

PARLIAMENT
OF KENYA
LIBRARY



PAPERS LAID	
DATE	13/04/2023
TABLED BY	CHADPERSON -
COMMITTEE	
CLERK AT THE TABLE	Ms ANGELA NACHARIA

REPUBLIC OF KENYA

THIRTEENTH PARLIAMENT|SECOND SESSION

THE SENATE

REPORT OF THE STANDING COMMITTEE ON INFORMATION,
COMMUNICATION AND TECHNOLOGY

ON

THE OFFICE OF THE COUNTY PRINTER BILL, 2022 (SENATE BILLS
NO. 10 OF 2022)

Rt. Hon. Speaker
You may approve for tabling
J. M. Nyegenye, C.B.S.,
Clerk of the senate/secretary, PSC
Date: 12/04/23

Clerk's Chambers,
Parliament Buildings,
P.O. Box 41842-00100,
NAIROBI.

April 2023

Table of Contents

PRELIMINARIES iii

 Establishment of the Committee iii

 Membership of the Committee iii

 The mandate of the Committee iii

CHAIRPERSON’S FOREWORD v

CHAPTER ONE 7

INTRODUCTION 7

 Background 7

 Overview of the Bill 7

CHAPTER TWO 8

PUBLIC PARTICIPATION 8

Overview of Public Participation of the Bill 8

CHAPTER THREE 12

COMMITTEE OBSERVATIONS AND RECOMMENDATIONS 12

 COMMITTEE OBSERVATIONS 12

 COMMITTEE RECOMMENDATIONS 13

LIST OF APPENDICES 14

Annex 1: Copy of the Bill 14

Annex 2: Advertisement as published in the Media 14

Annex 3: Signed Minutes of the Committee Sitzings during consideration of the Bill 14

ABBREVIATIONS AND ACRONYMS

CoG	Council of Governors
GP	Government Printer
ICT	Information, Communication and Technology
MoICDE	Ministry of Information, Communication and the Digital Economy
MP	Member of Parliament
Sen	Senator

PRELIMINARIES

Establishment of the Committee

The Standing Committee on Information, Communication and Technology is established under standing order 228 and the Second Schedule of the Senate Standing Orders. The Committee is mandated to -

“consider all matters related to technology, engineering and electronic research, information broadcasting and Information Communications Technology development.”

Membership of the Committee

- | | |
|--|---------------------------|
| 1. Sen. Allan Kiprotich Chesang, MP | - Chairperson |
| 2. Sen. Miraj Abdulahi Abdulrahman, MP | - Vice-Chairperson |
| 3. Sen. William Kisang Kipkemoi, MP | - Member |
| 4. Sen. Boy Issa Juma, MP | - Member |
| 5. Sen. Samson Kiprotich Cherarkey, MP | - Member |
| 6. Sen. Shakila Abdalla Mohamed, MP | - Member |
| 7. Sen. Godfrey Atieno Osotsi, MP | - Member |
| 8. Sen. Karen Njeri Nyamu, MP | - Member |
| 9. Sen. Beatrice Akinyi Ogola, MP | - Member |

The mandate of the Committee

Under the provisions of the Fourth Schedule of the Senate Standing Orders, the Standing Committee on Information, Communication and Technology considers all matters related to technology, engineering and electronic research, information broadcasting and Information Communications Technology development.

Standing order 228 (4) specifically provides the functions of committees as to -

- i) investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration and operations of the assigned ministries and departments;

- ii) study the program and policy objectives of ministries and departments and the effectiveness of the implementation;
- iii) study and review all legislation referred to it;
- iv) the study, assess and analyze the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;
- v) consider the Budget Policy Statement in line with Committee's mandate;
- vi) report on all appointments where the Constitution or any law requires the Senate to approve;
- vii) make reports and recommendations to the Senate as often as possible, including recommendations of proposed legislation;
- viii) consider reports of Commissions and Independent Offices submitted to the Senate according to the provisions of Article 254 of the Constitution;
- ix) examine any statements raised by Senators on a matter within its mandate; and
- x) follow up and report on the status of implementation of resolution within their mandate.

CHAIRPERSON'S FOREWORD

Mr. Speaker Sir,

The Office of the County Printer Bill, 2022 (Senate Bill No. 10 of 2022) seeks to establish the office of the County Printer in each of the forty-seven counties. The establishment of the office by the Bill is necessitated by the provisions of the County Governments Act, 2012 which refers to the publication of Bills, Acts and other documentation in a county gazette. However, the Act does not provide for the establishment of the Office of the County Printer that would publish such gazettes.

Mr. Speaker Sir,

The Office of the County Printer Bill, 2022 (Senate Bills No. 10 of 2022) was read a First Time in the Senate on 16th February, 2023 and thereafter committed to the Senate Standing Committee on Information, Communication and Technology for consideration.

Pursuant to the provisions of Article 118 and standing order 145 (5) of the Senate Standing Orders, the Standing Committee on Information, Communication, Technology invited interested members of the public and Stakeholders to submit memoranda on the Bill. The Committee received written submissions from the Ministry of Information and Communication Technology and the Digital Economy, the National Treasury and Economic Planning, the Council of County Governors and the Government Printer.

Mr. Speaker Sir,

The Committee made the following key observations –

- a) That it agrees with the proposal by the Government Printer, the Council of County Governors and the National Treasury and Economic Planning that the establishment of forty-seven (47) county government printers would be too expensive and fiscally imprudent since the offices would not only require employment of skilled officers but also capital investment for purchase of appropriate equipment.
- b) That it may therefore be prudent to consider the establishment of regional offices that would serve a number of counties instead of a printer for each county government.

Mr. Speaker Sir,

Arising from the observations, the Committee recommends that –

1. Pursuant to standing order 159 of the Senate Standing Orders, the Sponsor of the Office of the County Printer, Bill 2022 (Senate Bills No.10 of 2022) **withdraws the Bill** to pave way for the development of a new Bill that would capacitate the Government Printer to provide efficient and effective service to the counties.
2. In the event the recommendation to withdraw the Bill is not acceded to by the Sponsor of the Bill, the committee recommends that The House votes to reject the Bill.

Mr. Speaker Sir,

On behalf of the Committee, I wish to sincerely thank the Ministry of Information and Communication Technology and the Digital Economy, The Government Printer, The National Treasury and Economic Planning and The Council of Governors who heeded to our call and made articulate written submissions. The Committee reviewed all the submissions received and has taken into account the views of all stakeholders in preparation of this report.

Mr. Speaker Sir,

As I conclude, I wish to sincerely thank the Members of the Committee for their insightful contributions during the consideration of this Bill and the development of the report.

The Committee also thanks the Offices of the Speaker and the Clerk of the Senate for the support extended to it in the execution of its mandate.

Mr. Speaker, Sir,

It is now my pleasant duty, and pursuant to standing order 145 (5) of the Senate Standing Orders, to present the Report of the Standing Committee on Information, Communication and Technology on the Office of the County Printer Bill, 2022 (Senate Bills No.10 of 2022).

I thank you.

Signed:  Date: 6/4/23

**SEN. ALLAN CHESANG, MP,
CHAIRPERSON, STANDING COMMITTEE ON INFORMATION,
COMMUNICATION AND TECHNOLOGY**

CHAPTER ONE

INTRODUCTION

Background

1. The Office of the County Printer Bill, 2022 (Senate Bills No. 10 of 2022), sponsored by Senator Edwine Sifuna, MP, published vide Kenya Gazette Supplementary No.197 dated 29th November, 2022, was read a First Time in the Senate on 16th February, 2023 and thereafter stood committed to the Senate Standing Committee on Information, Communication and Technology for consideration. A copy of the Bill is annexed to the report as (*Annex 1*).

Overview of the Bill

2. The Bill sets out the objectives of the proposal to establish the office of the County printer in each of the forty-seven Counties, which shall be responsible for the publication of the County gazette and shall -
 - (a) publish in the county gazette documents approved by the authorized officer;
 - (b) advise the County Executive and the county assembly on all matters about printing and publication of documents; and
 - (c) enter into such partnerships and collaborations with other public sector or private sector printing offices necessary for the proper execution of its functions.
3. The Bill also sets out a platform for coordinating and collaborating with the office of the government printer to facilitate the publication of documents requiring efficiency of publication in the Kenya Gazette.
4. The Bill further provides that the Office of the County Printer shall be headed by a county printer competitively recruited and appointed by the County Public Service Board under the requirements set out in the Bill.

