party	8/6/2022	Pending

### 2.1.1 BILLS PENDING BEFORE THE COMMITTEE

7. The following eleven(11) Bills were pending before the Committee at the end of the Sixth (6<sup>th</sup>) Session of the 12<sup>th</sup> Parliament:
- i. The Political Parties (Amendment) Bill, 2022 (NA Bill No.2 of 2021) by leader of Minority
  - ii. The Whistleblower Protection Bill, 2021 (National Assembly Bill No. 50) sponsored by Hon. (Dr).Irene Kasalu, M.P.
  - iii. Penal Code (Amendment) Bill, (National Assembly Bill No. 40 of 2021) by Hon.Nimrod Bill, M.P.
  - iv. The Elections (Amendment) (Senate Bill No.42 of 2022).
  - v. The Criminal Procedure Code (Amendment) Bill, 2020 (National Assembly Bill No. 41) by Hon.Nelson Koech, MP
  - vi. The Advocates (Amendment) Bill, 2021 (NA Bill 43 of 2021)
  - vii. The Sexual Offences (Amendment) Bill, 2020 (NA Bill no. 24) by Hon Gathoni Wamuchomba, MP
  - viii. The County Governments (Amendment) (Senate Bill No.38 of 2021)

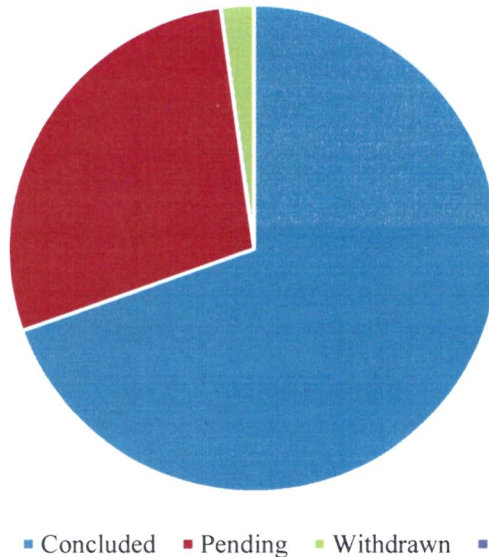
- ix. The Penal Code (Amendment) Bill, (National Assembly Bill No. 2 of 2021) by Hon. Hon.David Gikaria, M.P.
- x. The Determination of the Nature of Bills (Procedure) Bill, (Senate Bill No. 8 of 2018) by Senate Leader of Majority
- xi. The Kenya School of Law (Amendment) Bill (National Assembly Bill No. 20 of 2022) by the Leader of Majority
- xii. The Legal Education (Amendment) Bill (National Assembly Bill no. 23 of 2022) by the Leader of Majority Party

**2.2 LEGISLATIVE PROPOSALS**

- 8. Standing Order 114 of the National Assembly Standing Orders provides for the consideration of legislative proposals by Departmental Committees.

Forty six (46) Legislative Proposals were referred to the Committee in the Twelfth Parliament. The Committee submitted thirty two reports to the Speaker for consideration, thirteen (13) Legislative Proposals were pending at the end of the Sixth Session and one (1) Legislative Proposal was withdrawn by the sponsor. The information is reflected in the pie chart/bar graph below-

Summary of Legislative Proposals Referred to the Committee



- 9. Table 3 shows the status of Legislative Proposals that were referred to the Committee.

*Table 3: Legislative Proposals referred to the Committee*

NO.	LEGISLATIVE PROPOSAL	COMMITTAL DATE	STATUS
<b>SECOND SESSION</b>			



NO.	LEGISLATIVE PROPOSAL	COMMITTAL DATE	STATUS
1.	Legislative Proposal on the Companies (Amendment) Bill, 2017 by Hon. Nelson Koech		Concluded. Report submitted to the Speaker
2.	Legislative Proposal on the Constitution of Kenya (Amendment) Bill, 2018 to provide for rotational Presidency to allow various communities access to top leadership by Hon Zuleikha Hassan, MP.		Concluded. Report submitted to the Speaker
3.	Legislative Proposal on the Constitution of Kenya (Amendment) Bill, 2018 to increase timeline for hearing Presidential Election Petition from 14 to 30) days by Hon. Christopher Aseka Wangaya, M.P		Concluded. Report submitted to the Speaker
4.	Legislative Proposal on the Parliamentary Service (Amendment) Bill, 2018 BY Hon. Julius Melly, MP.		Concluded. Report submitted to the Speaker
5.	Legislative Proposal on the Constitution of Kenya (Amendment) Bill, 2018 to impose an age limit of 60 for appointment as Principal Secretary, ambassador, diplomatic and consular representatives by Hon Benjamin Mwangi, MP.		Concluded
6.	Legislative Proposal to amend the Elections Act, 2011 to reduce timeline for submitting party lists to IEBC from 45 to 21 days before the date of a general election by Hon Florence Mutua, MP.		Concluded. Report submitted to the Speaker
7.	Legislative Proposal on the Law of Contract (Amendment) Bill, 2018 by Hon. Francis Waititu Munyua, MP		Concluded. Report submitted to the Speaker
8.	Legislative Proposal on the Anti-Corruption and Economic Crimes (Amendment) by Hon. Ndindi		Concluded. Report submitted to the Speaker

