

Rt. Hon. Speaker  
Recommended for approval  
for tabling.



21/11/23



20/11/2023

REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT | SECOND SESSION

THE SENATE

STANDING COMMITTEE ON NATIONAL SECURITY, DEFENCE AND  
FOREIGN RELATIONS

REPORT ON THE PUBLIC HOLIDAYS (AMENDMENT) BILL, (SENATE  
BILLS NO. 31 OF 2023)

PAPERS LAID	
DATE	22/11/2023
TABLED BY	Chairperson
COMMITTEE	National Security, Defence and Foreign Relations
CLERK AT THE TABLE	A. Macharia

Clerk's Chambers,  
The Senate,  
Parliament Buildings,  
NAIROBI.

DC-EG  
Forwarded & recommended for approval / tabling  
November, 2023  
20/11/2023

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## **LIST OF ABBREVIATIONS/ACRONYMS**

**COG**            Council of Governors

## **PRELIMINARIES**

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

The Standing Committee on National Security, Defence and Foreign Relations is established under the Senate Standing Orders and is mandated to “*consider all matters relating to national security and foreign relations, disaster reduction and preparedness, home affairs, defence, immigration and international relations*”.

### **Membership of the Committee**

The Committee is comprised of –

- |  |                    |
|--|--------------------|
| 1) Sen. William Cheptumo Kipkiror, CBS, MP   | - Chairperson      |
| 2) Sen. Karen Njeri Nyamu, MP                | - Vice-Chairperson |
| 3) Sen. Fatuma Adan Dullo, CBS, MP           | - Member           |
| 4) Sen. Abdul Mohammed Haji, MP              | - Member           |
| 5) Sen. Julius Murgor Recha, MP              | - Member           |
| 6) Sen. Joseph Githuku Kamau, MP             | - Member           |
| 7) Sen. (Prof.) Tom Odhiambo Ojienda, SC, MP | - Member           |
| 8) Sen. Lenku Ole Kanar Seki, MP             | - Member           |
| 9) Sen. George Mungai Mbugua, MP             | - Member           |



## FOREWORD BY THE CHAIRPERSON

### Honourable Speaker,

The Public Holidays (Amendment) Bill, (Senate Bills No. 31 of 2023), sponsored by Sen. Karungo Thang'wa MP was published vide Kenya Gazette Supplement No. 116 and was introduced in the Senate by way of First Reading on Tuesday, 17<sup>th</sup> October, 2023 and was committed to the Standing Committee on National Security, Defence and Foreign Relations for consideration.

Pursuant to Article 118 of the Constitution and standing order 145 (5) of the Senate Standing Orders, the Committee proceeded to undertake public participation on the Bill. In this regard, the Committee published an advertisement in the Daily Nation and Standard Newspapers on Friday, 20<sup>th</sup> October, 2023 inviting members of the public to submit written memoranda to the Committee on the Bill. The Committee only received written memoranda from one (1) stakeholder, namely the Council of County Governors.

### Honourable Speaker,

In considering the Bill, the Committee made a number of observations, key of these being that–

- a) some businesses have specific output targets and therefore, reducing the business working days as a result of the extension of public holidays may mean that employers would be compelled to meet the cost of salary payments for the days not worked for or incur hefty overtime compensation as a result of employees working on a public holiday;
- b) further, the majority of employees in Kenya are casual laborers who rely on daily wages to meet their daily needs. A reduction in their business working days as a result of the extension of public holidays on weekdays may therefore hinder their ability to meet the basic needs for themselves and their families;
- c) public holidays also disrupt businesses by reducing working days and consequently reducing business output. For example, the public transport, manufacturing, and industrial sectors may register low proceeds during the holidays; and
- d) the Bill has the potential to cause adverse effects on the country, its economy and the rights of employers. It is worth noting that employees are entitled to leave days, which may be taken in the instances proposed in the Bill. Whereas it is important to consider the well-being of employees and work-life balance, this must be approached in a cautious manner to ensure that economic growth of the country is not affected.

Consequently, the Committee recommends that the Bill **does not proceed** to the next stage in the legislative process.

**Honourable Speaker,**

I take this opportunity to commend the Members of the Committee for their devotion and commitment to duty, which made the consideration of the Bill possible. I also wish to thank the Offices of the Speaker and the Clerk of the Senate for the support extended to the Committee in considering this Bill.

**Honourable Speaker,**

It is now my pleasant duty, pursuant to standing order 148(1) of the Senate Standing Orders, to present the Report of the Standing Committee on National Security, Defence and Foreign Relations on the Public Holidays (Amendment) Bill, (Senate Bills No. 31 of 2023).