CHAPTER TWO

PUBLIC PARTICIPATION

Overview of Public Participation of the Bill

5. Pursuant to the provisions of Article 118 of the Constitution and Standing Order 145 (5) of the Standing Orders of the Senate, the Senate Standing Committee on Information, Communication and Technology invited interested members of the public and stakeholders to submit their representations on the Bill. The representations were made through submission of written memoranda.
6. The invitations for submissions were made vide advertisements which appeared in the *Daily Nation* and the *Standard* on Tuesday, 21st February, 2023 (*Annex 2*). The deadline for submission of views was Friday, 3rd March 2023.
7. On 22nd February, 2023, the Committee issued correspondence to targeted stakeholders, namely -
 - a) The National Treasury and Economic Planning;
 - b) The Council of County Governors;
 - c) The County Assemblies Forum;
 - d) The Ministry of Information, Communications and the Digital Economy; and
 - e) The Ministry of Interior and National Administration.
8. The Committee invited the Sponsor of the Bill via correspondence Ref: SEN/DSEC/ICT/2023(16) dated 14th March, 2023 and Ref: SEN/DSEC/ICT/2023(21) dated 21st March, 2023.
9. At the close of the public participation period, a total of four (4) written memoranda were received from the following stakeholders;
 - a) The National Treasury and Economic Planning;
 - b) The Ministry of Interior and National Administration;
 - c) The Council of County Governors; and
 - d) The Ministry of Information, Communications and the Digital Economy.

Copies of the submissions from the stakeholders are attached to this Report as Annex 4.

10. The Committee proceeded to consider the Bill extensively, together with the stakeholder submissions received thereon.

Overview of Stakeholder Submissions on the Bill

11. Below is an overview of the stakeholder submissions on the Office of the County Printer Bill, 2022 (Senate Bills No.10 of 2022).

a) The National Treasury and Economic Planning

The Ministry submitted as follows –

- i. That the establishment of the Office will result into a bloated workforce with idle assets/capacities in both 47 Counties and Government Printer. This is mainly due to the County Government Act, that requires Counties to publish in both County and Kenya Gazette. This requirement will force Government Printer to expand capacities to serve counties, yet counties are making huge investments to undertake the same function;
- ii. That the Office of the County Printer in each County will require skilled officers including support services (Accounts, Finance, Procurement, Human Resources among others). Further, huge investments will be required to set-up and maintain the printing facilities;
- iii. That access by the public on various County publications may be slowed due to localization yet County publications affect Kenyans in various ways; and
- iv. That in view of the above, the National Treasury recommended that the Senate should consider converting the Government Printer, to a shared facility by the two levels of Government and provide a legal framework for smooth operation and also amending the County Government Act by deleting words "county Gazette and" in both section 23 and section 25(1).

b) The Council of Governors

The Council of Governors submitted as follows –

- i. That the Government Printer as currently established sufficiently, though with challenges, handles the documentation and matters arising from the County Governments in respect to printing. Further, the quantum of printing from County Governments on a weekly or otherwise basis does not warrant establishment of County Printers in every County. Notably, the financial, human resource and infrastructural resources needed to establish a county printer is not cost effective considering the limited resources at the County;

- ii. That in order to ensure fiscal frugality in Kenya as envisioned in the Public Finance Management Act, 2012, the office of the Government Printer decentralizes its services and offers them regionally to ensure easy accessibility for County Governments and the Citizens of Kenya;
- iii. Alternatively, the County Printer's office in Nairobi can have a fully-fledged department whose sole role is to handle County Government affairs. Currently they have a County Specific desk which is manned by one person and while this eases the processes, it could be more efficient with additional Human, technological and financial resources; and
- iv. That the council proposed the withdrawal of the Bill and requested the Senate to convene the necessary offices to further discuss this matter and come to a position on the appropriate legislation that will conceptualize/establish the Printer as a joint entity.

c) The Government Printer

The Government Printer through the Ministry of Interior and National Administration submitted as follows -

- i. That its mandate is drawn from the following provisions of the Constitution:
 - a) Article 35(3) which states that “The State shall publish and publicize any important information affecting the nation”.
 - b) Article 6(3) states which states that “A national State organ shall ensure reasonable access to its services in all parts of the Republic, so far as it is appropriate to do so having regard to the nature of the service”, and
 - c) Article 199(1) which states that “County legislation does not take effect unless published in the Gazette”.
- ii. That the Government Press is therefore the Government’s primary centralized resource for producing, procuring, authenticating, cataloging, disseminating, and preserving the official information products of the Government;
- iii. That there is need for a centralized database on legislations and other documents critical for future ease of reference which is a standard practice world over as exhibited by developed Countries such as USA, (Government Printing Office), South Africa (Government Printing Works) and India (Directorate of Printing) among others;

- iv. That establishing the Office of the County Printer may present the question of quality control and standardization of 47 separate processes producing and sharing documents whose integrity is of utmost importance. Clause 5 (c) in the Bill suggests such outsourcing may be from both private and public sectors, which is potentially open to forgery of critical government documents;
- v. That establishing a Printing plant is expensive and requires heavy capital outlay. Huge revenue allocation would be required from the National Government and the returns on investment could also be slow or unachievable based on the volumes printed at the county level. Therefore, it would be cost-effective to utilize the Government Press to print county jobs and strategize to increase performance to handle county legislation through establishment of regional offices to serve counties that would be headed by officers from the Government Press as proposed in its Strategic Plan 2023-2028. The offices shall be domiciled at the Regional Headquarters to serve all the counties in the respective regions;
- vi. That the Government Printer has an established and dedicated County Office that is charged with the responsibility of printing and publishing county legislations and other jobs. The said office is fully equipped with requisite machines and equipment, materials and staff;
- vii. That the Government Printer has basic infrastructure and capacity in terms of human resources, machines and equipment to undertake the job of publishing/printing, being a weekly or monthly publication County Gazettes for each of the 47 counties in Kenya; and
- viii. That in line with the Presidential Directive on Digitization of Government Services by 80% by June, 2023 the Government Printer is developing an e-Gazette which will be accessed online by Citizens which would minimize travels to access information and Government services in Nairobi. The Government Printer has also introduced a digitized library for archiving all Government documents.

CHAPTER THREE

COMMITTEE OBSERVATIONS AND RECOMMENDATIONS

COMMITTEE OBSERVATIONS

12. The Committee made the following observations –

- a) That it agrees with the proposal by the Government Printer, the Council of County Governors and the National Treasury and Economic Planning that the establishment of forty-seven (47) county government printers would be too expensive and fiscally imprudent since the offices would not only require employment of skilled officers but also capital investment for purchase of appropriate equipment. From the foregoing, it may be prudent to consider the establishment of regional offices that would serve a number of counties instead of a County Printer for each county government.
- b) That the Government Printer could consider decentralizing its services by establishing the proposed eight (8) regional offices which shall be domiciled at the Regional Headquarters aimed at serving all the counties in the respective regions. Further, the Government Printer should accelerate implementation of their proposed e-Gazette which will be accessed online by Citizens.
- c) That the Government Printer is not anchored in any law and that in order to capacitate it, there is need to ensure the development of a legal framework for the Government Printer that will outline its mandate to serve both levels of government.

COMMITTEE RECOMMENDATIONS

13. That, pursuant to standing order 159 of the Senate Standing Orders, the Sponsor of the Office of the County Printer Bill, 2022 (Senate Bills No.10 of 2022) **withdraws the Bill** to pave way for the development of a Bill that would capacitate the Government Printer to provide efficient and effective service to the counties.
14. In the event the recommendation to withdraw the Bill is not acceded to by the Sponsor of the Bill, the committee recommends that The House votes to reject the Bill.

LIST OF APPENDICES

Annex 1: Copy of the Bill


Annex 2: Advertisement as published in the Media

Annex 3: Signed Minutes of the Committee Sitings during consideration of the Bill

Annex 4: Copies of Stakeholder submissions

ANNEX 2: ADVERTISEMENT AS PUBLISHED IN THE MEDIA

REPUBLIC OF KENYA



**THIRTEENTH PARLIAMENT | SECOND SESSION
THE SENATE**

INVITATION FOR SUBMISSION OF MEMORANDA

At a sitting of the Senate held on Tuesday 15th February and Thursday, 16th February, 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 Senate Standing Committees now invite interested members of the public to submit any representations that they may have on the Bills.

The representations may be made by way of written memoranda on email to the Clerk of the Senate on the address 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, 3rd March, 2023 at 5.00 p.m.

Bill	Committee Referred To	Email Address
a) The Konza Technopolis Bill (Senate Bills No. 2 of 2023)	Standing Committee on Information, Communication and Technology.	ictcommittee.senate@parliament.go.ke
b) The Office Of the County Printer Bill (Senate Bills No. 10 of 2022)	Standing Committee on Information, Communication and Technology.	ictcommittee.senate@parliament.go.ke
c) The Tea (Amendment) Bill (Senate Bills No. 1 of 2023)	Standing Committee on Agriculture, Livestock and Fisheries.	agriculturecommittee.senate@parliament.go.ke
d) The Agricultural Livestock Extension Services Bill (Senate Bills No. 12 of 2022)	Standing Committee on Agriculture, Livestock and Fisheries.	agriculturecommittee.senate@parliament.go.ke
e) The Mung Beans Bill (Senate Bills No. 13 of 2022)	Standing Committee on Agriculture, Livestock and Fisheries.	agriculturecommittee.senate@parliament.go.ke
f) The Start-Up Bill (Senate Bills No. 14 of 2022)	Standing Committee on Trade, Industrialization and Tourism	tradeindtourismcomm.senate@parliament.go.ke

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.**

ANNEX 1

SPECIAL ISSUE

Kenya Gazette Supplement No. 197 (Senate Bills No. 10)



REPUBLIC OF KENYA

—————"

KENYA GAZETTE SUPPLEMENT

SENATE BILLS, 2022

NAIROBI, 29th November, 2022

CONTENT

Bill for Introduction into the Senate—

PAGE

The "Office" of the "County" Printer "Bill," 2022 149

1 XENNA

PRINTED AND PUBLISHED BY THE GOVERNMENT PRINTER, NAIROBI

00000000

00000000

OFFICE OF THE COUNTY PRINTER BILL, 2022
ARRANGEMENT OF CLAUSES

Clause

PART I – PRELIMINARY

- 1—Short title.
- 2—Interpretation.
- 3—Objects and purposes.