NO.	LEGISLATIVE PROPOSAL	COMMITTAL DATE	STATUS
	Nyoro, MP		
9.	Legislative Proposal on the Institute of Directors of Kenya Bill, 2018 by Hon. Chris Wamalwa		Concluded.
<b>THIRD SESSION</b>			
10.	Legislative Proposal by Hon. Cornelly Serem to repeal Article 79 of the Constitution of Kenya		Concluded
11.	Legislative Proposal by Hon Nelson Koech, MP on the Companies (Amendment) Bill, 2017.		Concluded
12.	Legislative Proposal by Hon. Ndindi Nyoro, MP on the Anti-Corruption and Economic Crimes (Amendment) Bill, 2019		Concluded
13.	Legislative Proposal by Hon Florence Mutua, MP. to amend the Elections Act, 2011 to reduce timeline for submitting party lists to IEBC from 45 to 21 days before the date of a general election		Concluded
14.	Legislative Proposal by Hon Benjamin Mwangi, MP. on the Constitution of Kenya (Amendment) Bill, 2018 to impose an age limit of 60 for appointment as Principal Secretary, ambassador, diplomatic and consular representatives		Concluded
15.	Legislative Proposal by Hon. Julius Melly, MP. On the Parliamentary Service (Amendment) Bill, 2018.		Concluded
16.	Legislative Proposal by Hon. George Kariuki to amend Article 97 of the Constitution.		Concluded
17.	Legislative Proposal by Hon. George Kariuki on Public Participation Bill, 2019		Concluded
18.	Legislative Proposal by Hon.		Concluded

NO.	LEGISLATIVE PROPOSAL	COMMITTAL DATE	STATUS
	Joshua Kutuny to amend Articles 107, 108, 117, 151 of the Constitution of Kenya.		
19.	Legislative Proposal by Hon Kassait Kamket to amend various Articles of the Constitution of Kenya		Concluded
20.	Legislative Proposal by Hon. Gideon Keter to amend Article 97 of the Constitution of Kenya.		Concluded
21.	Legislative Proposal by Hon. Anthony Alouch to amend Article 115 of the Constitution of Kenya		Concluded
22.	Legislative proposal on Law of Succession (amendment) Bill, 2019 by Hon Peter Kaluma		Concluded
23.	Legislative proposal on the Anti-Corruption and Economic Crimes (Amendment) Bill, 2019 by Hon Tiren		Concluded
24.	Legislative Proposal on the Constitution of Kenya (Amendment) Bill, 2019 by Hon Boss Shollei		concluded
25.	Legislative Proposal on the Constitution of Kenya (Amendment) Bill, 2019 by Hon David Ole Sankok		concluded
26.	Legislative Proposal on the Criminal Procedure Code (Amendment) Bill, 2019 by Nelson Koech		concluded
27.	Legislative proposal on the Constitution of Kenya (Amendment) Bill, 2019 by Hon Vincent Kemosi		concluded
28.	Legislative proposal on the Sexual Assault Forensic Evidence Bill, 2019 Bill, 2019 by Hon. Gathoni Wamuchomba		concluded
29.	Legislative proposal on Public Officer Ethics (amendment) Bill, 2019 by Hon. John Mbadi		concluded

<b>NO.</b>	<b>LEGISLATIVE PROPOSAL</b>	<b>COMMITTAL DATE</b>	<b>STATUS</b>
30.	Legislative Proposal on the Kenya Reparation Bill, 2019 by Hon. Boss Sholei		lapsed
31.	Legislative Proposal on the Constitution of Kenya (Amendment) Bill, 2019 by Caleb Koistany		lapsed
32.	Legislative Proposal on the Independent Electoral and Boundaries Commission (Amendment) Bill, 2019 by Hon David Gikaria		lapsed
33.	Legislative Proposal on the Constitution of Kenya (Amendment) Bill, 2019 by Hon David Ole Sankok		lapsed
34.	Legislative Proposal on the Protection Against Domestic Violence (Amendment) Bill, 2019		lapsed
<b>FOURTH SESSION</b>			
35.	Elections (Amendment) Bill, 2020 by Hon. Vincent Kemosi		Concluded
36.	Penal Code (Amendment) Bill, 2020 by Hon. David Gikaria		Concluded
37.	Children Bill, 2019 by Hon. (Dr.) Lilian Gogo		Concluded
38.	The Waqf Bill, 2020 by Hon. Abdulswamad Nassir		Concluded
39.	The Office of Attorney General (Amendment), 2020 by Hon. Anthony Oluoch		Lapsed
40.	The Public Appointments (Parliamentary Approval) (Amendment) Bill, 2020 by Hon. Shakeel Shabir		Lapsed

NO.	LEGISLATIVE PROPOSAL	COMMITTAL DATE	STATUS
<b>FIFTH SESSION</b>			
41.	No Legislative proposal referred to the Committee		
<b>SIXTH SESSION</b>			
42.	The Law of Succession (Amendment) Bill, 2021 by Hon. Geoffrey Omuse, MP		Lapsed
43.	The Leadership and Integrity (Amendment) Bill, 2021 by Hon. Opiyo Wandayi, MP		Lapsed
44.	The Criminal Procedure Code (Amendment) Bill, 2021 by Hon. Abdul Rahim Dawwood, MP		Lapsed
45.	The Referendum Proposal , 2022 by Hon. Dr. Robert Pukose, MP		Lapsed
46.	The Sexual Offences (Amendment) Bill, 2021 by Florence Mutua, MP		Lapsed
47.	Elections (Amendment) Bill, 2021 by Hon. Opiyo Wandayi, MP		Lapsed

