

SPECIAL ISSUE

Kenya Gazette Supplement No. 207 (National Assembly Bills No. 68)



REPUBLIC OF KENYA

KENYA GAZETTE SUPPLEMENT

NATIONAL ASSEMBLY BILLS, 2023

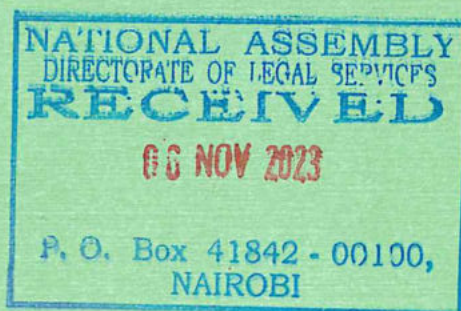
NAIROBI, 30th October, 2023

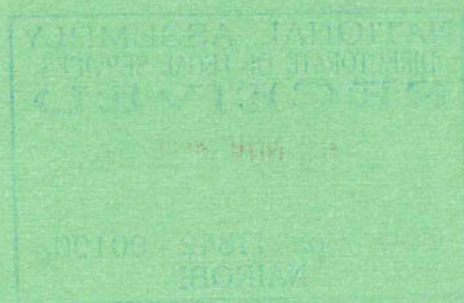
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Bill for Introduction into the National Assembly—

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The Statute Law (Miscellaneous Amendments) (No. 2) Bill, 2023 1835





**THE STATUTE LAW (MISCELLANEOUS
AMENDMENTS) (NO.2) BILL, 2023**

A Bill for

**AN ACT of Parliament to make various amendments to
statute law and for connected purposes**

ENACTED by the Parliament of Kenya, as follows—

1. This Act may be cited as the Statute Law (Miscellaneous Amendments) (No. 2) Act, 2023. Short title.

2. The several laws specified in the first column of the Schedule are amended in the provisions respectively specified in the second column, in the manner respectively specified in the third column. Amendment of written laws.

SCHEDULE

(s. 2)

<i>Written law</i>	<i>Provision</i>	<i>Amendment</i>
The Oaths and Statutory Declarations Act (Cap. 15).	s. 3	Delete the words “Registrar of the High Court” and substitute therefor the words “Chief Registrar of the Judiciary”.
	s. 12	Delete the words “the Registrar of the High Court, a Deputy Registrar, a Deputy Registrar of the Environment and Land Court and a Deputy Registrar of the Employment and Labour Relations Court” and substitute therefor the words “the Registrar or Deputy Registrar of a superior court or subordinate court”.
The Advocates Act (Cap. 16).	s. 2	Delete the definition of “Registrar” and substitute therefor the following new definition— “Registrar” means the Chief Registrar of the Judiciary”.
	s. 81(1)	Insert the following new paragraph immediately after paragraph (a)— (aa) the admission of advocates under section 15.

The Notaries Public Act (Cap. 17).	s. 4(1)	Delete the words “Registrar of the High Court” wherever they appear and substitute therefor the words “Chief Registrar of the Judiciary”.
	s. 4(2)	Delete the words “Registrar of the High Court” and substitute therefor the words “Chief Registrar of the Judiciary”.
	s. 5(3)	Delete the words “Registrar of the High Court” and substitute therefor the words “Chief Registrar of the Judiciary”.
The Civil Procedure Act (Cap. 21).	s. 81(1)(a)	Delete subparagraph (vi) and substitute therefor the following new subparagraph— (vi) three advocates nominated by the Law Society of Kenya.
The Public Holidays Act (Cap. 110).	Schedule	Delete the expression “Utamaduni Day” and the corresponding date.
The Trustees (Perpetual Succession) Act (Cap. 164).	s. 2	Delete the definition of “Cabinet Secretary”.
		Delete the definition of “pension fund”.
		Delete the definition of “Principal Registrar”.
		Delete the definition of “provident fund”.
		Insert the following new definition in proper alphabetical sequence— <i>No. 17 of 2015.</i> “the Registrar” has the same meaning assigned to it in section 3(1) of the Companies Act, 2015.
	s. 3(1)	Delete the word “Principal”.
	s. 3(2)	Delete the word “Principal”.
	s. 3(2A)	Delete the word “Principal”.
	s. 3(2B)	Delete the word “Principal”.