**PART II—ESTABLISHMENT OF THE OFFICE OF
THE COUNTY PRINTER**

- 4—Establishment of the office of the County Printer.
- 5—Functions of the office.
- 6—Prima facie evidence of printed documents.
- 7—Prohibition of advertisements in *County Gazette*.
- 8—Publication of the *County Gazette*.
- 9—Appointment of County Printer.
- 10—Staff of the Office of the County Printer.
- 11—Offences.
- 12—General Penalty.

PART III — MISCELLANEOUS PROVISIONS

- 13— Regulations.

**OFFICE OF THE COUNTY PRINTER BILL, 2022 A Bill for
AN ACT of Parliament to establish the office of the county
printer in each county; to provide for the functions,
mandate, management and administration of the
office; and for connected purposes.**

ENACTED by the Parliament of Kenya, as follows —

PART I—PRELIMINARY

1. This Act may be cited as the Office of the County Printer Act, 2022. Short title.

2. In this Act—

Interpretation.

“authorized officer” means —

- (a) a governor of a county;
- (b) a speaker of a county assembly;
- (c) a county executive committee member; and
- (d) the chairperson or secretary of an independent board, commission, committee or other body established by law in a county;

“county executive committee member” means the county executive committee member responsible for matters relating to information;

“county gazette” means a *gazette* published by the authority of a county government or a supplement to such *gazette*;

“county printer” means a person appointed under section 9 of the Act as the head the office of the county printer; and

“document” means any official proclamation or executive order and includes a Bill, Act, order, regulation, rule or similar instrument that is issued, prescribed or promulgated by an authorized officer.

3. The objects and purposes of this Act are to —

Objects and
purposes.

- (a) provide for the establishment of the office of the county printer in each county; and

- (b) provide for the printing and publication of a county *gazette* in each county.

PART II—ESTABLISHMENT OF THE OFFICE OF THE COUNTY PRINTER

4. (1) There is established, in each county, the office of the county printer. Establishment of the office.

(2) The office shall be an office in the county public service.

5. The office of the county printer shall be responsible for the printing and publication of the county *gazette* and shall – Functions of the office.

(a) publish in the county *gazette* such documents and information as are approved by an authorised officer within seven days of such authorisation;

(b) advise the county executive and the county assembly on all matters pertaining to printing and publication of documents;

(c) enter into such partnerships and collaborations with other public sector or private sector printing offices as are necessary for the proper execution of its functions under this Act; and

(d) perform any other function as may be necessary for the proper execution of its mandate under this Act.

6. In performing its functions under section 5, the office of the county printer shall coordinate and collaborate with the office of the government printer to facilitate the publication of documents requiring publication in the Kenya *Gazette* published by the office of the government printer in addition to the county *gazette*, ensure efficiency in the publication of documents and information requiring circulation within the respective county and ensure that there is no duplication in the printing and publication of documents.

Collaboration with the Office of the Government Printer.

7. Information published in the county *gazette* shall not include an advertisement published by or for a private individual, firm or corporation or contain any information or material which implies that the county government endorses or favours a specific commercial product, commodity or service.

Prohibition of advertisement in the county *Gazette*.

8. (1) The office of county printer shall publish the county *gazette* at least once in every week.

Publication of the County *Gazette*.

(1)! The office of county printer shall publish a special issue of the county *gazette* on the request of an authorized officer at any other time as may be required.

(2)! For purposes of subsection (1), the office of county printer may publish an electronic version of the *gazette* and such version shall have the same effect as a physical version of the *gazette*.

(3)! The county printer shall make available issues of the *gazette* to the National Council for Law Reporting established under section 2 of the National Council for Law Reporting Act.

9. (1) The office of the county printer shall be headed by ^{The County} a county printer. _{Printer.}

(2)! The county printer shall be competitively recruited and appointed by the County Public Service Board.

(3)! A person shall qualify to be appointed as a county printer if the person —

- (a)! holds at least a degree in a course relating to printing and publishing from a university recognized in Kenya;
- (b)! has knowledge and experience of at least ten years in the relevant field; and
- (c)! satisfies the requirements of Chapter Six of the Constitution.

(4)! The county printer shall be the overall head of the office of the county printer and shall be responsible for the

- (a)! day to day running and operation of the office;
- (b)! administration, organization and control of staff of the office;
- (c)! management of funds, property and affairs held by the office;
- (d)! implementation of policies and programmes of the office and reporting thereon to the county executive committee member;
- (e)! development of operational plans for achieving the objectives of the office; and
- (f)! performance of any other function necessary for the implementation of this Act or as may be assigned by the county any other written law.

10. The County Public Service Board shall, in consultation with the county secretary and the county printer, appoint such number of staff as may be necessary for the proper execution of the functions of the office of the county printer under this Act.

Staff of the
Office of the
County Printer.

11. A person who —

Offences.

(a) fails, without reasonable cause, to —

(i) approve the publication of a document required to be published under any written law; or

(ii) publish, within the period specified under any written law, a document which has been approved for publication;

(b) willfully or recklessly, authorises the publication or publishes false or misleading information; or

(c) without authorisation, alters a document approved for publication, commits an offence and is liable, on conviction, to a fine not exceeding two hundred thousand shillings, or to imprisonment for a term not exceeding six months, or to both.

12. A person who contravenes any provision of this Act for which no penalty is provided is liable, on conviction, to a fine not exceeding one hundred thousand shillings, or to imprisonment for a term not exceeding six months, or to both.

General penalty.

PART III—MISCELLANEOUS PROVISIONS

13. Subject to the provisions of this Act, the county executive committee member may, with the approval of the county assembly, make such Regulations as may be necessary to give full effect to the provisions of this Act.

Regulations.

**MEMORANDUM OF OBJECTS AND REASONS Statement of the
Objects and Reasons for the Bill**

The principle object of the Bill is to establish the office of the county printer in each of the forty-seven counties.

The establishment of this office is necessitated by the provisions of the County Governments Act, 2012 which makes reference to publication of Bills, Acts and other documentation in a "county gazette". The Act does not however provide for the establishment of the Office of a County Printer that would publish such gazettes.

Article 185(1) of the constitution provides for the legislative authority of county governments in the following terms - *Legislative authority of county assemblies*.

185. (1) The legislative authority of a county is vested in, and exercised by, its county assembly.

Article 199 of the Constitution provides that county legislation does not take effect unless it is published in the Gazette and further requires national and county legislation to prescribe additional requirements in respect of the publication of county legislation. In addition, section 23 of the County Government Act provides for the publication of a county legislation in the county Gazette and the Kenya Gazette while section 25 further requires the publication of legislation passed by a county assembly in the county and Kenya Gazette within seven days of assent.

The foregoing provisions require the publishing of county legislation and certain important formal decisions in the county gazette. Section 2 of the Act defines a county gazette to mean *a gazette published by the authority of the county government or a supplement of such gazette*.

Presently county governments rely on the Office of the Government printer to publish their legislation and any other matter required to be published. There is no legislation in place providing for the establishment of the county printer. This Bill therefore seeks to provide a legal framework for the independent publishing of laws and other official documents by the forty seven counties.

Overview of the Bill

The Bill provides the establishment of the office of the county printer as an office in the office of the county executive committee member responsible for matters relating to information. The functions of the office

shall be mainly to publish all authorised documents, advise and form partnerships on all matters relating to printing and publishing and ensure there is no duplication in the printing and publication of documents. It should be noted that documents may be authorised for publication by an authorized officer who include: governor, the Speaker or the Clerk of a County Assembly, County Executive Committee Member or the chairperson or secretary of an independent board or commission at the county.

The Bill further requires the county printer to be competitively recruited by the county public service board based on the possession of a relevant degree experience and compliance with the requirements of integrity under Chapter 6 of the Constitution. The county printer shall be in charge of the day to day management of the office and shall, among other things, appoint staff to the office in consultation with the county secretary, manage the funds of the office, implement policy and operationalize plans.

The Bill proposes that a county gazette be published at least once every week and at any other authorized time. It further proposes to proscribe the publishing of documents for purposes of advertising or for any other commercial gain.

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

Clause 11 of the Bill delegates legislative powers to the County Secretary to make regulations generally for the better carrying into effect of any provisions of this Bill once enacted.

The Bill however does not limit fundamental rights and freedoms.