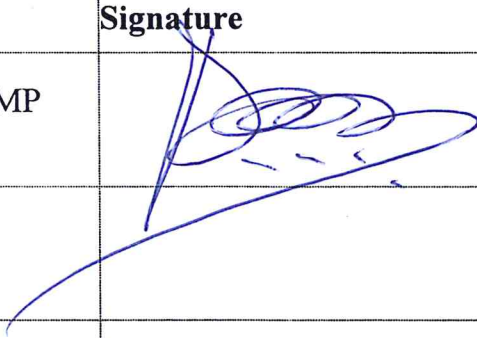
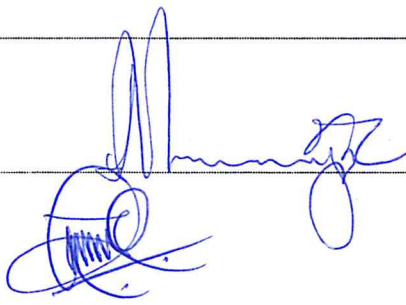
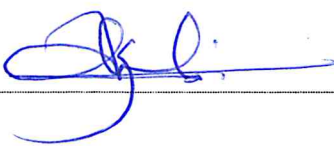

Signed .....

Date.....

**SEN. WILLIAM CHEPTUMO, CBS, MP,  
CHAIRPERSON, STANDING COMMITTEE ON NATIONAL SECURITY,  
DEFENCE AND FOREIGN RELATIONS**

**ADOPTION OF THE REPORT OF THE STANDING COMMITTEE ON NATIONAL SECURITY, DEFENCE AND FOREIGN RELATIONS ON THE PUBLIC HOLIDAYS (AMENDMENT) BILL, 2023**

**We, the undersigned Members of the Standing Committee on National Security, Defence and Foreign Relations, do hereby append our signatures to adopt this Report**

No	Name	Signature
1.	Sen. William Kipkiror Cheptumo, CBS, MP ( <i>Chairperson</i> )	
2.	Sen. Karen Njeri Nyamu, MP ( <i>Vice-Chairperson</i> )	
3.	Sen. Fatuma Adan Dullo, CBS, MP	
4.	Sen. Abdul Mohamed Haji, MP	
5.	Sen. Julius Murgor Recha, MP	
6.	Sen. Joseph Githuku Kamau, MP	
7.	Sen. (Prof.) Tom Odhiambo Ojienda, SC, MP	
8.	Sen. Lenku Ole Kanar Seki, MP	
9.	Sen. George Mungai Mbugua, MP	



## CHAPTER ONE: INTRODUCTION

### 1.1 Introduction

1. The Public Holidays (Amendment) Bill, (Senate Bills No. 31 of 2023) sponsored by Sen. Karungo Thang'wa MP was published vide Kenya Gazette Supplement No. 116 and was introduced in the Senate by way of First Reading on Tuesday, 17<sup>th</sup> October, 2023 and was committed to the Standing Committee on National Security, Defence and Foreign Relations for consideration. A copy of the Bill referred to the Senate is attached to this Report as *Appendix 2*.

### 1.2 Objects of the Bill

2. The Bill seeks to provide for the extension of public holidays to either the preceeding day, where the holiday falls on a Tuesday, or the succeeding day, where the holiday falls on a Thursday. Public holidays are designed to provide workers with time off from their jobs to rest and recharge, spend time with family and friends, and celebrate important events or traditions, and are often associated with travel and tourism. Extending public holidays can help ensure that workers have enough time to fully enjoy their time off and take care of their physical and mental health. Public holidays also seek to support economic growth, as they are often associated with travel and tourism, and extending public holidays may encourage Kenyans to take longer trips or visit destinations farther away from their homes.

### 1.3 Consequences of the Bill

3. The Bill, if enacted, will promote the hospitality and tourism industries.

### 1.5 Overview of the Bill

4. The Bill introduces a new section 3A to the Public Holidays Act immediately after section 3-

*"3A. Where in any year, a public holiday under Part 1 of the scheduled –*

- a) falls on a Tuesday, then the preceeding day, not being a public holiday, shall also be a public holiday; or*
- b) falls on a Thursday, the succeeding day, not being a public holiday, shall also be a public holiday."*



## **CHAPTER TWO: PUBLIC PARTICIPATION ON THE BILL**

### **2.1 Introduction**

5. The Committee, pursuant to the provisions of Article 118 of the Constitution and standing order 145(5) of the Senate Standing Orders, proceeded to undertake public participation on the Bill. In this regard, the Committee published an advertisement in the Daily Nation and Standard newspapers on Friday, 20<sup>th</sup> October, 2023 inviting members of the public to submit written memoranda on the Bill. A copy of the advertisement is attached as *Appendix 3*.
6. Additionally, the Committee sent invitations to key stakeholders inviting them to submit their comments on the Bill.
7. In response to the advertisement and invitations, the Committee received one (1) written submission from the Council of County Governors. A copy of the said submission is attached as *Appendix 3*.