### 2.2.1 LEGISLATIVE PROPOSALS PENDING BEFORE THE COMMITTEE

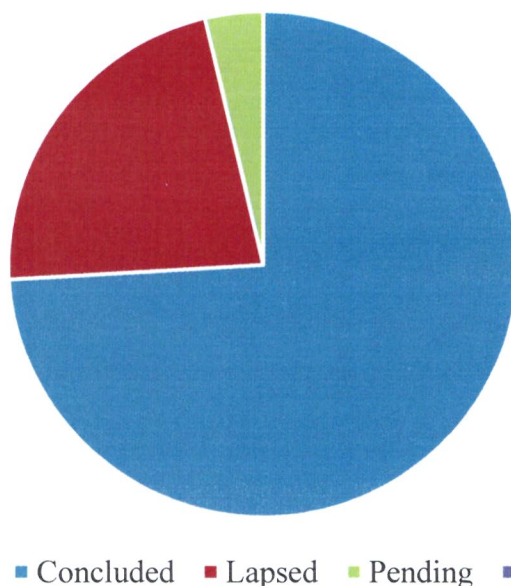
10. The following Legislative Proposals were pending before the Committee at the end of the Twelfth (12<sup>th</sup>) Parliament:

- (a) The Law of Succession (Amendment) Bill, 2021 by Hon. Geoffrey Omuse, MP report awaiting adoption
- (b) The Leadership and Integrity (Amendment) Bill, 2021 by Hon. Opiyo Wandayi, MP MP report awaiting adoption
- (c) The Criminal Procedure Code (Amendment) Bill, 2021 by Hon. Abdul Rahim Dawwood, MP report awaiting adoption
- (d) The Referendum Proposal , 2022 by Hon. Dr. Robert Pukose, MP report awaiting adoption
- (e) The Sexual Offences (Amendment) Bill, 2021 by Florence Mutua, MP report awaiting adoption
- (f) Elections (Amendment) Bill, 2021 by Hon. Opiyo Wandayi, MP report awaiting adoption

### 2.3 PETITIONS

11. During the period under review, twenty seven (27) Petitions were referred to the Committee for consideration. The Committee considered and tabled reports on twenty (20), six (6) lapsed and one (1) was pending before the Committee.

Summary of Petitions Referred to the Committee



12. Table 4 highlights the Petitions that were considered by the Committee and those that lapsed:

Table 4: Petitions referred to the Committee

NO.	PETITION	COMMITTAL DATE	STATUS
<b>SECOND SESSION</b>			
1.	Petition contesting the judgment of a Magistrate in Civil Case No. 41 of 2016 in the Principal Magistrates Court in Eldoret by Peris Shanyasi Aluu	7 <sup>th</sup> Feb, 2018	concluded
2.	Petition on enactment of legislation to provide for anti-fraud legislation by Allen Waiyaki Gichuhi Advocate	14 <sup>th</sup> Dec, 2017	concluded
3.	Petition on introduction and passage of a Bill to amend the Constitution to set age limit of eligibility to run for election as	18 <sup>th</sup> April, 2018	concluded

NO.	PETITION	COMMITTAL DATE	STATUS
	President of the Republic of Kenya at seventy (70) years by Mohamed Mohamud Sheikh		
4.	Petition on amendments to the Kenya School of Law Act, 2012 by Mr. Peter Githiga Munyeki	Mr. Ezekiel Njeru Namu	concluded
5.	Petition to amend the Constitution of Kenya to amend Articles 81, 138, 144, 145 and 148 of the Constitution by Mr. Gibson Machanga Mareko	Mr. Peter Githiga Munyeki	concluded
6.	Petition on review of various Articles of the Constitution by Mr. Ezekiel Njeru Namu	7 <sup>th</sup> Feb, 2018	concluded
7.	Public petition regarding amendment of the Constitution of Kenya to establish an elected jury and end the exercise of sovereign power of the people by Judicial Officers in contravention of Article 1 (2) of the Constitution by Mr. Geoffrey Otieno Ogola	14 <sup>th</sup> Dec, 2017	concluded
8.	Petition regarding the enactment of Admiralty Court of Law by Mr. Mr. Derrick Otieno Okadia	18 <sup>th</sup> April, 2018	concluded
9.	Petition on amendment of the constitution to declare 9 <sup>th</sup> March as National Peace Day by Mr. Peter Mugo Mukua	Mr. Ezekiel Njeru Namu	concluded
10.	Petition on amendment of the constitution to declare 9 <sup>th</sup> March as National Peace Day by Mr. Peter Mugo Mukua	Mr. Peter Githiga Munyeki	concluded
11.	Petition regarding compensation to victims and survivors of the Kyanguli Secondary Scholl fire tragedy by Hon. Robert Mbui, MP	7 <sup>th</sup> Feb, 2018	concluded
12.	Petition by the Law Society of Kenya to amend Article 171 (2) (f) of the constitution of Kenya to remove the 15 years' experience for one to be eligible for election by LSK as a member of the Judicial Service Commission as it negates	14 <sup>th</sup> Dec, 2017	concluded