Statement on how the Bill concerns county governments

The Constitution and the County Governments Act provide for various functions of the different arms of county government. These functions, including the passing of legislation and the making of important executive decisions that enable county governments to discharge their functions as set out under Part 2 of the Fourth Schedule to the Constitution. Article 185(2) of the Constitution limits the legislative authority of county assemblies in the following terms-

A county assembly may make any laws that are necessary for or incidental to, the effective performance of the functions and exercise of the powers of the county government under the Fourth Schedule.

This Bill is therefore a Bill concerning county governments in terms of Article 110(1)(a) of the Constitution.

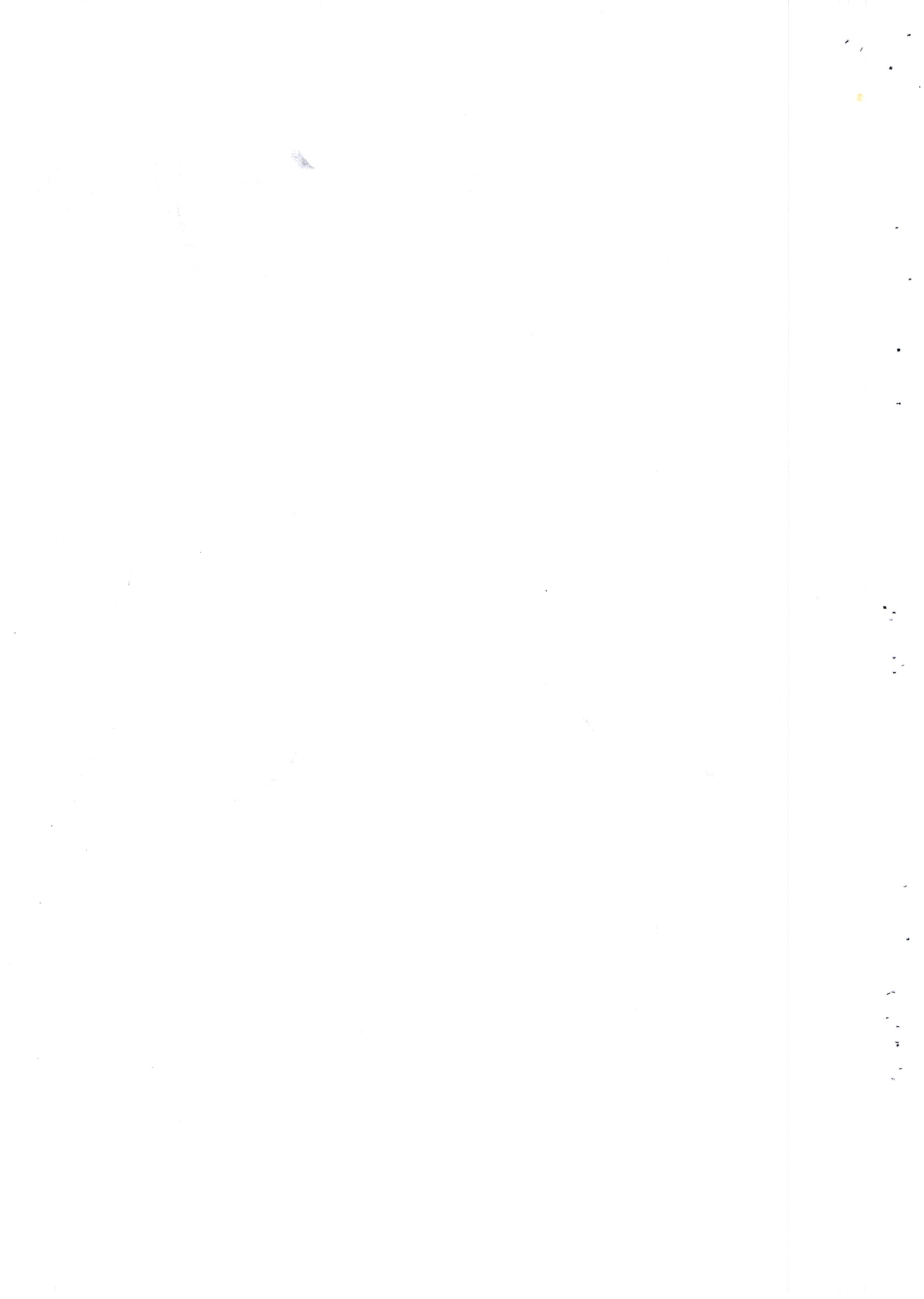
Statement that the Bill is not a money Bill, within the meaning of Article 114 of the Constitution.

This Bill is not a money Bill within the meaning of Article 114 of the Constitution.

Dated the 7th November, 2022.

EDWIN SIFUNA,
Senator.

!



ANNEX 2

ANNEX 2: ADVERTISEMENT AS PUBLISHED IN THE MEDIA

REPUBLIC OF KENYA



THIRTEENTH PARLIAMENT | SECOND SESSION THE SENATE

INVITATION FOR SUBMISSION OF MEMORANDA

At a sitting of the Senate held on Tuesday 15th February and Thursday, 16th February, 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 Senate Standing Committees now invite interested members of the public to submit any representations that they may have on the Bills.

The representations may be made by way of written memoranda on email to the Clerk of the Senate on the address 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, 3rd March, 2023 at 5.00 p.m.

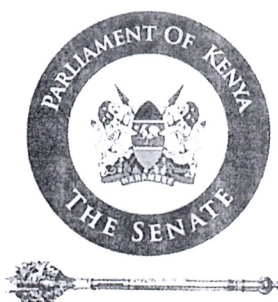
Bill	Committee Referred To	Email Address
a) The Korza Technopolis Bill (Senate Bills No. 2 of 2023)	Standing Committee on Information, Communication and Technology.	ictcommittee.senate@parliament.go.ke
b) The Office Of the County Printer Bill (Senate Bills No. 10 of 2022)	Standing Committee on Information, Communication and Technology.	ictcommittee.senate@parliament.go.ke
c) The Tea (Amendment) Bill (Senate Bills No. 1 of 2023)	Standing Committee on Agriculture, Livestock and Fisheries.	agriculturecommittee.senate@parliament.go.ke
d) The Agricultural Livestock Extension Services Bill (Senate Bills No. 12 of 2022)	Standing Committee on Agriculture, Livestock and Fisheries.	agriculturecommittee.senate@parliament.go.ke
e) The Mung Beans Bill (Senate Bills No. 13 of 2022)	Standing Committee on Agriculture, Livestock and Fisheries.	agriculturecommittee.senate@parliament.go.ke
f) The Start-Up Bill (Senate Bills No.14 of 2022)	Standing Committee on Trade, Industrialization and Tourism	tradeindtourismcomm.senate@parliament.go.ke

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.**

ANNEX 2

**ANNEX 3: SIGNED MINUTES OF THE COMMITTEE SITTINGS DURING
CONSIDERATION OF THE BILL**



THIRTEENTH PARLIAMENT | SECOND SESSION

MINUTES OF THE TWENTY-THIRD SITTING OF THE SENATE STANDING COMMITTEE ON INFORMATION, COMMUNICATION AND TECHNOLOGY HELD ON THURSDAY 16th MARCH, 2023 IN FIRST FLOOR BOARDROOM, RED CROSS BUILDING AT 9.00 A.M.

PRESENT

- | | |
|-------------------------------------|---------------|
| 1. Sen. Allan Kiprotich Chesang, MP | - Chairperson |
| 2. Sen. William Kipkemoi Kisang | - Member |
| 3. Sen. Godfrey Atieno Osotsi, MP | - Member |
| 4. Sen. Beatrice Akinyi Ogola, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|--|--------------------|
| 1. Sen. Miraj Abdulahi Abdulrahman, MP | - Vice-Chairperson |
| 2. Sen. Boy Juma Issa, MP | - Member |
| 3. Sen. Samson Kiprotich Cherarkey, MP | - Member |
| 4. Sen. Shakila Abdalla Mohamed, MP | - Member |
| 5. Sen. Karen Njeri Nyamu, MP | - Member |

SECRETARIAT

- | | |
|--|-----------------------|
| 1. Ms. Florence Waweru | - Clerk Assistant III |
| 2. Mr. Reinhardt Choge | - Clerk Assistant III |
| 3. Ms. Sombe Toona | - Legal Counsel I |
| 4. Mr. Stanley Gikore
Officer | -Media Relations |
| 5. Mr. Mike Mwamuye
Communications
Officer | -Public |
| 6. Mr. Charles Oyosi | -Audio Officer |
| 7. Mr. Sapan Pkioror | - Fiscal Analyst II |
| 8. Ms. Linet Amollo | -Research Officer |

MIN/SEN/ICT/154/2023

PRAYER

The Chairperson called the meeting to order at thirty minutes past Nine followed by a word of prayer.

