KENYA GAZETTE SUPPLEMENT

NATIONAL ASSEMBLY BILLS, 2022

NAIROBI, 14th October, 2022

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THE STATUTORY INSTRUMENTS (AMENDMENT) BILL, 2022

A Bill for

AN ACT of Parliament to amend the Statutory Instruments Act, 2013

ENACTED by Parliament of the Republic of Kenya as follows—

1. This Act may be cited as the Statutory Instruments (Amendment) Act, 2022

2. Section 18 of the Statutory Instruments Act, 2013, in this Act referred to as “the principal Act”, is amended by—

(a) renumbering the existing provision as subsection (1),

(b) inserting the following new subsection immediately after subsection (1)—

“(2) The Clerk of the relevant House of Parliament shall, by notice in the Gazette, publish the annulment of a statutory instrument by Parliament”

3. Section 19 of the Statutory Instruments Act, 2013, in this Act referred to as “the principal Act”, is amended by—

(a) renumbering the existing provision as subsection (1),

(b) inserting the following new subsection immediately after subsection (1)—

“(2) The Clerk of the relevant House of Parliament shall, by notice in the Gazette, publish the revocation of a statutory instrument by Parliament”
MEMORANDUM OF OBJECTS AND REASONS

Statement of objects and reasons for the Bill

The principal object of this Bill is to amend the Statutory Instruments Act, 2013 to require the Clerk of the relevant House of Parliament to notify the public of the annulment or revocation of a statutory instrument. This shall ensure the timely implementation of the resolutions of the House on delegated legislation.

The Bill seeks to implement the resolutions made by the 12th Parliament in its approval of the 5th Report of the Procedure and House Rules Committee on Amendments to the Standing Orders.

Statement on the delegation of legislative powers and limitation of fundamental rights and freedoms

This Bill does not delegate legislative powers nor does it limit any fundamental rights and freedoms.

Indication of whether the Bill concerns county governments

This Bill does not concern county governments.

Statement as to whether the Bill is a money Bill within the meaning of Article 114 of the Constitution

The enactment of this Bill shall not occasion additional expenditure of public funds.

Dated the 11th October, 2022

GLADYS BOSS,
Deputy Speaker
Section 18 of No 23 of 2013 which it is proposed amend—

Annulment

18. When a report on a statutory instrument has been tabled in Parliament, the statutory instrument shall be deemed to be annulled if Parliament passes a resolution to that effect.

Section 19 of No 23 of 2013 which it is proposed amend—

Revocation

19. Where Parliament has adopted a report or a resolution that a statutory instrument be revoked, the instrument shall stand revoked and the regulation making authority shall publish the revocation within fourteen days.