NO.	PETITION	COMMITTAL DATE	STATUS
	the meaning of the term election by Ms. Mercy Wambua, CEO, LSK		
<b>THIRD SESSION</b>			
13.	Petition by Mr. Julius Kipkoech Bores to amend various Articles of the Constitution of Kenya.		Report tabled in the House
14.	Petition to amend various Articles of the Constitution of Kenya to correct typographical errors by Mr. Dominic Ngángá Mburu		Report tabled in the House
15.	Petition for constitutional amendment bill to change the words on the coat of arms by Mr. Charles Mangua	3 <sup>rd</sup> July, 2019	Report tabled in the House
16.	Petition regarding unethical conduct by the Registrar of Companies by Mr. Samuel Matheri	08/8/2019	Report tabled in the House
17.	Petition on reduction of the period of consideration for petitions for admission to the roll of Advocates by Mr. Brian Onyango and Mr. Boru Jatto	1 <sup>st</sup> Oct, 2019	Lapsed with the session
18.	Petition regarding all laws relating to idle and disorderly persons by Mr. Joseph Onyango	5 <sup>th</sup> Nov, 2019	Lapsed with the session
<b>FOURTH SESSION</b>			
19.	Petition by Gusii Regional IDPS Steering Committee, Kisii/Nyamira		Lapsed
20.	Petition on administrative and jurisdictional boundary of Embakasi West by Member of Parliament for Embakasi West Constituency, Hon. George Theuri		Lapsed
21.	Petition to amend sections of the Civil Procedure Act and the Law of Succession Act		Lapsed



NO.	PETITION	COMMITTAL DATE	STATUS
<b>FIFTH SESSION</b>			
22.	Petition by Mr. John Musotsi Wangusi regarding the compensation for the family of the late Nancy Kharwali following the court award in Nairobi CMCC No.2025 of 2013 filed by Mr. John Musotsi Wangusi, as the legal representative and administrator of the estate of Nancy Sarah Kharwali, against the Hon.Attorney General		concluded
	Petition by Mr.Ephantus Nyaga, Mr.Francis Nyaga Njeru and Mr.Isaiah Njiru Njeru to amend sections of the Civil Procedure Act and the Law of Succession Act		concluded
23.	George Njenga Mwaniki & 12 others regard amendment to the Advocates Act, Cap 16 to allow practitioners from Rwanda & Burundi to the Roll of Advocates in Kenya.		concluded
24.	Petition to amend sections of the Civil Procedure Act and the Law of Succession Act		concluded
25.	Petition by Anthony Manyara and John Wangai regarding section 22(1)(b) of the Elections Act, 2011		pending
<b>SIXTH SESSION</b>			
26.	Public Petitions By Hon. Owen Baya regarding the Compensation for Lands disposed by the British Colonial Government from local communities in Kilifi and the larger Coastal.		The Petition lapsed

### 2.3.1 PETITIONS PENDING BEFORE THE COMMITTEE

13. The following Petitions were pending before the Committee at the end of the Sixth Session:

Public Petitions By Hon. Owen Baya regarding the Compensation for Lands disposed by the British Colonial Government from local communities in Kilifi and the larger Coastal region.

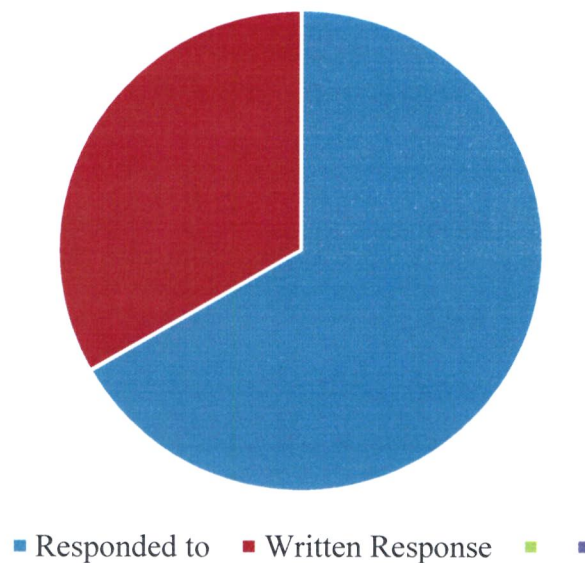
### 2.4 INQUIRIES

14. The Committee did not undertake any inquiry during the 12<sup>th</sup> Parliament.

### 2.5 QUESTIONS

15. A total of three (3) Questions were referred to the Committee for response during the Twelfth Parliament. Of the three (3) Questions, two (2) were responded to, written response was provided for one (1). The pie chart below gives a summary of the information above.

Summary of Questions Referred to the Committee



16. Table 5 shows the status of Questions referred to the Committee.

Table 5: Questions referred to the Committee

NO.	QUESTION	STATUS
<b>SECOND SESSION</b>		
1.	Question No. by the Member for Kiharu, Hon. Ndindi Nyoro regarding the delayed	The Question lapsed The sponsor of the

NO.	QUESTION	STATUS
	settlement of a court award in favor of the late Hon. Kenneth Matiba,	question requested for postponement of the question until after the long December/January, 2019 recess. The question lapsed with the session
<b>THIRD SESSION</b>		
2.	No Question referred to the Committee during this period under review.	
<b>FOURTH SESSION</b>		
3.	No Question referred to the Committee	
<b>FIFTH SESSION</b>		
4.	Question No. 068/2021 by the Member for Funyula (Hon. (Dr.) Ojiambo Oundo, MP) on recruitment of substantive Director of Finance for the Judiciary	lapsed with the session.
<b>SIXTH SESSION</b>		
5.	Parliamentary Question No. 067/2022 by the Member for Jomvu, Hon Bady Twalib, MP seeking response from the Attorney General regarding why certain State Agencies have not implemented the Environmental Land Court orders arising from <i>Petition No. 1 of 2016 relating to residents of Owino-Uburu village in Mkindani Ward</i> and what action has the Attorney General taken to ensure the orders are implemented.	Question responded to. However more additional information was to be provided .
6.	Parliamentary Question No. 044/2022 by Hon Robert Mbui, MP seeking responses from the Registrar of Political Parties regarding why	Written response provided

NO.	QUESTION	STATUS
	Kenyans are registered as members of Political Parties without their consent and the measures the office has taken to stop the unlawful registration. Question responded to and concluded	

### 2.5.1 QUESTIONS PENDING BEFORE THE COMMITTEE

17. There were no pending Questions during the Sixth Session:

### 2.6 STATEMENTS

18. One (1) Statement was referred to the Committee for response in the Twelfth (12<sup>th</sup>) Parliament. The statement was responded to.