MIN/SEN/ICT/155/2023

ADOPTION OF THE AGENDA

The agenda was adopted as proposed by Sen. Beatrice Akinyi Ogola, MP and seconded by Sen. William Kipkemoi Kisang, MP as follows:

1. Prayer;
2. Adoption of the agenda;
3. Confirmation of Minutes of previous meetings-
 - a) Minutes of the Seventeenth sitting held on 10th March, 2023
 - b) Minutes of the Eighteenth sitting held on 10th March, 2023
 - c) Minutes of the Nineteenth sitting held on 11th March, 2023
 - d) Minutes of the Twentieth sitting held on 11th March, 2023
 - e) Minutes of the Twenty-First sitting held on 14th March, 2023
4. Matter arising from minutes of the previous meetings
5. Consideration of a Statement before the Committee (*Committee Paper 13*)
6. Consideration of the Committee draft report on the Office of the County Printer Bill, 2022 (Senate Bills No. 10 of 2022) (*Committee Paper 14*)
7. Any other business; and
8. Adjournment/Date of the next meeting.

MIN/SEN/ICT/156/2023

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS-

- a) The minutes of the seventeenth sitting held on 10th March, 2023, were confirmed as a true record of the deliberations after being proposed by William Kipkemoi Kisang, MP and seconded by Sen. Allan Kiprotich Chesang, MP.
- b) The minutes of the eighteenth sitting held on 10th March, 2023, were confirmed as a true record of the deliberations after being proposed by Sen. Alan Kiprotich Chesang, MP and seconded by Sen. William Kipkemoi Kisang, MP.
- c) The minutes of the nineteenth sitting held on 11th March, 2023, were confirmed as a true record of the deliberations after being proposed by Sen. Sen. Beatrice Ogola, MP and seconded by Sen. William Kipkemoi Kisang, MP.
- d) The minutes of the twentieth sitting held on 11th March, 2023, were confirmed as a true record of the deliberations after being proposed by Sen. William Kipkemoi Kisang, MP and seconded by Sen. Beatrice Ogola, MP.
- e) The minutes of the twenty first sitting held on 14th March, 2023, were confirmed

as a true record of the deliberations after being proposed by Sen. Godfrey Osotsi, MP and seconded by Sen. William Kipkemoi Kisang, MP.

In regards to the confirmation of the minutes of the seventeenth sitting held on 10th March, 2023, the Chairperson handed over the Chairing- powers to Sen. Beatrice Ogola, MP temporary.

MIN/SEN/ICT/157/2023

MATTER ARISING FROM MINUTES OF
THE PREVIOUS MEETINGS

There were no matters arising from the set of minutes of the previous meetings.

MIN/SEN/ICT/158/2023

CONSIDERATION OF A STATEMENT
BEFORE THE COMMITTEE
(COMMITTEE PAPER 13)

Members were informed that at a sitting of the Senate held on Tuesday 7th March, 2023, Sen. David Wakoli, MP requested for a Statement from the Standing Committee on Information, Communication and Technology on the routing of international gateway tariffs by mobile telecommunications firms and mobile service providers.

It was resolved that correspondence seeking for responses on the statement be issued to the Ministry of ICT and the digital Economy and the mobile network operators.

MIN/SEN/ICT/159/2023

CONSIDERATION OF THE COMMITTEE
DRAFT REPORT ON THE OFFICE OF
THE COUNTY PRINTER BILL, 2022
(SENATE BILLS NO. 10 OF 2022)
(COMMITTEE PAPER 14)

Members were taken through the draft report of the Office of the County Printer Bill, 2022 (Senate Bill No.10 of 2022) and concurred with the following observations;

- a) The Bill is in line with Article 35 of the Constitution which postulates the right of access to information by Kenyans.
- b) The Government Printer, the Council of County Governors and the National Treasury and Economic Planning are of the view that the establishment of forty-seven (47) county government printers would be too expensive and fiscally imprudent since the offices would not only require employment of skilled officers but also capital investment for purchase of appropriate equipment.
- c) From the foregoing, it may be prudent to consider the establishment of regional offices that would serve a number of counties instead of a printer for each county government.
- d) In relation to this, the Committee supported the proposal by the Council of County Governors to have the Government printer decentralize its services. In addition, the Committee also supported the proposed establishment by the Government Printer of eight (8) regional offices which shall be domiciled at the Regional Headquarters to serve all the counties in the respective regions.

e) The Government Printer is not anchored in any law and that in order to capacitate it as per the recommendation by the National Treasury, there is need to ensure the development of a legal framework for the Government Printer that will outline its mandate to serve both levels of government.

f) The Senate Standing Orders provide for a timeline of thirty days within which the report of the Committee must be tabled before the House and therefore the request by the Ministry of Information and Communication Technology and the Digital Economy to extend the time to receive memoranda on the Bill past the date of the adoption of the report could not be accommodated.

Members further concurred with the following recommendations-

a) That the Senate considers setting aside the Bill in favour of further stakeholder engagements to ensure capacitation of the Government Printer to provide efficient and effective service to the counties.

b) That the Government Printer, in consultation with the Council of County Governors, develop a criterion for the establishment of the eight regional offices as envisioned in the Government Printer Strategic Plan 2023-2028, to serve the counties and report back to the Senate within one year of tabling of this report.

c) That the Government Printer deliberates with the Council of County Governors on the implementation of an e-Gazette which can be accessed online by Citizens

The report was thereafter adopted as proposed by Sen. William Kisang, MP and seconded by Sen. Beatrice Ogola, MP.

MIN/SEN/ICT/160/2023

ANY OTHER BUSINESS

Members were informed of the upcoming visit to Konza Technopolis on 17th March, 2023 and that all the logistical preparations have been put in place.

MIN/SEN/ICT/161/2023

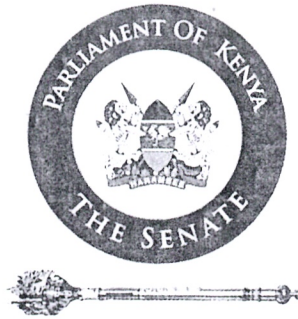
ADJOURNMENT AND DATE OF
NEXT MEETING

The meeting adjourned at Thirty-Two Minutes past Ten. The next meeting would be by notice.

SIGNED.....

DATE 20/3/2023

(CHAIRPERSON: SEN. ALLAN KIPROTICH CHESANG, MP)



THIRTEENTH PARLIAMENT | SECOND SESSION

MINUTES OF THE TWENTY-FIRST SITTING OF THE SENATE STANDING COMMITTEE ON INFORMATION, COMMUNICATION AND TECHNOLOGY HELD ON TUESDAY 14th MARCH, 2023 IN FIRST FLOOR BOARDROOM, RED CROSS BUILDING AT 9.00 A.M.

PRESENT

- | | |
|--|-------------------------------|
| 1. Sen. Miraj Abdulahi Abdulrahman, MP | - Vice-Chairperson (Chairing) |
| 2. Sen. Boy Juma Issa, MP | - Member |
| 3. Sen. William Kipkemoi Kisang | - Member |
| 4. Sen. Shakila Abdalla Mohamed, MP | - Member |
| 5. Sen. Godfrey Atieno Osotsi, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|--|---------------|
| 1. Sen. Allan Kiprotich Chesang, MP | - Chairperson |
| 2. Sen. Samson Kiprotich Cherarkey, MP | - Member |
| 3. Sen. Karen Njeri Nyamu, MP | - Member |
| 4. Sen. Beatrice Akinyi Ogola, MP | - Member |

SECRETARIAT

- | | |
|------------------------|---------------------------------|
| 1. Ms. Florence Waweru | - Clerk Assistant III |
| 2. Mr. Reinhardt Choge | - Clerk Assistant III |
| 3. Ms. Zeinab Jirma | - Legal Counsel II |
| 4. Mr. Stanley Gikore | - Media Relations Officer |
| 5. Mr. Mike Mwamuye | - Public Communications Officer |
| 6. Mr. Charles Oyosi | - Audio Officer |
| 7. Mr. Sapan Pkiror | - Fiscal Analyst II |
| 8. Ms. Linet Amollo | - Research Officer |
| 9. Mr. Boniface Mbithi | - Serjeant-at-arms |

MIN/SEN/ICT/141/2023

PRAYER

The Vice-Chairperson called the meeting to order at twenty-seven minutes past nine followed by a word of prayer.

MIN/SEN/ICT/142/2023

ADOPTION OF THE AGENDA

The agenda was adopted as proposed by Sen. Boy Juma Issa, MP and seconded by Sen. William Kipkemoi Kisang, MP with Amendments as follows:

1. Prayer;
2. Adoption of the agenda;
3. Confirmation of minutes of previous meetings-
 - a) Minutes of the thirteenth sitting held on 28th February, 2022
 - b) Minutes of the fourteenth sitting held on 2nd March, 2023
 - c) Minutes of the fifteenth sitting held on 7th March 2023
 - d) Minutes of the sixteenth sitting held on 9th March, 2023
4. Matters arising from minutes of the previous meetings;
5. Consideration of Submissions on the Office of the County Printer Bill, 2022 (Senate Bills No. 10 of 2022) and The Konza Technopolis Bill, 2023 (Senate Bills No. 2 of 2023) (Committee paper 10)
6. Consideration of correspondence before the Committee (Committee paper 11)
7. Any other business; and
8. Adjournment/Date of the next meeting.