### **2.2 Overview of Stakeholder Submissions on the Bill**

#### **Council of County Governors**

8. The Council of County Governors in their submissions expressed their opposition to the Bill and submitted as follows-
  - a) whereas the Council recognized the progressive nature of the Bill, it was important to critically examine the potential adverse effects and unintended consequences that such legislation could have on the country, the economy and the rights of employers. The proposal had the potential to jeopardize economic stability at both the national and county levels of government;
  - b) while it was important to consider the well-being and work-life balance of Kenyan employees, the proposed extension of public holidays should be approached with caution. Striking a balance between the rights of employees and the need for economic growth is essential to ensure that any legislation in this regard does not hurt the country's economy and the livelihoods of its citizens;
  - c) Kenyan employees are already entitled to leave days in accordance with the Employment Act. As such, there is need to strike a balance between the rights of employees and the needs of employers to ensure business continuity and productivity.

## CHAPTER THREE: COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

### 3.1 Committee Observations

9. Having considered the Bill and the submission received, the Committee made the following observations –
- a) some businesses have specific output targets and therefore, reducing the business working days as a result of the extension of public holidays may mean that employers would be compelled to meet the cost of salary payments for the days not worked for or incur hefty overtime compensation as a result of employees working on a public holiday;
  - b) further, the majority of employees in Kenya are casual laborers who rely on daily wages to meet their daily needs. A reduction in their business working days as a result of the extension of public holidays on weekdays may therefore hinder their ability to meet the basic needs for themselves and their families;
  - c) public holidays also disrupt businesses by reducing working days and consequently reducing business output. For example, the public transport, manufacturing, and industrial sectors may register low proceeds during the holidays; and
  - d) the Bill has the potential to cause adverse effects on the country, its economy and the rights of employers. It is worth noting that employees are entitled to leave days, which may be taken in the instances proposed in the Bill. Whereas it is important to consider the well-being of employees and work-life balance, this must be approached in a cautious manner to ensure that economic growth of the country is not affected.

### 3.2 Committee Recommendations

10. Having considered the Public Holidays, (Amendment) Bill 2023 and the submissions received thereon, the Standing Committee on National Security, Defence and Foreign Relations therefore recommends that the Bill **does not proceed** to the next stage of the legislative process.

## **LIST OF APPENDICES**

**Appendix 1:** Minutes of the sittings of the Committee in considering the Bill

**Appendix 2:** The Public Holidays (Amendment) Bill, (Senate Bills No. 31 of 2023)

**Appendix 3:** Advertisement in the local dailies on 20<sup>th</sup> October, 2023

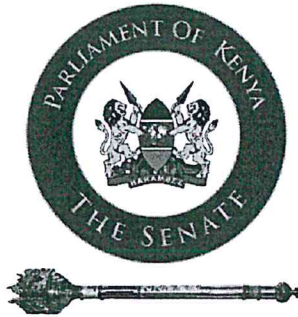
**Appendix 4:** Copy of the submissions received on the Bill





**Appendix 1:** Minutes of the sittings of  
the Committee in considering the Bill





**13<sup>TH</sup> PARLIAMENT | 2<sup>ND</sup> SESSION**

**MINUTES OF THE 67<sup>TH</sup> SITTING OF THE STANDING COMMITTEE ON  
NATIONAL SECURITY, DEFENCE AND FOREIGN RELATIONS HELD ON  
THURSDAY, 16<sup>TH</sup> NOVEMBER, 2023 AT 12.00 NOON AT BILATERAL ROOM  
4, KICC BUILDING**

**PRESENT**

1. Sen. William Cheptumo Kipkiror, CBS, MP - Chairperson
2. Sen. Julius Murgor Recha, MP
3. Sen. Joseph Githuku Kamau, MP
4. Sen. (Prof.) Tom Odhiambo Ojienda, SC, MP - Ag. Chairperson
5. Sen. George Mungai Mbugua, MP

**ABSENT WITH APOLOGY**

1. Sen. Karen Nyamu, MP - Vice-Chairperson
2. Sen. Fatuma Adan Dullo, CBS, MP
3. Sen. Abdul Haji, MP
4. Sen. Lenku Ole Kanar Seki, MP

**SECRETARIAT**

- |                       |                           |
|-----------------------|---------------------------|
| 1. Ms. Carol Kiorei   | - Clerk Assistant 1       |
| 2. Mr. Khatib Omar    | - Clerk Assistant III     |
| 3. Mr. Gilbert Juma   | - Legal Counsel II        |
| 4. Ms. Janice Lekuton | - Research Officer III    |
| 5. Mr. Charles Oyosi  | - Audio Officer           |
| 6. Mr. Alex Mutuku    | - Senior Serjeant-at-Arms |
| 7. Mr. Ian Mugo       | - Intern                  |

**MIN. NO.SEN/NSDFR/299/2023**

**PRELIMINARIES**

The meeting was called to order at 12.12 p.m. followed by a word of prayer by Sen. (Prof.) Tom Odhiambo Ojienda, SC, MP.