- s. 3J(8) Delete the word “Principal”.
- s. 5 (1) Insert the word “First” immediately before the word “Schedule”.
- s. 6(1) Delete the word “Principal”.
- s. 6(2) Delete the word “Principal”.
- s. 6(3) Delete the word “Principal”.
- s. 8(1) Delete the word “Principal” wherever it appears.
- s. 9(1) Delete subsection (1) and substitute therefor the following new subsection—
 - (1) The Registrar shall keep and record in a register kept for that purpose each application, order and other document lodged or given under the provisions of this Act, and a duplicate of each certificate of incorporation issued under this Act.
- s. 9(2) Delete the words “appointed under the Registration of Documents Act (Cap. 285)”.
- Delete the word “prescribed fee” and substitute therefor the words “fee set out in the Second Schedule”.
- s. 11 Insert the words “set out in the Second Schedule” immediately after the word “fee”.
- s. 13(1) Delete the word “Principal” wherever it appears.
- s. 15 Delete the words “Principal Registry of Documents” and substitute therefor the word “Registrar”.
- s. 16(1) Delete the word “Principal”.
- s. 16(2) Delete the word “Principal”.
- s. 17 Delete the words “Cabinet Secretary” and substitute therefor the word “Registrar”.
- Schedule Delete and substitute therefor the following new Schedule—

FIRST SCHEDULE (s. 5(1))
FORM TR 1
APPLICATION TO REGISTER A TRUST
PART I- TRUST DETAILS

1. Name of the Trust:

2. Trust Constitution

Please attach the Trust Deed or Will or any other instrument forming the constitution of the Trust.

3. Registered office address

Name of the building/plot No.	
Street/Road	
District	
Floor/Room No.	
Town	
County	

5. Contact address of the Trust

P.O Box	
Postal Code	
Office No.	
Mobile No.	
Email Address ²	

6. Principal objects of the Trust

**PART II- PROPOSED SETTLOR/
OFFICERS**

7. Details of the Settlor(s), first Trustees and/or Enforcers of the Trust

Name	
Designation ⁴	
Postal Address	
Identity card or passport number ⁵	

²Please provide an email address which has never been used on iTax.

⁵If a passport number is provided, please also indicate the issuing country and place and date of issue of the passport.

Nationality	
Telephone No.	
Email Address	
I/We hereby consent to act as Trustee/ Enforcer of the Trust.	

Complete a separate sheet for each Settlor, Trustee and/or Enforcer (if applicable) or authorised signatory and attach the following documents for each:

- a) Copy of Kenyan national identification card, alien card or passport
- b) Copy of PIN certificate issued by Kenya Revenue Authority (not applicable to persons who are not Kenyan residents); and
- c) Coloured passport-sized photograph

For a corporate body;

- a) Certificate of incorporation
- b) Copy of PIN certificate issued by Kenya Revenue Authority;
- c) Copies of Kenyan national identification cards, alien cards or passports of the directors; and
- d) Coloured passport-sized photographs of the directors.

PART III- STATEMENT OF INITIAL TRUST ASSETS

8. The Trust property is initially capitalised as follows and shall include any subsequent property registered in the trust's name.

Type of Asset	Value

Complete a separate sheet of Initial Assets (if applicable)

Lodged on behalf of the Trust by:

Settlor/Trustee/Enforcer/Advocate

OFFICIAL USE

Trust registry

Checked by:

Name:

New

Insert the following new Schedule—

SECOND SCHEDULE (s.9, s.11)

FEES CHARGEABLE BY THE REGISTRAR FOR INCORPORATION, INSPECTING DOCUMENTS OR OBTAINING COPIES OF DOCUMENTS OR INFORMATION

Column 1 Item no.	Column 2 Matter Fee	(KSh)
1.	Fees chargeable for incorporation of a trust	10,000
2.	Right under the Act to inspect the register of Trusts and get copies of any public documents relating to a trust.	500