MIN/SEN/ICT/143/2023

CONFIRMATION OF MINUTES OF PREVIOUS MEETINGS

- a) Minutes of the thirteenth sitting held on 28th February, 2022 were confirmed to be a true record of the deliberations as proposed by Sen. William Kipkemoi Kisang, MP and seconded by Sen. Godfrey Atieno Osotsi, MP.
- b) Minutes of the fourteenth sitting held on 2nd March, 2023 were deferred to a later meeting.
- c) Minutes of the fifteenth sitting held on 7th March 2023 were deferred to a later meeting.
- d) Minutes of the sixteenth sitting held on 9th March, 2023 were deferred to a later meeting.

MIN/SEN/ICT/144/2023

MATTERS ARISING FROM MINUTES OF THE PREVIOUS MEETINGS

There were no matters arising from the minutes of the thirteenth sitting held on 28th February, 2022.

MIN/SEN/ICT/145/2023

CONSIDERATION OF SUBMISSIONS ON
THE OFFICE OF THE COUNTY PRINTER
BILL, 2022 (SENATE BILLS NO. 10 OF 2022)
AND THE KONZA TECHNOLIS BILL,
2023 (SENATE BILLS NO. 2 OF 2023)
(COMMITTEE PAPER 10)

Members were informed of the letter received from The National Treasury and Economic Planning submitting their memoranda on the Office of the County Printer Bill, 2022 (Senate Bills No. 10 of 2022).

The Committee noted that the National Treasury and Economic Planning had made similar suggestions to what had been resolved by the Committee at its Fourteenth sitting under MIN/SEN/ICT/99/2023 CONSIDERATION OF THE OFFICE OF THE COUNTY PRINTER BILL (SENATE BILLS NO. 10 OF 2022) (COMMITTEE PAPER 5). They further reiterated that there was no need to heighten recurrent expenditure by additional offices at the county level.

Members agreed to amend the incidental clauses in the County Government Act to remove the provisions of the County Printer and County Gazette.

MIN/SEN/ICT/146/2023

CONSIDERATION OF CORRESPONDENCE
BEFORE THE COMMITTEE (COMMITTEE
PAPER 11)

Members were informed of a letter received from the Council of Governors on 9th March, 2023 regarding an induction retreat for the County Executive Committee Members (CECMS) in charge of ICT under the theme- ICT for improved service delivery at the County Level from 27th – 31st March, 2023 in Mombasa County at a venue that will be communicated.

Members proposed to that the Chairperson and/or Vice-Chairperson attend the opening ceremony/sessions starting from Monday, 27th March while the rest of the committee members join them from Thursday, 30th March, 2023.

MIN/SEN/ICT/147/2023

ANY OTHER BUSINESS

The Committee proposed to schedule an In-House meeting to brainstorm on possible ICT matters for its consideration.

MIN/SEN/ICT/148/2023

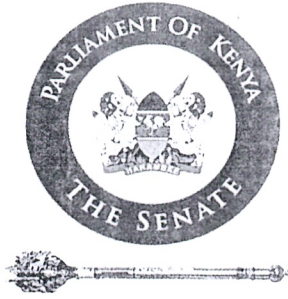
ADJOURNMENT AND DATE OF
NEXT MEETING

The meeting adjourned at Two minutes to Ten. The next meeting would be by notice.

SIGNED..........

DATE.....28/3/2023.....

(CHAIRPERSON: SEN. ALLAN KIPROTICH CHESANG, MP)



THIRTEENTH PARLIAMENT | SECOND SESSION

MINUTES OF THE TWENTIETH SITTING OF THE SENATE STANDING COMMITTEE ON INFORMATION, COMMUNICATION AND TECHNOLOGY HELD ON SATURDAY, 11 TH MARCH, 2023 IN LONGONOT BOARDROOM AT LAKE NAIVASHA SAWELA LODGES, NAKURU COUNTY AT 2.30 P.M.

PRESENT

- | | |
|--|--------------------|
| 1. Sen. Allan Kiprotich Chesang, MP | - Chairperson |
| 2. Sen. Miraj Abdulahi Abdulrahman, MP | - Vice-Chairperson |
| 3. Sen. William Kipkemoi Kisang, MP | - Member |
| 4. Sen. Boy Juma Issa, MP | - Member |
| 5. Sen. Shakila Abdalla Mohamed, MP | - Member |
| 6. Sen. Karen Njeri Nyamu, MP | - Member |
| 7. Sen. Beatrice Akinyi Ogola, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|--|----------|
| 1. Sen. Samson Kiprotich Cherarkey, MP | - Member |
| 2. Sen. Godfrey Atieno Osotsi, MP | - Member |

SECRETARIAT

- | | |
|------------------------|-----------------------------|
| 1. Ms. Veronica Kibati | - Principal Clerk Assistant |
| 2. Ms. Florence Waweru | - Clerk Assistant |
| 3. Mr. Reinhardt Choge | - Clerk Assistant |
| 4. Ms. Sombe Toona | - Legal Counsel |
| 5. Ms. Zeinab Jirma | - Legal Counsel |
| 6. Mr. Jackson Osore | - Research Officer |
| 7. Mr. Stanley Gikore | - Media Relations Officer |
| 8. Mr. Charles Oyosi | - Audio Officer |
| 9. Mr. Boniface Mbithi | - Sergeant-At-Arms |

The Chairperson called the meeting to order at thirty minutes past two followed by a word of prayer.

The agenda was adopted as proposed by Sen. Shakila Abdalla Mohamed, MP and seconded by Sen. Beatrice Akinyi Ogola, MP as follows-

1. Prayer
2. Adoption of the agenda
3. Consideration of the Office of the County Printer Bill, 2022 (Senate Bills No. 10 of 2022) (*Committee Paper 9*) (Submission from Council of Governors)
4. Any other business
5. Adjournment and Date of the next meeting

1. Members were briefed on the actions that had been taken towards engaging public participation by placing an advertisement in the Daily Nation and Standard Newspapers on Tuesday 21st February, 2023 and had also engaged targeted stakeholders to submit their memoranda on the bill. Members were further informed that the submission received from Council of Governors had been received on 10th March, 2023.
2. Members were guided through the matrix of submissions from the Council of Governors by the Legal Counsel. Members made contributions, recommendations and rejections on the clauses in the submissions received from the Council of Governors.
3. Members noted that the Council of Governors was against the establishment of 47 printers citing need for proper use of public resources as setting up printers in all the counties would raise the recurrent expenditure bill.
4. Members further noted that the recommendations from the Council of Governors were similar to the suggestions made by the Committee during its Fourteenth meeting on the Thursday 2nd March, 2023 under MIN/SEN/ICT/99/2023 CONSIDERATION OF THE OFFICE OF THE COUNTY PRINTER BILL (SENATE BILLS NO. 10 OF 2022) (COMMITTEE PAPER 5).
5. Members resolved to invite the Council of Governors to a meeting of the Committee for further deliberation. They also resolved to invite the sponsor of the Bill to the said

meeting.

MIN/SEN/ICT/139/2023

ANY OTHER BUSINESS

There was no other business.

MIN/SEN/ICT/140/2023

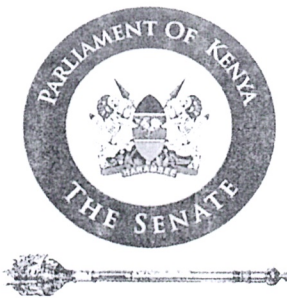
ADJOURNMENT AND DATE OF
NEXT MEETING

The Chairperson adjourned the meeting at forty minutes past 3.00pm. The next meeting will be held by notice.

SIGNED..........

DATE 20/3/2023.....

(CHAIRPERSON: SEN. ALLAN KIPROTICH CHESANG, MP)



THIRTEENTH PARLIAMENT | SECOND SESSION

MINUTES OF THE NINETEENTH SITTING OF THE SENATE STANDING COMMITTEE ON INFORMATION, COMMUNICATION AND TECHNOLOGY HELD ON SATURDAY, 11 TH MARCH, 2023 IN LONGONOT BOARDROOM AT LAKE NAIVASHA SAWELA LODGES, NAKURU COUNTY AT 8.00 A.M.

PRESENT

- | | |
|--|--------------------|
| 1. Sen. Allan Kiprotich Chesang, MP | - Chairperson |
| 2. Sen. Miraj Abdulahi Abdulrahman, MP | - Vice-Chairperson |
| 3. Sen. William Kipkemoi Kisang, MP | - Member |
| 4. Sen. Boy Juma Issa, MP | - Member |
| 5. Sen. Shakila Abdalla Mohamed, MP | - Member |
| 6. Sen. Karen Njeri Nyamu, MP | - Member |
| 7. Sen. Beatrice Akinyi Ogola, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|--|----------|
| 1. Sen. Samson Kiprotich Cherarkey, MP | - Member |
| 2. Sen. Godfrey Atieno Osotsi, MP | - Member |

SECRETARIAT

- | | |
|------------------------|-----------------------------|
| 1. Ms. Veronica Kibati | - Principal Clerk Assistant |
| 2. Ms. Florence Waweru | - Clerk Assistant |
| 3. Mr. Reinhardt Choge | - Clerk Assistant |
| 4. Ms. Sombe Toona | - Legal Counsel |
| 5. Ms. Zeinab Jirma | - Legal Counsel |
| 6. Mr. Jackson Osore | - Research Officer |
| 7. Mr. Stanley Gikore | - Media Relations Officer |
| 8. Mr. Charles Oyosi | - Audio Officer |
| 9. Mr. Boniface Mbithi | - Sergeant-At-Arms |

MIN/SEN/ICT/131/2023

PRAYER

The Chairperson called the meeting to order at thirty minutes past nine followed by a word of prayer. This was followed by a round of introductions of the committee members and secretariat present.