19. Table 6 highlights the status of the Statements

*Table 6: Statements referred to the Committee*

NO.	STATEMENT	STATUS
<b>THIRD SESSION</b>		
1.	No Statement referred to the Committee	
<b>FOURTH SESSION</b>		
2.	No statement referred to the Committee	
<b>FIFTH SESSION</b>		
3.	No statement referred to the Committee	
<b>SIXTH SESSION</b>		
4.	Statement regarding the appointment of the Chairperson of the Assumption to Office of the President Committee	Responded to in the House on on 25 <sup>th</sup> May, 2022

### 2.6.1 STATEMENTS PENDING BEFORE THE COMMITTEE

No ending statement before the Committee

## **2.7 VETTING**

20. The Committee conducted vetting of various persons for appointment to various positions as follows:

- (i) Mr. Patrick Gichohi, Prof. Olive Mugenda and Mr. Felix Koskei for appointment as members of the Judicial Service Commission
- (ii) Mr. Kennedy Nyabuti Ogetto for appointment as Solicitor-General
- (iii) Mr. Noordin Mohammed Haji, for appointment as Director of Public Prosecutions
- (iv) Hon. Florence Kajuju, Mr. Washington Sati and Ms. Lucy Kamunye Ndungu, as chairperson and members for Commission on Administrative Justice respectively
- (v) Registrar and Assistant Registrars of Political Parties. A report was tabled approving their nomination save for one nominee who was rejected for non-compliance with the mandatory statutory requirements pertaining to the recruitment process.
- (vi) Col (Rtd) Alfred Mtuweta Mshimba and Dr. Monica Wanjiru Muiro as members of the Ethics and Anti-Corruption Commission (EACC)
- (vii) Hon. Lady Justice Martha Koome for appointment as Chief Justice of the Republic of Kenya and President of the Supreme Court
- (viii) Ms. Julian Cherera, Mr. Francis Mathenge, Ms. Irene Cherop Masit and Mr. Justus Nyang'aya as members of the IEBC
- (ix) Dr. Cecilia Mutuku and Mr John Ogallo as members of the Ethics and Anti-Corruption Commission (EACC)

## **2.8 BUDGETARY REVIEW**

21. The Committee in playing its budget making role reviewed budget documents i.e. budget policy statements for 2018, 2019, 2020, 2021 and 2022, budget estimates for FYs 2018/19, 2019/20, 2020/21, 2021/22 and 2022/23 and supplementary estimates that were submitted to the House for consideration during the period.

## **2.10 STAKEHOLDER ENGAGEMENT FORUMS**

22. The Committee engaged with various stakeholders in the execution of its mandate. These include:

### **3.2.8 Stakeholder Engagement**

The Committee engaged with the following stakeholders in the execution of its mandate.

- (a) Ethic and Anti-Corruption Commission and Director of Public Prosecutions to discuss investigation and prosecution of corruption cases and synergy between the two Agencies.
- (b) Ethic and Anti-Corruption Commission, Director of Public Prosecutions, Kenya Private Sector Alliance, Kenya Bankers Association, Consumers Federation of Kenya and Probation and Aftercare Services to discuss the Statute Law (Miscellaneous Amendment) Bill, 2018 discuss the

- (c) All Agencies/State Departments under the Committee purview to deliberate on the Budget Estimates for the FY 2018/2019 and any other related issues
- (d) The Independent Electoral and Boundaries Commission (IEBC) to deliberate on the Electoral Laws review in time for the 2022 general elections and Suspension of the Commission Secretary/Chief Executive Officer
- (e) The Independent Electoral and Boundaries Commission (IEBC) to deliberate on the Electoral Laws review in time for the 2022 general elections and Suspension of the Commission Secretary/Chief Executive Officer
- (f) Parliamentary Service Commission and the National Assembly over the Parliamentary Service Bill, 2018
- (g) The Attorney-General, Kenya Law Reform Commission and a Task Force constituted by the Attorney-General to do report on the Supreme Court judgement declaring the mandatory death penalty
- (h) The Judiciary over the State of the Judiciary and Administration of Justice report
- (i) The Committee further engaged all the petitions, nominees and sponsors of the considered legislative proposals during its stakeholder engagement process.
- (a) The Independent Electoral and Boundaries Commission (IEBC) to deliberate on the Electoral Laws review in time for the 2022 General elections and suspension of the Commission Secretary/Chief Executive Officer
- (b) The Attorney-General, Kenya Law Reform Commission and a Task Force constituted by the Attorney-General to report on the Supreme Court judgement on the mandatory death penalty
- (c) The Judiciary on the State of the Judiciary and Administration of Justice reports 2016-2017 and 2017-2018
- (d) Ethic and Anti-Corruption Commission and Director of Public Prosecutions to discuss investigation and prosecution of corruption cases and synergy between the two Agencies.
- (e) Ethic and Anti-Corruption Commission, Director of Public Prosecutions, Kenya Private Sector Alliance, Kenya Bankers Association, Consumers Federation of Kenya and Probation and Aftercare Services to discuss the Statute Law (Miscellaneous Amendment) Bill, 2018
- (f) All Agencies/State Departments under the Committee's mandate to deliberate on the Budget Estimates for the FY 2018/2019 and related matters.
- (g) The Multi Agency Team on matters of corruption
- (h) The Office of the Attorney General and Kenya School of Law to discuss mass examination failure
- (i) EACC and ODDP to deliberate on the status of the investigations and prosecution on economic crimes in the country
- (j) The Committee in the course of its routine sittings had engagement with petitioners, various stakeholders in the process of legislation, sponsors of legislative proposals and vetted nominees for state appointments.
- (k) Attorney General, Kenya School of Law and Council of Legal Education to discuss the mass examination failure in Kenya School of Law

