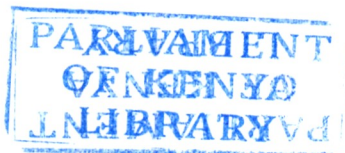


REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY  
ELEVENTH PARLIAMENT  
(FOURTH SESSION)

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THE FISHERIES MANAGEMENT AND DEVELOPMENT  
BILL (NATIONAL ASSEMBLY BILL NO.18 OF 2014)

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**SENATE AMENDMENTS**

*(circulated pursuant to Standing Order 145)*



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**SENATE AMENDMENTS TO THE FISHERIES MANAGEMENT AND  
DEVELOPMENT BILL (NATIONAL ASSEMBLY BILL NO. 18 OF 2014)**

The following amendments to the **Fisheries Management and Development Bill (National Assembly Bill No. 18 of 2014)** were passed by the Senate on Wednesday, 13<sup>th</sup> July, 2016-

**Clause 10**

**THAT** clause 10 of the Bill be amended in subclause (1) by deleting the words "and the Director of the Service" appearing immediately after the words "the Director-General" in paragraph (g).

**Clause 33**

**THAT** clause 33 of the Bill be amended in subclause (2) by inserting the words "collaborate with the Director-General in the management of fisheries and shall, for this purpose" immediately after the words "each county shall".

**Clause 35**

**THAT** clause 35 of the Bill be amended by deleting paragraph (b) and substituting therefor the following new paragraph -

- (b) take into account any recommendations that may be made by the Director-General with respect to the plan.

**Clause 36**

**THAT** clause 36 of the Bill be amended by -

- (a) deleting subclause (3);  
(b) deleting subclause (4).

### Clause 37

**THAT** clause 37 of the Bill be amended –

- (a) in subclause (1) by deleting the words “governing the administration of beach management units” appearing immediately after the words “make regulations” and substituting therefor the words “setting out standards for the management of beach management units established by the county governments”.
- (b) in subclause (2) by –
  - (i) deleting paragraph (b) and substituting therefor the following new paragraph –
    - (b) minimum standards in the general administration of the beach management units;
  - (ii) deleting paragraph (c);
  - (iii) deleting paragraph (d) and substituting therefor the following new paragraph –
    - (d) standards to be adhered to by beach management units in imposing levies and charges and the management and utilization of such funds;
  - (iv) deleting paragraph (e) and substituting therefor the following new paragraph –
    - (e) such other standards which the Cabinet Secretary may consider necessary for the effective administration and management of the beach management unit;

### Clause 39

**THAT** clause 39 of the Bill be amended –

- (a) in the introductory clause of subclause (1) by inserting the words “in consultation with the Council of Governors and” immediately after the words “the Board may”; and
- (b) in the introductory clause of subclause (2) by inserting the words “in consultation with the relevant county governments” immediately after the words “Director-General shall”.

**THAT** clause 84 of the Bill be amended –

(a) in subclause (1) by –

- (i) deleting paragraph (d);
- (ii) deleting paragraph (e).

(b) by inserting the following new subclause immediately after subclause (1) –

(1A) The respective county governments shall be responsible for issuing licences with respect to –

- (a) using any vessel for recreational fishing in the Kenya fishery waters; and
- (b) operating a fish processing establishment within the respective county.

(1B) The Cabinet Secretary shall prescribe the standards for the registration of vessels and grant, renewal and revocation of licences by a county government under subclause (1A).

(1C) Each County Government may enact county specific legislation setting out the –

- (a) criteria for the registration of a vessel and issuance of a licence to an applicant for a licence under subsection (1A);
- (b) information required to be submitted by an applicant for registration or issuance of a licence;
- (c) process of determination of an application;
- (d) conditions for the issuance or renewal of a licence under this Act;
- (e) grounds for the rejection of an application or cancellation of a licence issued under this Act;
- (f) process of application for the renewal of licences, de-registration of a vessel and revocation of a licence issued to an applicant by the county government; and
- (g) appointment of inspectors or such other authorised officers to carry out such inspections as the county executive committee member responsible for fisheries may consider necessary for the implementation of this Act.

### Clause 85

**THAT** clause 85 of the Bill be amended in subclause (1) by inserting the words “to the respective county government” immediately after the words “shall require to apply”.

### Clause 87

**THAT** clause 87 of the Bill be amended in subclause (4) by inserting the words “county executive committee member responsible for fisheries in the respective county in consultation with” immediately after the words “effect unless the”.

### Clause 104

**THAT** clause 104 of the Bill be amended in subclause (2) by deleting the words “Cabinet Secretary” appearing immediately after the word “The” and substituting therefor the words “county executive committee member”.

### Clause 112

**THAT** clause 112 of the Bill be amended –

(a) in subclause (1) by –

- (i) inserting the words “respective county executive committee member responsible for fisheries may, in consultation with” immediately after the words “quantity as the” in paragraph (a);
- (ii) deleting the words “Director-General” appearing immediately after the words “notified to the” in paragraph (c) and substituting therefor the words “respective county executive committee member responsible for fisheries”

(b) in subclause (2) by deleting the word “authorized officer or inspector” appearing immediately after the words “request of an” and substituting therefor the words “officer or inspector authorized to carry out an inspection by the county executive committee member responsible for fisheries”.

### Clause 114

**THAT** clause 114 of the Bill be amended in –

- (a) subclause (1) by inserting the words “or the county executive committee member responsible for fisheries, as the case may be” immediately after the words “the Director-General”;

(b) subclause (4) by inserting the words "or the county executive committee member responsible for fisheries, as the case may be" immediately after the words "the Director-General";

**Clause 200**

**THAT** clause 200 of the Bill be amended by deleting paragraph (f).

**Clause 201**

**THAT** clause 201 of the Bill be amended –

(a) by inserting the following new paragraph immediately after paragraph (e) –

(ea) one person, who has knowledge and experience in matters relating to fisheries, nominated by the Council of Governors;

(b) in paragraph (h) by –

(i) deleting the word "five" appearing at the beginning of the introductory clause and substituting therefor the word "four";

(ii) deleting the word "three" appearing at the beginning of subparagraph (ii) and substituting therefor the word "two".

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