MIN/SEN/ICT/132/2023

ADOPTION OF THE AGENDA

The agenda was adopted as proposed by Sen. Miraj Abdulahi Abdulrahman, MP and seconded by Sen. William Kipkemoi Kisang, MP as follows-

1. Prayer
2. Adoption of the agenda
3. Consideration of the Office of the County Printer Bill, 2022(Senate Bills No. 10 of 2022) (*Committee paper 9*) (Submission from Government Press)
4. Any other business
5. Adjournment and Date of the next meeting

MIN/SEN/ICT/133/2023

**CONSIDERATION OF THE OFFICE OF THE
COUNTY PRINTER BILL (SENATE BILLS
NO. 10 OF 2022)(COMMITTEE PAPER 9)
(SUBMISSION FROM GOVERNMENT
PRESS)**

1. Members were briefed on the actions that had been taken towards engaging public participation by placing an advertisement in the Daily Nation and Standard Newspapers on Tuesday 21st February, 2023 and had also engaged targeted stakeholders to submit their memoranda on the bill. Members were further informed that the submission had been received at the close of public Participation on 3rd March, 2023.
2. The Legal Counsel guided Members through the matrix of submissions from the Government Printer. Members made contributions and recommendations on the clauses based on the submissions received from the Government Printer.
3. Members noted that the Government Printer's memoranda did not indicate whether they were overwhelmed by the shared printing of the Kenya Gazette and County Publications.
4. Members resolved to invite the Government Printer to a meeting of the Committee for further deliberations and further invite the Sponsor of the Bill to the said meeting.

MIN/SEN/ICT/134/2023

ANY OTHER BUSINESS

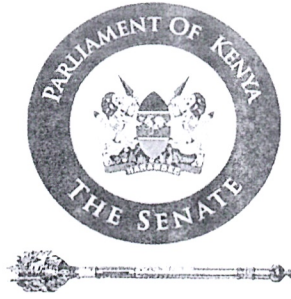
There was no other business.

The Chairperson adjourned the meeting at ten minutes to 1.00pm. The next meeting will be held on 11th March, 2023 at 2.30pm.

SIGNED..........

DATE.....*28/3/2023*.....

(CHAIRPERSON: SEN. ALLAN KIPROTICH CHESANG, MP)



THIRTEENTH PARLIAMENT | SECOND SESSION

MINUTES OF THE EIGHTEENTH SITTING OF THE SENATE STANDING COMMITTEE ON INFORMATION, COMMUNICATION AND TECHNOLOGY HELD ON FRIDAY, 10 TH MARCH, 2023 IN LONGONOT BOARDROOM AT LAKE NAIVASHA SAWELA LODGES, NAKURU COUNTY AT 2.30 P.M.

PRESENT

- | | |
|--|--------------------|
| 1. Sen. Allan Kiprotich Chesang, MP | - Chairperson |
| 2. Sen. Miraj Abdulahi Abdulrahman, MP | - Vice-Chairperson |
| 3. Sen. William Kipkemoi Kisang, MP | - Member |
| 4. Sen. Boy Juma Issa, MP | - Member |
| 5. Sen. Samson Kiprotich Cherarkey, MP | - Member |
| 6. Sen. Shakila Abdalla Mohamed, MP | - Member |
| 7. Sen. Karen Njeri Nyamu, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|-----------------------------------|----------|
| 1. Sen. Godfrey Atieno Osotsi, MP | - Member |
| 2. Sen. Beatrice Akinyi Ogola, MP | - Member |

SECRETARIAT

- | | |
|------------------------|-----------------------------|
| 1. Ms. Veronica Kibati | - Principal Clerk Assistant |
| 2. Ms. Florence Waweru | - Clerk Assistant |
| 3. Mr. Reinhardt Choge | - Clerk Assistant |
| 4. Ms. Sombe Toona | - Legal Counsel |
| 5. Ms. Zeinab Jirma | - Legal Counsel |
| 6. Mr. Jackson Osore | - Research Officer |
| 7. Mr. Stanley Gikore | - Media Relations Officer |
| 8. Mr. Charles Oyosi | - Audio Officer |
| 9. Mr. Boniface Mbithi | - Sergeant-At-Arms |

MIN/SEN/ICT/126/2023

PRAYER

The Chairperson called the meeting to order at thirty minutes past two followed by a word of prayer. This was followed by a round of introductions of the committee members and secretariat present.

MIN/SEN/ICT/127/2023

ADOPTION OF THE AGENDA

The agenda was adopted as proposed by Sen. Miraj Abdulahi Abdulrahman, MP and seconded by Sen. Shakila Abdalla Mohamed, MP as follows-

1. Prayer
2. Adoption of the agenda
3. Konza Technopolis Bill, 2023(Senate Bills No. 2 of 2023) (*Committee paper 8*) (Submission from Council of Governors)
4. Any other business
5. Adjournment and Date of the next meeting

MIN/SEN/ICT/128/2023

**KONZA TECHNOPOLIS BILL,
2023(SENATE BILLS NO. 2 OF 2023)
(COMMITTEE PAPER 8) (SUBMISSION
FROM COUNCIL OF GOVERNORS)**

1. Members were first briefed on the actions that had been taken towards engaging public participation by placing an advertisement in the Daily Nation and Standard Newspapers on Tuesday 21st February, 2023 and had also engaged targeted stakeholders to submit their memoranda on the bill. Members were further informed that the submission received from the Council of Governors had been received on the 9th March, 2023.
2. Members made recommendations on the clauses in the submissions received from the Council of Governors. They agreed with the Council of Governors that the Authority should liaise with the relevant County Governments in administration of the planning, development and management of the Technopolis.

MIN/SEN/ICT/129/2023

ANY OTHER BUSINESS

There was no other business.

MIN/SEN/ICT/130/2023

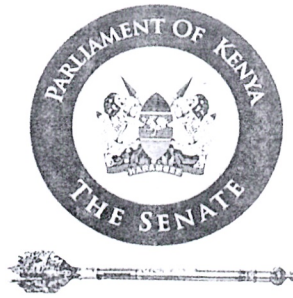
**ADJOURNMENT AND DATE OF
NEXT MEETING**

The Chairperson adjourned the meeting at ten minutes past 4.00pm. The next meeting will be held on the 11th March, 2023.

SIGNED..........

DATE.....20/3/2023.....

(CHAIRPERSON: SEN. ALLAN KIPROTICH CHESANG, MP)



THIRTEENTH PARLIAMENT | SECOND SESSION

MINUTES OF THE SEVENTEENTH SITTING OF THE SENATE STANDING COMMITTEE ON INFORMATION, COMMUNICATION AND TECHNOLOGY HELD ON FRIDAY, 10 TH MARCH, 2023 IN LONGONOT BOARDROOM AT LAKE NAIVASHA SAWELA LODGES, NAKURU COUNTY AT 9.00 A.M.

PRESENT

- | | |
|--|--------------------|
| 1. Sen. Allan Kiprotich Chesang, MP | - Chairperson |
| 2. Sen. Miraj Abdulahi Abdulrahman, MP | - Vice-Chairperson |
| 3. Sen. William Kipkemoi Kisang, MP | - Member |
| 4. Sen. Boy Juma Issa, MP | - Member |
| 5. Sen. Samson Kiprotich Cherarkey, MP | - Member |
| 6. Sen. Shakila Abdalla Mohamed, MP | - Member |
| 7. Sen. Karen Njeri Nyamu, MP | - Member |

ABSENT WITH APOLOGY

- | | |
|-----------------------------------|----------|
| 1. Sen. Godfrey Atieno Osotsi, MP | - Member |
| 2. Sen. Beatrice Akinyi Ogola, MP | - Member |

SECRETARIAT

- | | |
|------------------------|-----------------------------|
| 1. Ms. Veronica Kibati | - Principal Clerk Assistant |
| 2. Ms. Florence Waweru | - Clerk Assistant |
| 3. Mr. Reinhardt Choge | - Clerk Assistant |
| 4. Ms. Sombe Toona | - Legal Counsel |
| 5. Ms. Zeinab Jirma | - Legal Counsel |
| 6. Mr. Jackson Osore | - Research Officer |
| 7. Mr. Stanley Gikore | - Media Relations Officer |
| 8. Mr. Charles Oyosi | - Audio Officer |
| 9. Mr. Boniface Mbithi | - Sergeant-At-Arms |

MIN/SEN/ICT/121/2023

PRAYER

The Chairperson called the meeting to order at thirty minutes past nine followed by a word of prayer. This was followed by a round of introductions of the committee members and secretariat present.