## 2.11 WORKSHOPS/RETREATS/FIELD VISITS

23. The Committee undertook the following workshops, retreats and field visits:

Table 7: workshops, retreats and field visits undertaken by the Committee

NO.	DATE	VENUE	ACTIVITY
<b>SECOND SESSION</b>			
1.	26-28 Jan 2018	Mombasa	Induction retreat
2.	22 <sup>nd</sup> - 25 <sup>th</sup> February, 2018	Safari Park Hotel, Nairobi	report writing retreat (nominees for the Judicial Service Commission)
3.	12 <sup>th</sup> to 15 <sup>th</sup> April, 2018	Naivasha	retreat to develop a draft bill on Missing Persons for the Committee
4.	17 <sup>th</sup> to 20 <sup>th</sup> May, 2018	Mombasa	To consider Statute Law (Miscellaneous Amendment) Bill, 2018
5.	23 <sup>rd</sup> -29 <sup>th</sup> May, 2018	Nairobi, Machokos, Mombasa, Nakuru, Nyeri, Isiolo, Kisumu, Kakamega, Eldoret, Turkana and Wajir	to collate the views and submissions of the public regarding the Constitutional Amendment bills, 2018
6.	1 <sup>st</sup> to 5 <sup>th</sup> September, 2018	Pride inn Paradise Hotel, Mombasa	Meeting with Judiciary and consideration of legislative proposals
7.	26 <sup>th</sup> to 27 <sup>th</sup> November, 2018	Tamarind Village Hotel, Mombasa	report writing retreat (Parliamentary Service Bill, 2018)
8.	10 <sup>th</sup> to 12 <sup>th</sup> November	Windsor Hotel	report writing retreat (Parliamentary Service Bill, 2018)
<b>THIRD SESSION</b>			
9.	17th to 25th March, 2019	Whitesands Hotel	Ministry of Devolution and ASAL, (State Department of Devolution) and Independent Electoral and Boundaries Commission (IEBC)
10.	1st to 5th May, 2019	Tamarind Hotel	Meeting with the Judiciary to examine the State of the Judiciary

NO.	DATE	VENUE	ACTIVITY
			and the Administration of Justice Reports for the years 2016/2017 and 2017/2018
11.	29th to 30th May, 2019	Pride Inn Hotel	Meeting with the Witness Protection Agency to sensitize the Members on its programs.
12.	21st to 24th May, 2019	Safari Park Hotel	To consider the Supplementary II and the proposed budget estimates for FY 2019/ 2020
13.	13th to 16th June, 2019	Crowne Plaza Hotel	To consider pending business
14.	29th to 31st August, 2019	Eldoret, Kakamega, Kisumu, Machakos, Mombasa, Nakuru, Nyeri and Meru	Public hearings for Bills
<b>FOURTH SESSION</b>			
15.	6 <sup>th</sup> to 7 <sup>th</sup> Feb, 2020	Mombasa	Consideration of pending Businesses
16.	9 <sup>th</sup> to 13 <sup>th</sup> Sept, 2020	Kiambu	Consideration and adoption of Reports on Bills
<b>FIFTH SESSION</b>			
17.	18 <sup>th</sup> to 21 <sup>st</sup> February, 2021	Sarova Whitesands Hotel, Mombasa County	Retreat with Institute of Human Resource Management to consider the proposed amendments to the Human Resource Act, 2012
18.	22 <sup>nd</sup> to 24 <sup>th</sup> February, 2021	Trade Mark Hotel, Kiambu County	Retreat to consider Budget Estimates for FY 2021/22
19.	18 <sup>th</sup> to 21 <sup>st</sup> March, 2021	Windsor Golf Club Hotel, Kiambu County	Retreat to consider the BBI Bill Report
20.	28 <sup>th</sup> March to 3 <sup>rd</sup> April, 2021	Windsor Golf Club Hotel, Kiambu County	Retreat to consider the BBI Bill Report
21.	18 <sup>th</sup> to 24 <sup>th</sup> April, 2021	Windsor Golf Club Hotel, Kiambu County	Consideration and adoption of the BBI Bill Report
22.	16 <sup>th</sup> to 21 <sup>st</sup> May, 2021	Windsor Golf Club Hotel, Kiambu County	Retreat to consider Budget Estimates for FY 2021/22
23.	23 <sup>rd</sup> to 27 <sup>th</sup> June,	English Point Marina,	Retreat with EACC to discuss on