**MIN. NO.SEN/NSDFR/300/2023**

**ADOPTION OF THE AGENDA**

The agenda for the meeting was adopted having been proposed by Sen. George Mungai Mbugua, MP and seconded by Sen. Julius Murgor, MP as follows-

1. Prayer
2. Adoption of the Agenda
3. Confirmation of Minutes of the previous sittings
  - *Minutes of the 62<sup>nd</sup> sitting held on 19<sup>th</sup> October, 2023*
  - *Minutes of the 63<sup>rd</sup> sitting held on 31<sup>st</sup> October, 2023*
  - *Minutes of the 64<sup>th</sup> sitting held on 2<sup>nd</sup> November, 2023*
4. Matters arising from the previous Minutes
5. Consideration of submissions received on the Public Holidays (Amendment) Bill, 2023 (*Committee Paper No. 37A*)
6. Consideration and adoption of the Report on the Public Holidays (Amendment) Bill, 2023 (*Committee Paper No. 37A*)
7. Any Other Business
8. Date of the Next Meeting and Adjournment

**MIN.NO.SEN/NSDFR/301/2023**

**CONFIRMATION OF MINUTES OF THE PREVIOUS SITTINGS**

This agenda item was deferred to the next meeting.

**MIN.NO.SEN/NSDFR/302/2023**

**CONSIDERATION OF SUBMISSIONS RECEIVED ON THE PUBLIC HOLIDAYS (AMENDMENT) BILL, 2023 (COMMITTEE PAPER NO. 37A)**

The Committee considered Committee Paper No. 37A (*Consideration of the Public Holidays (Amendment) Bill, 2023*).

During deliberations-

1. Members observed that only one submission had been received during public participation from the Council of County Governors;
2. Members observed that the Federation of Kenyan Employers, likely to be most affected by the provisions of the Bill had not submitted their views on the Bill.

The Committee noted the contents of the Paper.



**MIN.NO.SEN/NSDFR/303/2023****CONSIDERATION AND ADOPTION OF  
THE REPORT ON THE PUBLIC  
HOLIDAYS (AMENDMENT) BILL, 2023  
(COMMITTEE PAPER NO. 37A)**

The Committee considered Committee Paper No. 37A (Consideration of the Public Holidays (Amendment) Bill, 2023)

During deliberations-

1. Members proposed a minor edit to observation (b) under Chapter three of the Report; and
2. Members observed that the Committee had previously considered the Bill at the pre-publication stage and had recommended that the Bill does not proceed for publication.

**Resolution**

The Committee-

1. noted the contents of the Paper;
2. recommended that the Bill does not proceed to the next stage in the legislative process; and
3. adopted the Report on the Public Holidays (Amendment) Bill, 2023 after being proposed by Sen. (Prof.) Tom Ojienda, SC, MP and seconded by Sen. George Mungai Mbugua, MP.

**MIN.NO.SEN/NSDFR/304/2023****ANY OTHER BUSINESS*****Debate on the Report on the Haiti Report***

The Chairperson informed the meeting that following the tabling of the Report on the consideration of the request for approval by Parliament of deployment of officers of the National Police Service to the Multinational Security Support (MSS) Mission for Haiti on Wednesday, 15<sup>th</sup> November, 2023, debate on the same was scheduled for the afternoon sitting. He therefore urged Members to avail themselves to support the Motion.

**MIN.NO.SEN/NSDFR/305/2023****DATE OF THE NEXT MEETING AND  
ADJOURNMENT**

The Chairperson adjourned the meeting at 12.35 p.m. The next meeting to be held on Tuesday, 21<sup>st</sup> November, 2023 at 12.00 noon.

SIGNED: .....

DATE: .....

16-11-23

**MIN.NO.SEN/NSDFR/303/2023**

**CONSIDERATION AND ADOPTION OF  
THE REPORT ON THE PUBLIC  
HOLIDAYS (AMENDMENT) BILL, 2023  
(COMMITTEE PAPER NO. 37A)**

The Committee considered Committee Paper No. 37A (Consideration of the Public Holidays (Amendment) Bill, 2023)

During deliberations-

1. Members proposed a minor edit to observation (b) under Chapter three of the Report; and
2. Members observed that the Committee had previously considered the Bill at the pre-publication stage and had recommended that the Bill does not proceed for publication.

**Resolution**

The Committee-

1. noted the contents of the Paper;
2. recommended that the Bill does not proceed to the next stage in the legislative process; and
3. adopted the Report on the Public Holidays (Amendment) Bill, 2023 after being proposed by Sen. (Prof.) Tom Ojienda, SC, MP and seconded by Sen. George Mungai Mbugua, MP.

**MIN.NO.SEN/NSDFR/304/2023**

**ANY OTHER BUSINESS**

***Debate on the Report on the Haiti Report***

The Chairperson informed the meeting that following the tabling of the Report on the consideration of the request for approval by Parliament of deployment of officers of the National Police Service to the Multinational Security Support (MSS) Mission for Haiti on Wednesday, 15<sup>th</sup> November, 2023, debate on the same was scheduled for the afternoon sitting. He therefore urged Members to avail themselves to support the Motion.