The Industrial Training Act (Cap. 237).	s. 5B(3)	Delete the words “fifth day” and substitute therefor the words “ninth day”.
The Traffic Act (Cap. 403).	s. 117(3)	<p>Insert the words “or through the use of any electronic or mobile communications technology” immediately after the words “vehicle concerned”;</p> <p>Insert the words “either pay the fine or” immediately after the words “requiring such person to”.</p> <p>Insert the words “or through the use of electronic or mobile medium” immediately after the words “served personally”.</p>
	117(8)	Insert the word “thousand” immediately after the word “hundred”.
	117(9)(a)	Delete the words “two hundred shillings, and on each subsequent conviction to a fine not exceeding five hundred shillings” and substitute therefor the words “two hundred thousand shillings, and on each subsequent conviction to a fine not exceeding five hundred thousand shillings”.
	117(10)	Insert the word “thousand” immediately after the word “hundred”.
The Sexual Offences Act, 2006 (No. 3 of 2006).	s. 39(13)	Delete the words “Registrar of the High Court” and substitute therefor the words “Chief Registrar of the Judiciary”.
The Employment Act, 2007 (No. 11 of 2007).	3(2)	<p>Insert the following new paragraph immediately after paragraph (ba)—</p> <p>(bb) the National Intelligence Service.</p>
The Veterinary Surgeons and Veterinary Paraprofessionals Act, 2011 (No. 29 of 2011).	s. 2(1)	<p>Delete the definition of “animal” and substitute therefor the following new definition—</p> <p>“animal” means all species of the animal kingdom, but not man, whether in aquatic,</p>

domesticated or wild environments and includes wild animals, cattle, camel, buffalo, sheep, goats, pigs, fish, horse, mule, donkey, dog, birds, bees, insects, reptiles and marine animals.

Delete the definition of “animal resource industry” and substitute therefor the following new definition—

“animal resource industry” means the sector responsible for animal health, production, welfare, marketing, animal food safety and security, and sanitary aspects of animals.

In the definition of “annual licence”, delete the words “annual licence” and substitute therefor the words “annual premises licence

Delete the definition of “private practice”.

In the definition of “register”, delete the words “chief executive officer” and substitute therefor the word “Registrar”.

In the definition of “veterinary medicine”, delete the words “alternative medicines” appearing in paragraph (c).

New

Insert the following new definitions in proper alphabetical sequence—

“Cabinet Secretary” means the Cabinet Secretary responsible for matters relating to veterinary services;

“veterinary practice” means any practice for hire, gain, fee, compensation, employment or reward received, promised, offered, expected or accepted, either directly or indirectly, by the person rendering the veterinary service from the person requesting or receiving the service.

s. 2

Delete subsection (2).

s. 6(2) (a) Delete the words “and the” appearing immediately after the word “poisons”.

(n) Delete the word “with” appearing immediately after the word “organisations”.

s.16 (5) Delete subsection (5) and substitute therefor the following new subsection—

(5) If the Board is satisfied that the applicant has fulfilled all the conditions for temporary registration as a foreign veterinary surgeon under this section, the Registrar shall effect the registration and issue the applicant with a certificate of temporary registration.

The Public
Finance
Management,
2012 (No. 18 of
2012).

s.40 (3) Delete.

s.40(4) Delete.

The
Universities
Act, 2012 (No.
42 of 2012).

s. 25 Delete subsection (2) and substitute therefor the following new subsection—

(2) A declaration made under this section shall only apply to a public institution—

(a) that is or previously was a National Polytechnic within the meaning of the Technical and Vocational Education and Training Act, 2013; or

(b) that has the requisite physical facilities and human resource capacity that are appropriate for a technical university.

No. 29 of 2013.

s. 56(1)(a) Delete the words “government sponsored”.

The Office of the Attorney-General Act, 2012 (No. 49 of 2012).	s.13	Delete the words “in consultation with, the Public Service Commission”.
	s.21(1)	Delete the words “in consultation with, and on the recommendation of the Public Service Commission”.
	s.22	Delete the words “and Public Service Commission.
The Civil Aviation Act, 2013 (No. 21 of 2013).	s.2(1)	In paragraph (e) of the definition of “publication”, delete the words “for aviation metrology” appearing after the words “information circulars”.
	s.34	Delete the word “three” and substitute therefor the word “six”.
The Value Added Tax Act, 2013 (No.35 of 2013)	Section A of Part 1 of the First Schedule.	Insert the following new paragraph immediately after paragraph 147–
		148. The Supply of gas meters of tariff number 9028.10.00
	Part A of the Second Schedule.	Insert the following new paragraph immediately after paragraph 35–
		36. The supply of denatured ethanol of tariff number 2207.20.00
The Privatization Act, 2023. (No.11 of 2023)	s.9	Delete paragraph (f).

MEMORANDUM OF OBJECTS AND REASONS

The Statute Law (Miscellaneous Amendments) (No. 2) Bill, 2023, seeks to make various amendments to various statutes. It is in keeping with the practice of making various amendments which do not merit the publication of separate Bills into one Bill.