NO.	DATE	VENUE	ACTIVITY
	2021	Mombasa County	strengthening the fight against corruption
24.	23 <sup>rd</sup> to 26 <sup>th</sup> Sep, 2021	Sarova Whitesands Hotel, Mombasa County	a joint retreat by the Financial Reporting Centre to consider the Proceeds of Crime and Money Laundering (Amendment) Bill, 2021
25.	15 <sup>th</sup> to 18 <sup>th</sup> December, 2021	Sarova Whitesands Hotel, Mombasa County	Meeting with Judiciary Committee on Elections to deliberate on the impact of the current legal framework on the Electoral Dispute Resolution (EDR) process,
<b>SIXTH SESSION</b>			
26.	10 <sup>th</sup> and 11 <sup>th</sup> March, 2022	Serena Beach Hotel, Mombasa County	consultative engagement retreat with Judiciary
27.	<b>23<sup>rd</sup> to 27<sup>th</sup> March, 2022</b>	Windsor Golf Club Hotel, Kiambu County	Retreat to consider Reports on Bills
28.		Windsor Golf Club Hotel, Kiambu County	Retreat to consider the BBI Bill Report
29.	28 <sup>th</sup> March to 3 <sup>rd</sup> April, 2021	Windsor Golf Club Hotel, Kiambu County	Retreat to consider the BBI Bill Report
30.	4 <sup>th</sup> April, 2022	Ole Sereni Hotel	Meeting with Institute of Human Resource Management to consider the proposed amendments to the Human Resource Act, 2012
31.	26 <sup>th</sup> to Friday 29 <sup>th</sup> April, 2022	Hilton Garden Inn Hotel, Machakos County	Consideration of the Budget Estimates for FY 2022/23

## 2.12 FOREIGN TRAVEL

24. The Committee undertook the following foreign travel in the Twelfth Parliament:

*Table 8: Foreign travel undertaken by the Committee.*

NO.	DATE	VENUE	ACTIVITY
<b>SECOND SESSION</b>			
1.	9th to 13th April 2018	United Kingdom	Conference on Ethics and Integrity for Public Sector

NO.	DATE	VENUE	ACTIVITY
			Leaders and Accounting
2.	27- 29 April, 2018	Rwanda	Inauguration of Women Political Leadership Africa Office and MO Ibrahim Governors Weekend
3.	18-19 June 2018	Nigeria	The 3 <sup>rd</sup> ICC Africa Conference on International Arbitration
4.	18 to 22 June 2018	South Korea,	the World Congress of Constitutional Law
5.	3 <sup>rd</sup> -12 <sup>th</sup> April, 2018	USA	2018 International Association of Commercial Administration
6.	7-12 <sup>th</sup> October, 2018	Rome, Italy	International Bar Association Conference
7.	5 <sup>th</sup> to 9 <sup>th</sup> November, 2018	USA	USA midterm election observations
<b>THIRD SESSION</b>			
8.	21 <sup>st</sup> to 25 <sup>th</sup> January, 2019	United Kingdom	Conference on electoral reforms
9.	11th to 14th May, 2019	India	Election Observer Mission
10.	7th to 11th October, 2019	Dubai	Global African Legal Counsel Consortium
11.	26th to 31st October, 2019	Bosnia	International Conference of Ombuds Institutions for the Armed Forces (ICOF)
12.	4th to 8th November, 2019	Geneva	Geneva Peace Week 2019
<b>FOURTH SESSION</b>			
13.	20 <sup>th</sup> to 24 <sup>th</sup> January, 2020	UK	Training on Governance and accountability
14.	3 <sup>rd</sup> to 5 <sup>th</sup> February, 2020.	Rome, Italy	To Participate in High Level Visit to Various Anti-Corruption Agencies of Italy
15.	17 <sup>th</sup> to 19 <sup>th</sup> February, 2020	South Africa	International Electoral Affairs Symposium
16.	30 <sup>th</sup> – 8 <sup>th</sup> November, 2020	USA	Election Observer Mission
<b>FIFTH SESSION</b>			
17.	19 <sup>th</sup> to 27 <sup>th</sup> January, 2021	Uganda	Election observation
18.	29 <sup>th</sup> May to 7 <sup>th</sup> June, 2021	Dubai	Strengthening Health System in Kenya
19.	14 <sup>th</sup> to 18 <sup>th</sup> June,	Dubai	The role of legislature on

NO.	DATE	VENUE	ACTIVITY
	2021		Labour, Social Protection, Youth and Gender.
20.	4 <sup>th</sup> to 16 <sup>th</sup> August, 2021.	Zambia	Election observation
21.	1 <sup>st</sup> to 10 <sup>th</sup> Nov, 2021	USA	Election observation
SIXTH SESSION			
22.	9 <sup>th</sup> to 13 <sup>th</sup> May, 2022	USA	High level Advocacy meetings with the Commission on Administrative of Justice
23.	23 <sup>rd</sup> to 29 <sup>th</sup> May, 2022	USA	Diaspora Voter verification process.
24.	23 <sup>rd</sup> to 29 <sup>th</sup> May, 2022	Dubai	Diaspora Voter verification process.

## **PART THREE**

### **3 ACHIEVEMENTS OF THE COMMITTEE**

The Committee's achieved the following-

25. Through the Committee's recommendations during the budget making process, funding was increased to the Independent Electoral and Boundaries Commission. The enhanced funding to the Commission has helped the Commission to build capacity and make adequate preparations for the 2022 general Elections.
26. In a bid to ensure access to justice and ensure administration of the judicial system in the country, the Committee has reviewed a number of legislation notable the Ssupreme CCourt (Amendment) Bill, 2022 among others.
27. The Committee considered an amendments to the electoral laws to allign them with various court judgments.. The reviewed laws will go along way in management of electoral process in the country.