**MIN.NO.SEN/NSDFR/305/2023**

**DATE OF THE NEXT MEETING AND  
ADJOURNMENT**

The Chairperson adjourned the meeting at 12.35 p.m. The next meeting to be held on Tuesday, 21<sup>st</sup> November, 2023 at 12.00 noon.

SIGNED: .....

DATE: .....

16-11-23



## National News

Advice Court dismisses application by Aimi ma Lukenya Society to stop the demolitions on EAPCC land in Mavoko

# Vacate public land now, Wahome warns

Cabinet secretary says having a share certificate is not enough for anyone to claim ownership of any parcel of land

BY NYABOGA KIAGE  
AND PIUS MAUNDU

Anyone who is currently occupying public land should vacate with immediate effect, Lands Cabinet Secretary Alice Wahome has said.

In what looks like a move to play catch up in order to avert more Kenyans from losing their property as it happened in the Mavoko land case, the CS said the eviction processes will be implemented by the Ethics and Anti-Corruption Commission (EACC), Anti-Recovery Agency (ARA) and the National Police Service.

Ms Wahome, who was recently transferred to the ministry, also warned Kenyans that having a share certificate is not enough for anyone to claim ownership of any piece of land.

"The ministry wishes to send out a strong message that any person on public land should vacate with immediate effect. I wish

to advise the public that there are people out there conning members of the public to buy land using share certificates. Share certificates are not legal documents to confirm ownership," Ms Wahome said.

The CS, who was accompanied by the ministry's principal secretary Nixon Korir, asked Kenyans to carry out due diligence by checking the status of the parcels they want to purchase from the Lands ministry, where they will be given maps from the survey department.

In relation to Mavoko land which has hit the headlines, Ms Wahome and Mr Korir said records at the ministry clearly show that it belongs to the East African Portland Cement Company (EAPCC).

"Any other documents purported to be held in respect to the said land do not originate from this office. The ministry has already forwarded the relevant documents to the office of the Director



Lands Cabinet Secretary Alice Wahome after officially opening the Regional Conference on Customary Tenure Rights in Eastern Africa in Nairobi on Tuesday. WILFRED NYANGARESII / NATION

The ministry wishes to send out a strong message that any person on public land should vacate with immediate effect

Lands CS Alice Wahome

of Criminal Investigations (DCI) to support them in the ongoing investigations," she said.

Until a week ago, some of the people who were occupying the Mavoko land were paying money meant for acquiring title deeds after they were asked to do so by the management of Aimi Ma Lukenya Sacco management.

Asked whether the ministry will compensate the people whose buildings were demolished, Ms Wahome said the only people who will do so are those who fraudulently sold the land to them. "Those who sold the parcel of land knowing very well that they did not own it are the peo-

ple who should do the compensation," she said.

Yesterday, the Environment and Lands Court sitting in Machakos dismissed an application to stop the demolition of houses on the EAPCC land in Mavoko.

Lady Justice Annet Nyukuri said the application by Aimi ma Lukenya Society, which claims the land, did not meet the legal threshold to warrant an injunction. "There is no evidence to support the plaintiff's claim that it purchased the property in question. Therefore, I find that the applicant has failed to establish a prima facie case," Ms Nyukuri said.

Wiper leader Kalonzo Musyoka represented the Aimi ma Lukenya Society in the application, which followed a ruling by the same court in favour of EAPCC.

Mr Musyoka had argued that the demolitions, which started on Friday last week, were a violation of the right to housing and a crime against human rights. But Ms Nyukuri said Mr Musyoka had introduced the human rights issue as an afterthought.

Machakos Governor Wavinya Ndeti had led a team of county officials to attend the hearing.

### REPUBLIC OF KENYA



## THIRTEENTH PARLIAMENT | SECOND SESSION THE SENATE

### INVITATION FOR SUBMISSION OF MEMORANDA

At the sittings of the Senate held on Tuesday, 17<sup>th</sup> October, 2023 and Wednesday, 18<sup>th</sup> October, 2023, the Bills listed at the second column below were introduced in the Senate by way of First Reading and thereafter stood committed to the respective Standing Committees indicated at the third column.

Pursuant to the provisions of Article 118 of the Constitution and standing order 145 (5) of the Senate Standing Orders, the Committees now invite interested members of the public to submit any representations that they may have on the Bills by way of written memoranda.

The memoranda may be submitted to the Clerk of the Senate, P. O. Box 41842-00100, Nairobi, hand-delivered to the Office of the Clerk of the Senate, Main Parliament Buildings, Nairobi or emailed to [clerk.senate@parliament.go.ke](mailto:clerk.senate@parliament.go.ke) and copied to the email addresses of the respective Committee indicated at the fourth column below, to be received on or before Friday, 3<sup>rd</sup> November, 2023 at 5.00 p.m.