The Bill contains proposed amendments to the following statutes—

The Oaths and Statutory Declarations Act (Cap. 15)

The Bill proposes to amend the Oaths and Statutory Declarations Act to provide that an advocate who has been appointed as a commissioner of oaths shall sign the roll kept by the Chief Registrar of the Judiciary; and that the Registrar or Deputy Registrar of a superior court or subordinate court may administer an oath or affirmation or take an affidavit or statutory declaration under the Act.

The Advocates Act (Cap. 16)

The Bill proposes the amendment of the Advocates Act to provide that the Registrar responsible for keeping the Roll of Advocates shall be the Chief Registrar of the Judiciary. Further, the Bill proposes to amend the Act to provide that the Council of the Society may, with the approval of the Chief Justice, make rules for the admission of advocates.

The Notaries Public Act (Cap. 17)

The Bill proposes to amend the Notaries Public Act to provide that the Chief Registrar of the Judiciary shall be responsible for enrolling notaries public in the book kept for that purpose; granting new certificates to newly-enrolled notaries public; and removing from the roll any person whose appointment as a notary public has been revoked under the Act.

The Civil Procedure Act (Cap. 21)

The Bill proposes to amend the Civil Procedure Act to provide that the members nominated by the Law Society of Kenya and appointed by the Chief Justice shall be three in number which is intended to improve decision-making within the Rules Committee and reduce the cost of facilitating the work of the Committee.

The Public Holidays Act (Cap. 110)

The Bill proposes to amend the Public Holidays Act to delete the provision for Utamaduni Day as a public holiday.

The Trustees (Perpetual Succession) Act (Cap. 164)

The Bill proposes to amend the Trustees (Perpetual Succession) Act to provide that the Registrar of Companies as defined under section 2 of

the Companies Act, 2015, shall be responsible for the registration of trusts and issuance of Certificates of Incorporation; processing of applications for incorporation; form of an application; keeping and maintaining of a register; conduct of searches in the registry; and making of Regulations.

The Industrial Training Act (Cap. 237)

The Bill proposes to amend the Industrial Training Act to provide that the date for the remitting of the training levy shall be the ninth day of the month in order to harmonise it with the period within which PAYE is remitted to the Kenya Revenue Authority.

The Traffic Act (Cap. 403)

The Bill proposes to amend the Traffic Act to incorporate the use of technology in the management of minor traffic offences.

The Sexual Offences Act, 2006 (No. 3 of 2006)

The Bill proposes to amend the Sexual Offences Act, 2006, to provide that the register of convicted sexual offenders shall be kept and maintained by the Chief Registrar of the Judiciary.

The Employment Act, 2007 (No. 11 of 2007)

The Bill proposes to amend the Employment Act, 2007, to exempt the National Intelligence Service from the application of the Act in the same manner as other national security organs are exempted.

The Veterinary Surgeons and Veterinary Paraprofessionals Act, 2011 (No. 29 of 2011)

The Bill proposes to amend the Veterinary Surgeons and Veterinary Paraprofessionals Act, 2011 to make minor corrections to the provisions relating to the definition of “animal”, “animal resource industry”, “annual licence”, “private practice”, “register” and “veterinary medicine” and grammatical errors occurring in other provisions of the Act.

The Public Finance Management Act, 2012 (No. 18 of 2012).

The Bill proposes to amend the Public Finance Management, 2012 to cure inconsistency in the provisions of the Act on the submission of the Finance Bill.

The Universities Act, 2012 (No. 42 of 2012)

The Bill proposes to amend the Universities Act, 2012, to provide for the declaration of technical universities under section 25(1) of the Act in respect of public institutions that are or were national polytechnics. It also proposes to amend section 56(1) to provide that the Placement Board shall

be responsible for placing all students, rather than only government-sponsored students, in universities and colleges.

The Office of the Attorney-General Act, 2012 (No. 49 of 2012)

The Bill proposes to amend the Office of the Attorney-General Act, 2012 to remove inconsistencies in the operational framework of the Office of the Attorney-General in line with Article 156 of the Constitution that establishes the Office of the Attorney General as an independent Office.

The Civil Aviation Act, 2013 (No. 21 of 2013)

The Bill proposes to amend the Civil Aviation Act, 2013, to provide that the definition of “publication” shall include aviation information circulars; and that the period within which the Director-General shall be required to submit an annual report shall be six months after the end of the financial year.

