



REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT- (SECOND SESSION)

THE NATIONAL ASSEMBLY

COMMUNICATION FROM THE CHAIR

(No. 081 of 2023)

GUIDE ON

**ORDER NO. 11: CONSIDERATION OF PROPOSED AMENDMENTS TO THE
STATUTORY INSTRUMENTS (AMENDMENT) BILL, 2023 IN COMMITTEE
OF THE WHOLE HOUSE**

1. **Honourable Members**, you will note that the Statutory Instruments (Amendment) Bill, 2023 is scheduled for consideration in Committee of the whole House today under Order No. 11. In this regard and in line with Standing Order 133(2), several amendments have been received from various Members including the Deputy Speaker on behalf of the Procedure & House Rules Committee, the Chairperson of the Committee on Delegated Legislation, the Hon. Samuel Chepkonga, CBS, MP, and the Member for Mathare, the Hon. Anthony Oluoch.
2. Before we proceed to this Order, I wish to guide House on the manner of considering the amendments proposed by the Hon. Anthony Oluoch, MP and which are contained in the Order Paper.
3. As Members will note, the Hon. Oluoch has proposed an amendment to Clause 2, and insertion of New Clauses 3, 4, & 5. Particularly, the proposed insertion of New Clause 3 seeks to amend section 15 of the Statutory Instruments Act, 2013 to include a requirement for the relevant Committee dealing with a statutory instrument to **"report to Parliament on each statutory instrument referred to it."**

4. **Honourable Members**, this amendment has the effect of shifting the current **negative procedure** of consideration of statutory instruments in the House to a **positive procedure**. In this way, the Committee on Delegated Legislation will be required to report to the House **ALL** statutory instruments referred to it. Whereas this would be within the legislative mandate of the House, the proposed amendment **unduly expands the scope of the Bill** as published contrary to Standing Order 133(5). In this regard, I therefore direct that, though approved, and indeed published in the Order Paper, albeit with a rider, the proposed insertion of Clause New 3 by the Hon. Anthony Oluoch shall **not** be considered in the Committee of the whole House.
5. For clarity, **Honourable Members**, the amendments proposed by the Member for Mathare on Clause 2, and insertion of New Clauses 4 & 5 shall be considered as published and in the usual manner.
6. The House is accordingly guided.

I thank you!



THE RT. HON. (DR.) MOSES M. WETANG'ULA, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Wednesday, 8th November 2023