Bill	Committee Referred To	Email Address
a) The Public Holidays (Amendment) Bill, 2023 (Senate Bills No. 31 of 2023)	Standing Committee on National Security, Defence and Foreign Relations	<a href="mailto:senate.ndsfr@parliament.go.ke">senate.ndsfr@parliament.go.ke</a>
b) The Parliamentary Powers and Privileges (Amendment) Bill, 2023 (Senate Bills No. 37 of 2023)	Standing Committee on Justice, Legal Affairs and Human Rights	<a href="mailto:senate.lahrc@parliament.go.ke">senate.lahrc@parliament.go.ke</a>
c) The Public Transport (Motorcycle Regulation) Bill, 2023 (Senate Bills No. 38 of 2023)	Standing Committee on Roads, Transportation and Housing	<a href="mailto:roadstranshousingcomm.senate@parliament.go.ke">roadstranshousingcomm.senate@parliament.go.ke</a>
d) The Public Finance Management (Amendment) Bill, 2023 (Senate Bills No. 40 of 2023)	Standing Committee on Finance and Budget	<a href="mailto:financebudgetcomm.senate@parliament.go.ke">financebudgetcomm.senate@parliament.go.ke</a>
e) The Street Vendors (Protection of Livelihood) Bill, 2023 (Senate Bills No. 41 of 2023)	Standing Committee on Trade, Industrialization and Tourism	<a href="mailto:tradeindtourismcomm.senate@parliament.go.ke">tradeindtourismcomm.senate@parliament.go.ke</a>
f) The Energy (Amendment) Bill, 2023 (Senate Bills No. 42 of 2023)	Standing Committee on Energy	<a href="mailto:energycommittee.senate@parliament.go.ke">energycommittee.senate@parliament.go.ke</a>
g) The Sugar Bill, 2023 (National Assembly Bills No. 34 of 2023)	Standing Committee on Agriculture, Livestock and Fisheries	<a href="mailto:agriculturecommittee.senate@parliament.go.ke">agriculturecommittee.senate@parliament.go.ke</a>

The Bills may be accessed on the Parliament website at <http://www.parliament.go.ke/the-senate/house-business/bills>.

J.M. NYEGENYE, CBS,  
CLERK OF THE SENATE.



SUOMI  
FINLAND



giz  
Deutsche Gesellschaft für Internationale Zusammenarbeit

### INVITATION TO TENDER: TENDER FOR SUPPLY OF ASSORTED BRANDED MERCHANDISE - 91176330

The Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH is implementing technical cooperation measures on behalf of the Government of the Republic of Finland and the Federal Republic of Germany.

The GIZ Office Nairobi invites bidders to submit, **free of charge, and without obligation on part of GIZ**, a bid based on the indicated terms and conditions. Non-conformity to all conditions mentioned will lead to exclusion of the bid. Bids should be submitted in the requested quantity. Partial or incomplete bids will be considered non-responsive.

Send a blank email expressing your interest with tender reference **GIZ/91176330** in the subject line to [**KE\_Inquiry@giz.de**] between **20.10.2023 to 24.10.2023**. When sending a blank email, please enable email tracking or delivery receipt/confirmation on your email so that you can easily track if the email reached us.

You will receive tender documents with further information on **25.10.2023**, thereafter **no tender documents will be received**. Clarification requests must be sent through the email [**KE\_Inquiry@giz.de**] by **26.10.2023 at 1400hrs** to be responded to via email by **26.10.2023**.

If interested, please submit your stamped and signed technical proposal, requested eligibility documents separately from financial offer (as per price schedule) as attachments in two separate emails via the following email: **KE\_Inquiry@giz.de** upon receipt of the tender documents on the stated date above.

**NOTE:** Please enable email tracking when sending your response/s to GIZ. This is to ensure that if an email is not received, we can use the email tracking information to determine exactly what time the email reached our servers.

General Purchase Conditions and Procurement procedures of GIZ apply.

**Deadline for Submission: 31.10.2023 before midnight.**

Bidders **WILL NOT** be allowed to contact or discuss any aspect of the tender with GIZ before closing of the tender as this will lead to automatic disqualification. All clarifications to this tender to be channelled through the official email, **KE\_Inquiry@giz.de**.







"Njambi," Kenyatta said, "Ni ndona Marua. Uhoro ucio ni nguturia (I have seen the letter I will have the matter investigated.)"

According to Njambi, who worked at State House as a seamstress up to 1999, the matter was never resolved.

One of Karumba's grandson, Tevin Nazario Ndung'u has unsuccessfully petitioned State House, Kiambu County, Heroes Council as well National Museums of Kenya in a bid to construct a mausoleum.

#### Honour patriarch

The closest the family got in honouring their patriarch was with National Museum of Kenya, which was at some point willing to assist but on condition that Karumba's descendants forked out Sh14 million as consultancy and administrative fees.

In return, NMK was to provide expertise and conduct research and curate the exhibition, procure contractors for showcases and mounts, interactive, lights, audio-visuals, artworks, printing of texts and graphics for the exhibition and pay for them fully.