The Value Added Tax Act, 2013 (No.35 of 2013)

The Bill proposes to amend the Value Added Tax Act, 2013 to reclassify the supply of gas meters of tariff number 9028.10.00 and the supply of denatured ethanol of tariff number 2207.20.00 as exempt and zero rated respectively.

The Privatization Act, 2023 (No. 11 of 2023)

The Bill proposes to amend the Privatization Act, 2023, to cure inconsistencies between the role of the Authority and the Cabinet Secretary.

Dated the 26th October, 2023.

KIMANI ICHUNG’WAH,
Leader of Majority.

Section 3 of Cap. 15 which it is proposed to amend—

3. Commissioner for oaths to sign roll

Every advocate appointed a commissioner for oaths shall, on appointment, sign a roll, which shall be kept by the Registrar of the High Court.

Section 12 of Cap. 15 which it is proposed to amend—

12. Powers of magistrates and certain court officers to administer oaths

A magistrate, the Registrar of the High Court, a Deputy Registrar, a Deputy Registrar of the Environment and Land Court and a Deputy Registrar of the Employment and Labour Relations Court may administer any oath or affirmation or take any affidavit or statutory declaration (voluntarily made and subscribed in accordance with the provisions of Part III) which might lawfully be administered or taken by a commissioner for oaths appointed under Part II.

Section 2 of Cap. 16 which it is proposed to amend—

“Registrar” means the Registrar of the Court;

Section 81 of Cap. 16 which it is proposed to amend—

81. Power to make rules

(1) The Council of the Society, with the approval of the Chief Justice, may make rules with regard to—

- (a) the professional practice, conduct and discipline of advocates;
- (b) the keeping of accounts by advocates;
- (c) the annual submission to the Council of a certificate by an accountant registered under the Accountants Act (Cap. 531) or by some other person or class of persons specified by such Council that he has examined the books, accounts and documents of the advocate to such extent as may be prescribed and stating—
 - (i) whether or not he is satisfied that, during the period covered by his certificate, the advocate has complied with the rules for the time being in force regulating the keeping of accounts by advocates; and
 - (ii) if he is not so satisfied, the matters in respect of which he is not satisfied;
- (d) the retention or otherwise by advocates of interest earned on moneys deposited, received or held for or on account of clients;

- (e) the issue of practising certificates, the fee payable thereon and the duties of the Registrar with respect to the issuing of such certificates;
 - (ee) the procedure for the conferment of, and the privileges attached to, the rank of Senior Counsel;
- (f) the establishment of a compensation fund for the benefit of clients;
- (g) indemnity for clients against loss or damage arising from claims in respect of any civil liability incurred by an advocate or his employee, or from breach of trust by the advocate or his employee;
- (h) continuing professional education for all advocates practising in Kenya;
- (i) generally for the better carrying out of the provisions of this Act, other than Parts III, IV, IX, X and XI.

Section 4 of Cap. 17 which it is proposed to amend—

4. Notaries public to be enrolled and to take out certificate on appointment and annually

(1) The Registrar of the High Court, on receiving from the Chief Justice the instrument of appointment mentioned in section 2, and on receiving from the person requiring to be enrolled the prescribed fee, shall enroll the name of such person in a book which shall be kept for that purpose in the office of the Registrar of the High Court, and shall issue to such person a certificate of enrolment which certificate shall authorize him to perform within Kenya the functions and duties of a notary public up to the 31st December next after the date on which such certificate became effective.

(2) The Registrar of the High Court shall at any time, on receipt of the prescribed fee, grant a new certificate to any person whose name shall be on the roll of notaries public, but every certificate granted under this subsection shall expire on the 31st December next after the date on which such certificate became effective.

Section 5 of Cap. 17 which it is proposed to amend—

(3) The Registrar of the High Court shall remove from the roll of notaries public the name of any advocate or person whose appointment has been revoked in accordance with the provisions of subsection (1) or subsection (2), and the certificate of enrolment in respect of such entry

shall be delivered up by such advocate or person to the Registrar, who shall cancel it.