## PART FOUR

### 4.0 REASONS THE COMMITTEE HAD SOME PENDING BUSINESS AT THE END OF THE 12<sup>TH</sup> PARLIAMENT

28. The Committee experienced the following challenges which made it difficult for it to optimally discharge its mandate:

1. The COVID-19 pandemic affected the frequency of meetings and it made difficult to meet stakeholders to prosecute matters before the Committee.
2. Lack of attendance by invited witnesses leading to delays in concluding matters before the committee. This made it difficult for the Committee to discharge its mandate effectively.
3. Lack of attendance by Members whose business was referred to the Committee. Members were not available when invited for Committee meetings to consider their Questions, Legislative Proposals, Statements or Petitions.
4. Many Bills, petitions and legislative proposals are pending due to the limited time frame provided in the Standing Orders to consider them.
5. Failure to raise quorum for meetings because of the 2022 General Elections, especially in Sixth Session slowed down activities of the Committee.
6. Inadequate committee meeting rooms and furniture occasionally led to delays in starting meetings and at times cancellation of meetings.

SIGNED..........DATE.....9<sup>th</sup> June 2022.....

**HON. CLEMENT MUTURI KIGANO, CBS, MP**  
**CHAIRPERSON,**  
**DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS**

**MINUTES OF THE 15<sup>TH</sup> SITTING OF THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS HELD ON 2<sup>ND</sup> JUNE, 2022 AT 10:00 AM AT CONTINENTAL HOUSE 5<sup>TH</sup> FLOOR, PARLIAMENT BUILDINGS.**

**PRESENT-**

1. Hon. Clement Muturi Kigano, M.P. - **Chairperson**
2. Hon. John Olago Aluoch, M.P.
3. Hon. Zuleikha Hassan, M.P.
4. Hon. Roselinda Soipan Tuya, M.P.
5. Hon. George G. Murugara, M.P
6. Hon. Jennifer Shamalla, M.P.
7. Hon. Robert Gichimu Githinji, M.P
8. Hon. Josephine Naisula Lesuuda, M.P.
9. Hon. Dan Kipkogei Rono, MP
10. Hon. Japheth Mutai, M.P.

**ABSENT WITH APOLOGIES-**

1. Hon. Francis Tom Kajwang', MP - **Vice Chairperson**
2. Hon. Anthony Oluoch, M.P.
3. Hon. Junet Sheikh Nuh Mohamed, M.P
4. Hon. Peter Opondo Kaluma, M.P.
5. Hon. Emmanuel Wangwe, M.P.
6. Hon. John Kiarie Waweru, M.P.
7. Hon. Adan Haji Yussuf, M.P
8. Hon. Anthony G. Kiai, M.P.

**IN ATTENDANCE-**

1. Mr. Samuel Kalama
2. Ms. Emma Essendi
3. Mr. Clive Onyancha
4. Ms. Roselyne Njuki

**COMMITTEE SECRETARIAT-**

- Principal Clerk Assistant II
- Legal Counsel I
- Clerk Assistant III
- Sergeant At Arms

**MIN No. JLAC/ 01/2022:-**

**PRELIMINARIES**

The meeting was called to order at 10:40 AM with a word of prayer from Hon. George Murugara, M.P and the agenda was adopted as filed on a proposal from Hon. John Olago Aluoch, M.P. and seconded by Hon. Zuleikha Hassan, M.P.

**MIN No. JLAC/ 02/2022:- CONSIDERATION OF THE SUPREME COURT  
(AMENDMENT BILL 2022. (N.A BILL NO.15 OF 2022)**

The committee considered the Supreme Court (Amendment) Bill 2022 as well as Memorandum from the Supreme Court submitted through the Registrar of the Supreme Court, Hon. Letizia Wachira. The Committee noted that the submissions from the Supreme Court were in support of the Bill.

**MIN No. JLAC/ 03/2022:- CONSIDERATION AND ADOPTION OF THE REPORT ON  
THE SUPREME COURT (AMENDMENT) BILL 2022. (N.A  
BILL NO.15 OF 2022)**

The committee considered the draft report on the Supreme Court (Amendment) Bill 2022 clause by clause.

The committee deliberated and unanimously resolved that the House approves the Supreme Court (Amendment) Bill 2022 without amendments.

The report was adopted upon a proposal by Hon. Zuleikha Hassan & seconded by Hon. Robert Gichimu Githinji.

**MIN No. JLAC/ 03/2022:- CONSIDERATION AND ADOPTION OF THE EXIT  
REPORT OF THE DEPARTMENTAL COMMITTEE ON  
JUSTICE AND LEGAL AFFAIRS (NOVEMBER 2017 TO  
JUNE 200**

The Committee was informed the Exit report is a requirement of Standing Order 200 to document the activities undertaken by the Committee on Justice and Legal Affairs of the 12<sup>th</sup> Parliament. The report is expected to provide insights to the next Parliament's successor Committee as it considers its Work Programme. The Report contains all the activities undertaken by the Committee during the 12<sup>th</sup> Parliament and the unfinished business for record purposes. It also includes the challenges experienced during its conduct of business.

The Committee considered and adopted the report upon proposal by Hon. Zuleikha Hassan & seconded by Hon. Robert Gichimu Githinji.

MIN No. JLAC/ 04/2022:  
MEETING

ADJOURNMENT& DATE OF NEXT

There being no other business to transact, the meeting was adjourned at 10:55 AM and the next meeting shall be held on notice.

Sign.....  
Chairperson

Date.....9 / JUNE / 2022