Since the family does not have the money, it will have to contend with Karumba's name being confined to a dusty town, Gwakung'u, near Ndaragwa, owing to the land he never had an opportunity to farm as they hope that one day, the government will deem it fit to honour all genuine heroes.

akareithi@standardmedia.co.ke

#### ARTIFACT

## Former British armoury and holding cell in ruins

Nestled within a eucalyptus tree plantation in Ndundu-ini village, Kirinyaga County lies remnants of a two-room house that once stood as a silent witness to the loud struggle for independence.

The structure, now in ruins, carries a legacy that echoes Kenyans' resilience and determination. Built during the dark era of colonialism, one room served as an armoury, clandestinely storing weapons and supplies used by colonialists and home guards during the struggle for independence.

The other room, however, held a much sinister purpose - it served as a makeshift prison where those who dared challenge colonial oppression were confined and subjected to harsh conditions.

To Josiah Ndongo, a survivor of the oppressive regime, the house of exile 'Ithamirio ria Ndundu-ini' remains his worst nightmare.

In his twilight years, he bravely recounts the shocking experiences he endured during his incarceration in the two-room prison house.

He suffered physical and psychological hardships. He recalls the daily struggles for survival, constant fear of retribution, and deprivation of fundamental human rights. Yet, even within these walls of despair, his spirit persisted, fueled by a resilient



determination to see justice and liberation of the country from colonial rule.

"Built in 1954 by the British colonial regime, this house served a dual purpose during that time. It functioned as a secure storage facility for weapons, tightly guarded by the home guards. The house also operated as a prison where individuals who resisted colonial rule were detained, often enduring harsh torture, in their quest to extract information about the whereabouts of Mau Mau fighters and their plans," he said.

He faced brutal beatings that left him with a broken limb, a painful reminder of the inhumanity. "I and other inmates refused to surrender the information they sought from us.

The home guards fueled by anger and frustration, unleashed a torrent of violence upon us. Each blow inflicted pain, but we remained resolute. It was during that horrific incident that my limb was forcefully shattered," he said.

He said the weapons stored in the house were those collected from Mau Mau fighters captured by the colonialists. These weapons were part of those utilised by the home guards to suppress any attempts at escape from the colonial villages.

"When a Mau Mau soldier was arrested by either the colonialists or home guards, any weapon, be it a gun, machete, or rungu, was brought to this house to prevent the freedom fighters from accessing them again," he said.

Today, he urges the government to remember the sacrifices made by Mau Mau veterans and honour the heroes who fought against colonial oppression.

"We are hopeful that President William Ruto will expedite the compensation process for the immense suffering and torture inflicted upon us during the colonial period. We urge the government to prioritise this matter and provide restitution for the pain and trauma we endured," he said.

Muchira Ruraga, an ex-freedom fighter in Kirinyaga, said his unwavering determination and quick thinking helped him narrowly escape clutches of imprisonment after being apprehended by home guards.

"I was a dedicated fighter against colonial rule and became a target for the oppressive forces. As the night grew darker, I found myself surrounded. With every passing second, the risk of being imprisoned grew stronger. I made a daring move, running through the dense vegetation surrounding the village, I escaped," he said.

He added that he couldn't allow himself to be arrested, having heard stories of the atrocities that awaited those in captivity.

[Amos Kiarie]

#### REPUBLIC OF KENYA



### THIRTEENTH PARLIAMENT | SECOND SESSION THE SENATE

#### INVITATION FOR SUBMISSION OF MEMORANDA

At the sittings of the Senate held on Tuesday, 17<sup>th</sup> October, 2023 and Wednesday, 18<sup>th</sup> October, 2023, the Bills listed at the second column below were introduced in the Senate by way of First Reading and thereafter stood committed to the respective Standing Committees indicated at the third column.

Pursuant to the provisions of Article 118 of the Constitution and standing order 145 (5) of the Senate Standing Orders, the Committees now invite interested members of the public to submit any representations that they may have on the Bills by way of written memoranda.

The memoranda may be submitted to the Clerk of the Senate, P. O. Box 41842-00100, Nairobi, hand-delivered to the Office of the Clerk of the Senate, Main Parliament Buildings, Nairobi or emailed to [clerk.senate@parliament.go.ke](mailto:clerk.senate@parliament.go.ke) and copied to the email addresses of the respective Committee indicated at the fourth column below, to be received on or before Friday, 3<sup>rd</sup> November, 2023 at 5.00 p.m.