Section 81 of Cap. 21 which it is proposed to amend—

81. Rules Committee

(1) There shall be a Rule Committee which shall consist of—

(a) the following members appointed by the Chief Justice—

- (i) one judge of the Court of Appeal;
- (ii) one judge of the High Court;
- (iii) a judge of the Environment and Land Court;
- (iv) one judge of the Employment and Labour Relations Court who is a member of the Employment and Labour Relations Court Rules Committee;
- (v) two Magistrates, one of whom shall be the Secretary to the Committee;
- (vi) eight advocates nominated by the Law Society of Kenya to represent each of the branches of the Society established under section 24 of the Law Society of Kenya Act, 2014; and
- (vii) one representative from the Kenya Law Reform Commission; and

The Schedule to Cap. 110 which it is proposed to amend—

Utamaduni Day.....10th October

Section 5B of Cap. 237 which it is proposed to amend—

(3) An employer shall pay the training levy to the Commissioner-General at the time when an employee's salary is payable and shall be remitted to the Commissioner-General not later than the fifth day of the month following the month in which the levy becomes due.

Section 117 of Cap. 403 which it is proposed to amend—

117. Minor traffic offences

(3) Notwithstanding any provision contained in this or any other Act, it shall be lawful for any police officer to serve, either personally or by affixing the same prominently to the vehicle concerned, upon the owner or person in charge of any motor vehicle who is reasonably suspected of having committed any of the scheduled minor offences, a police notification of a traffic offence in the prescribed form charging such

person with having committed the offence or offences indicated in the notification and requiring such person to attend court to answer such charge or charges, at such time (which if the police notification is served personally on the owner or person in charge of the motor vehicle, may be within forty-eight hours of such service; or if the police notification is affixed prominently to the vehicle concerned, shall not be sooner than seven days after the date of such service) as is shown on such notification.

Section 39 of No. 3 of 2006 which it is proposed to amend—

(13) A register for convicted sexual offenders shall be maintained by the Registrar of the High Court and any person who has reasonable cause to so examine it may examine the register.

Section 3 of No. 11 of 2007 which it is proposed to amend—

(2) This Act shall not apply to—

(a) the Kenya Defence Forces or the reserve as respectively defined in the Kenya Defence Forces Act, 2012;

(b) the Kenya Police, the Kenya Prisons Service or the Administration Police Force;

(ba) the Kenya Coast Guard Service;

(c) the National Youth Service; and

(d) an employer and the employer's dependants where the dependants are the only employees in a family undertaking.

Section 2 of No. 29 of 2011 which it is proposed to amend—

2. Interpretation

(1) In this Act, unless the context otherwise requires—

“animal” includes cattle, camel, buffalo, sheep, goats, pigs, fish, horse, mule, ass, dog, and any other wild or domestic animal kept in captivity or otherwise;

“animal resource industry” means a sector responsible for animal production, quality assurance, marketing, animal food security and sanitary factors in livestock, companion and other non-human animal resources development;

“annual license” means a license issued to a veterinary surgeon or para-professional under section 26;

“private practice” means any practice for hire, gain, fee, compensation, or reward received, promised, offered, expected or

accepted either directly or indirectly by the person rendering the veterinary service from the person requesting or receiving the service;

“register” means the register kept by the chief executive officer under section 19;

“veterinary medicine” means any curative or preventive substance, formulated medicament, or mixture of substances, whether proprietary or in the form of a preparation effective in animals, which is used, or is manufactured, sold or represented as suitable for use, in—

- (a) the diagnosis, treatment, mitigation or prevention of disease or abnormal physical or mental state or the symptoms thereof in an animal;
- (b) restoring, correcting or modifying any physical, mental or organic function in an animal; or
- (c) controlling internal or external pests and parasites, and includes insecticides, vaccines, hormones, alternative medicines, antiseptics, disinfectants, surgical, nutrients and biological products;

(2) Until after the first elections under the Constitution, any reference in this Act to a Cabinet Secretary shall be construed to mean Minister and any reference to a Principal Secretary shall be construed to mean Permanent Secretary.

Section 6 of No. 29 of 2011 which it is proposed to amend—

6. Objects and functions of the Board

(2) Without prejudice to the generality of the foregoing the Board shall—

- (a) advise the Government on matters relating to veterinary training, research, practice and employment, the use of veterinary medicines, poisons and the pesticides, and other issues relating to animal welfare;

Section 16 of No. 29 of 2011 which it is proposed to amend—

16. Temporary Registration of foreign veterinary surgeons

(5) If the Board is satisfied that the applicant has fulfilled all the conditions for temporary registration as a foreign veterinary surgeon under this section it shall direct the Registrar to effect the registration and issue the applicant with a certificate of temporary registration:

Provided that a person registered under this section shall be subject to the requirements of section 26 with regard to an annual licence.

Section 21 of No. 29 of 2011 which it is proposed to amend—

21. Retention fees

(8) Where the name of a registered person has remained in the register for five consecutive years, such person shall be required to satisfy the Board, in such manner as it may deem fit, of his technical competence.

Section 40 of No. 18 of 2012 which it is proposed to amend—

40. Submission and consideration of budget policy highlights and the Finance Bill in the National Assembly

(3) On the same date that the budget policy highlights and revenue raising measures are pronounced, the Cabinet Secretary shall submit to Parliament a legislative proposal, setting out the revenue raising measures for the national government, together with a policy statement expounding on those measures.

(4) Following the submission of the legislative proposal of the Cabinet Secretary, the relevant committee of the National Assembly shall introduce a Finance bill in the National Assembly.

Section 25 of No. 42 of 2012 which it is proposed to amend—

25. Declaration of Technical Universities

(2) Where a declaration under this section is made with respect to a public institution, it shall only apply where such institution is a National Polytechnic within the meaning of the Technical and Vocational Education and Training Act, 2013.

Section 56 of No. 42 of 2012 which it is proposed to amend—

56. Functions of the Placement Board

(1) The functions of the Board shall be to —

(a) co-ordinate the placement of the government sponsored students to universities and colleges;

Section 2 of No. 49 of 2012 which it is proposed to amend—

2. Interpretation

“subordinate officer” means a State counsel or any other member of staff employed by the Public Service Commission under this Act and discharging his or her duties in the Office.

Section 13 of No. 49 of 2012 which it is proposed to amend—

13. Deputy Solicitors-General

The Attorney-General may, in consultation with, the Public Service Commission, appoint such Deputy Solicitors-General as the Attorney-General may consider necessary for the proper and efficient discharge of the functions of the Office.

Section 21 of No. 49 of 2012 which it is proposed to amend—

21. State Counsel

(1) The Attorney-General may, in consultation with, and on the recommendation of the Public Service Commission appoint such number of State Counsel as may be necessary for the proper and efficient discharge of the functions of the Office.

Section 22 of No. 49 of 2012 which it is proposed to amend—

22. Terms and conditions of service

The State Counsel appointed under this Act shall serve on such terms as the Attorney-General may, on the advice of the Salaries and Remuneration Commission and Public Service Commission, determine.

Section 2 of No. 21 of 2013 which it is proposed to amend—

2. Interpretation

“publication” includes information given in any of the following publications issued, whether before or after the commencement of this Act—

- (a) notices to airmen;
- (b) aeronautical information publications;
- (c) notices to licensed aircraft maintenance engineers and to owners of civil aircraft;
- (d) civil aviation publications;
- (e) aeronautical information circulars for aviation meteorology;
- (f) manuals of procedures;
- (g) advisory circulars and orders; and
- (h) technical standards.

Section 34 of No. 21 of 2013 which it is proposed to amend—

34. Annual report by the Authority

The Director-General shall, within three months after the end of each financial year prepare a report of the operations of the Authority during that year and shall submit such report to the Cabinet Secretary, through the

Board, who shall cause it to be presented to the National Assembly together with the report of the Auditor- General and certified copies of the accounts referred to in section 33(2).

First Schedule to No. 35 of 2013, it is proposed to amend-

FIRST SCHEDULE

[s. 2]

EXEMPT SUPPLIES

PART I - GOODS

SECTION A

Second Schedule to No. 35 of 2013 it is proposed to amend-

SECOND SCHEDULE

[s. 7(2)]

ZERO-RATING

PART A - ZERO RATED SUPPLIES

Section 9 of No. 11 of 2023, which it is proposed to amend—

9.The Authority shall —

- (a) advise the government on all aspects of privatization of public entities;
- (b) facilitate the implementation of government policies on privatisation;
- (c) implement the privatisation programme;
- (d) implement specific privatisation proposals in accordance with the privatisation programme;
- (e) collaborate with other organisations, within or outside Kenya, as it may consider appropriate in furtherance of the objects of this Act;
- (f) prepare long-term divestiture sequence plan;
- (g) monitor and evaluate the implementation of privatisation programs in Kenya;”
- (h) take such measures as are necessary to ensure that the provisions of this Act are complied with; and
- (i) perform any other functions under this Act or any other legislation as may be conferred, from time to time, on the Authority.