Bill	Committee Referred To	Email Address
a) The Public Holidays (Amendment) Bill, 2023 (Senate Bills No. 31 of 2023)	Standing Committee on National Security, Defence and Foreign Relations	<a href="mailto:senate.ncsdf@parliament.go.ke">senate.ncsdf@parliament.go.ke</a>
b) The Parliamentary Powers and Privileges (Amendment) Bill, 2023 (Senate Bills No. 37 of 2023)	Standing Committee on Justice, Legal Affairs and Human Rights	<a href="mailto:senate.jlhc@parliament.go.ke">senate.jlhc@parliament.go.ke</a>
c) The Public Transport (Motorcycle Regulation) Bill, 2023 (Senate Bills No. 38 of 2023)	Standing Committee on Roads, Transportation and Housing	<a href="mailto:roadstranshousingcomm.senate@parliament.go.ke">roadstranshousingcomm.senate@parliament.go.ke</a>
d) The Public Finance Management (Amendment) Bill, 2023 (Senate Bills No. 40 of 2023)	Standing Committee on Finance and Budget	<a href="mailto:financebudgetcomm.senate@parliament.go.ke">financebudgetcomm.senate@parliament.go.ke</a>
e) The Street Vendors (Protection of Livelihood) Bill, 2023 (Senate Bills No. 41 of 2023)	Standing Committee on Trade, Industrialization and Tourism	<a href="mailto:tradeindtourismcomm.senate@parliament.go.ke">tradeindtourismcomm.senate@parliament.go.ke</a>
f) The Energy (Amendment) Bill, 2023 (Senate Bills No. 42 of 2023)	Standing Committee on Energy	<a href="mailto:energycommittee.senate@parliament.go.ke">energycommittee.senate@parliament.go.ke</a>
g) The Sugar Bill, 2023 (National Assembly Bills No. 34 of 2023)	Standing Committee on Agriculture, Livestock and Fisheries	<a href="mailto:agriculturecommittee.senate@parliament.go.ke">agriculturecommittee.senate@parliament.go.ke</a>

The Bills may be accessed on the Parliament website at <http://www.parliament.go.ke/the-senate/house-business/bills>.

J.M. NYEGENYE, CBS,  
CLERK OF THE SENATE.

**NEW**

# FLOATZ

By Bata.

Light feels right.

Play it safe.

Dry comfort all day.

Skids you not!

HAPPY MASHUJAA DAY

Enjoy Comfort with Style







## **Appendix 4: Copy of the submissions received on the Bill**





## COUNCIL OF GOVERNORS

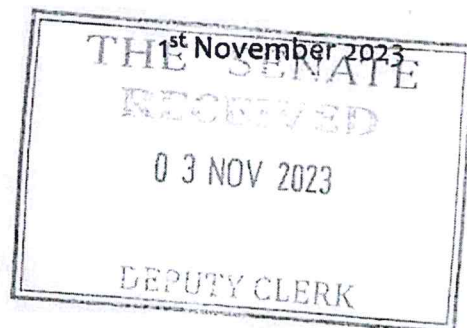
Westlands Delta House 2<sup>nd</sup> Floor, Waiyaki Way.  
P.O. BOX 40401-00100,  
Nairobi.

Tel: (020) 2403314, 2403313  
E-mail: [info@cog.go.ke](mailto:info@cog.go.ke)

Our Ref: COG/6/10 Vol.12 (49)

Mr. J. M. Nyegenye, CBS  
The Clerk of the Senate  
Parliament Buildings  
Nairobi

03 NOV 2023



Dear

Mr. Nyegenye, CBS,

### CONSIDERATION OF THE PUBLIC HOLIDAYS (AMENDMENT) BILL 2013

Greetings.

The Council of Governors has reviewed the **Public Holidays (Amendment) Bill 2013** and wishes to express its opposition to the proposed amendment seeking to provide for extension of public holidays.

Whereas the Council recognizes the progressive nature of the Bill, it is important to critically examine the potential adverse effects and unintended consequences that such legislation could have on the country, the economy and the rights of employers. The proposal has the potential to jeopardize economic stability at both the National and County levels of the Government.

While it is important to consider the well-being and work-life balance of Kenyan employees, the proposed extension of public holidays should be approached with caution. Striking a balance between the rights of employees and the need for economic growth is essential to ensure that any legislation in this regard does not hurt the country's economy and the livelihoods of its citizens.

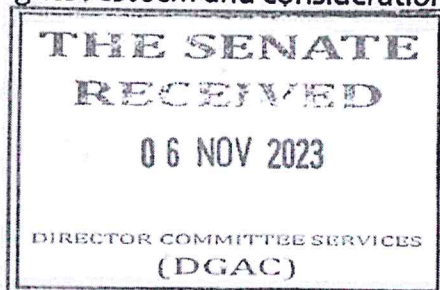
More so, Kenyan employees are already entitled to leave days in accordance with the Employment Act. As such, there is need to strike a balance between the rights of employees and the needs of employers to ensure business continuity and productivity.

Please accept the assurances of our highest esteem and consideration.

Yours

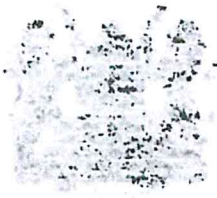
Sincerely,

Mary Mwiti  
Chief Executive Officer



DGAC  
DLG

Kindly deal  
03/11/2023



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