MIN/SEN/ICT/122/2023

ADOPTION OF THE AGENDA

The agenda was adopted as proposed by Sen. William Kipkemoi Kisang, MP and seconded by Sen. Shakila Abdalla Mohamed, MP as follows-

1. Prayer
2. Adoption of the agenda
3. Consideration of the Konza Technopolis Bill, 2023(Senate Bills No. 2 of 2023)
(*Committee paper 8*) (Submission from Konza Technopolis Development Authority)
4. Any other business
5. Adjournment and Date of the next meeting

MIN/SEN/ICT/123/2023

CONSIDERATION OF THE KONZA
TECHNOPOLIS BILL, 2023(SENATE BILLS
NO. 2 OF 2023)(COMMITTEE PAPER 8)
(SUBMISSION FROM KONZA
TECHNOPOLIS DEVELOPMENT
AUTHORITY)

1. Members were first briefed on the actions that had been taken towards engaging public participation by placing an advertisement in the Daily Nation and Standard Newspapers on Tuesday 21st February, 2023 and had further engaged targeted stakeholders to submit their memoranda on the bill. Members were further informed that the submission received from the Konza Technopolis Development Authority had been received on 3rd March, 2023.
2. Members were guided through the matrix of submissions from the Konza Technopolis Development Authority by the Legal Counsel. Members made contributions and recommendations on the clauses deemed inadequate based on the submissions received from the Konza Technopolis Development Authority.

3. Members were informed that correspondence had been dispatched to the Ministry of Information, Communication and the Digital Economy inviting them to a meeting of the committee for further deliberations on the Bill.
4. The Committee further noted that the Chair of the Board of Management should be appointed by the President as is the norm with other Boards and further to this, the Council of Governors should have two slots on the Board.
5. The proposal to have a Konza Dispute Resolution Tribunal was considered to be a progressive one by the Committee and they stated that Tribunal Members should not be drawn from different fields and further that constituting the tribunal should be a reserve of the Judicial Service Commission.
6. Members resolved to proceed with the tabling a progress report should the Ministry fail to attend the meeting; however, it should be indicated in the report that the Committee had engaged them.
7. Members guided that all the deliberations on the submissions from the Konza Technopolis Development Authority be captured clearly under the matrix.

MIN/SEN/ICT/124/2023

ANY OTHER BUSINESS

There was no other business.

MIN/SEN/ICT/125/2023

**ADJOURNMENT AND DATE OF
NEXT MEETING**

The Chairperson adjourned the meeting at forty minutes past 1.00pm. The next meeting will be held on 10th March, 2023 at 2.00pm.

SIGNED.....

DATE.....20/3/2023.....

(CHAIRPERSON: SEN. ALLAN KIPROTICH CHESANG, MP)

Annex
4



Republic of Kenya

EXECUTIVE OFFICE OF THE PRESIDENT

Government Press

A Memorandum on the county Printer Bill, 2022

Presented to:

The Senate Standing Committee on Information and Technology

By:

**Ali Abdi Hassan
Ag. Government Printer**

March, 2023

1.1 Introduction

Pursuant to Article 118 of the Constitution of Kenya and Standing Orders 130 (4) of the Senate Standing Orders, the GP was invited to give views and comments on the Bill.

This write-up is an attempt by the GP to scrutinize, review, analyze, interpret and give views and comments with respect to the Bill. The document provides grounds on why the committee should not approve the bill. This memorandum will aid in making an informed decision about the proposed County Printer Bill, 2022.

1.2 The Government Printer

Government Press, headed by the Government Printer, is under the Executive Office of the President. Government Press is the Government's primary centralized resource for producing, procuring, authenticating, cataloging, disseminating, and preserving the official information products of the Kenya Government.

It is one of the oldest and biggest printing establishments in Kenya. The Department is responsible for the production of information products for all three arms of Government as well as the official publications for Parliament, State House and County Governments and the courts.

2.0 KEY ISSUES REGARDING THE PROPOSED COUNTY PRINTER'S BILL

2.1 Mandate as detailed in the Constitution

Attention is drawn to the provisions of the Constitution of Kenya as follows:

- Article 35(3) states "The State shall publish and publicize any important information affecting the nation".
- Article 6(3) states that "A national State organ shall ensure reasonable access to its services in all parts of the Republic, so far as it is appropriate to do so having regard to the nature of the service", and
- Article 199(1) states that "County legislation does not take effect unless published in the Gazette"

Therefore, Government Press is the Government's primary centralized resource for producing, procuring, authenticating, cataloging, disseminating, and preserving the official information products of the Kenya Government.

2.2 Centralized Database on Legislations and other documents.

The main reason for a centralized database for all government legislations is critical for future ease of reference. This is a standard practice world over as exhibited by developed Countries eg USA, (Government Printing Office), South Africa (Government Printing Works) and India (Directorate of Printing) among others. It may also present the question of quality control and standardization of 47 separate processes producing and sharing documents whose integrity is of utmost importance. Clause 5 (c) in the bill suggests such outsourcing may be from both private and public sectors, this is potentially open to forgery of critical government documents.

2.3 Cost Benefit Analysis

It is worth informing the Committee that establishing a Printing plant is quite expensive. It requires heavy capital outlay. Huge revenue allocation would be required from the National Government in terms of development and recurrent budget. Returns on investment could also be slow or unachievable in the long run based on the volumes printed at the county level. It is GPs considered opinion that it would be cost-effective to utilize the Government Press to print county jobs while strategize to enhance efficiency and effectiveness and increase performance to handle county legislation through establishment of regional offices to serve counties. The offices will be headed by officers from the Government Press.

2.4 County Jobs Office

The GP has an established and dedicated County Office, that is charged with the responsibility of printing and publishing county legislations and other jobs. The said office is fully equipped with requisite machines and equipment, materials and staff.

The GP had made in its strategic plan 2023-2028 has a strategy on proposal to the Executive Office on creation of 8 Regional Offices to act as Repositories for handling all county jobs. The offices shall be domiciled at the Regional Headquarters to serve all the counties in the respective regions.

2.5 Printing of County Gazettes

It is our considered opinion that The County Gazette will serve the same purpose as the Kenya Gazette, however, on the level of the county government. That is, it is as a tool to communicate messages of county importance to the general public and would contain information of a legal, administrative and general nature. County Gazettes will be published for each of the 47 counties in Kenya. County Gazette, being a weekly or monthly publication, without much

content based on GPs findings, the Government Printer has basic infrastructure and capacity in terms of human resources, machines and equipment to undertake the job.

2.6 Presidential Directive on Digitization of Government Services

In addition to the above, the National Government has made a directive that 80% of Government services be digitized by June 2023. To implement this directive, the GP is developing an eGazette which will be accessed online by Citizens. Travels to access information and Government services in Nairobi will be reduced tremendously. The GP has also introduced a library which is responsible for digitization and archiving of all Government documents.



COUNCIL OF GOVERNORS

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

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

Our Ref: COG/6/6 Vol. 3 (73)

9th March, 2023

Mr. Jeremiah Nyegenye, CBS
The Clerk of the Senate
Parliament Buildings
NAIROBI

Dear Mr. Nyegenye

THE OFFICE OF THE COUNTY PRINTER BILL, 2022

The above matter and your letter Ref: **SEN/DSEC/ICT/2023** (04) inviting the Council of Governors to make any representations on the above Bill refers,

The Council of Governors appreciates that in realizing the objects of Devolution, the principles of consultation and cooperation under Article 6(2) and Article 189 of the Constitution are inevitable. Based on these principles, the Council has reviewed the **Office of the County Printer Bill, 2022** and upon consultation states/proposes as follows;

1. The Government Printer as currently established sufficiently, though with challenges, handles the documentation and matters arising from the County Governments in respect to printing. Further, the quantum of printing from County Governments on a weekly or otherwise basis does not warrant establishment of County Printers in every County. Notably, the financial, human resource and infrastructural resources needed to establish a county printer is not cost effective considering the limited resources at the County.
2. In order to ensure fiscal frugality in Kenya as envisioned in the Public Finance Management Act, 2012, the Council of Governors proposes that the office of the Government Printer decentralizes its services and offers them regionally to ensure easy accessibility for County Governments and the Citizens of Kenya.
3. Alternatively, the County Printer's office in Nairobi can have a fully-fledged department whose sole role is to handle County Government affairs. Currently they have a County Specific desk which is manned by one person and while this eases the processes, it could be more efficient with additional Human, technological and financial resources.
4. Finally, the Council proposes the withdrawal of the Bill and requests the Senate to convene the necessary offices to further discuss this matter and come to a position on the appropriate legislation that will conceptualize/establish the Printer as a joint entity.



COUNCIL OF GOVERNORS

Please be assured of our highest esteem and consideration.

Yours sincerely,

Mary Mwiti
Chief Executive Officer

Copy:

1. **Rt. Hon. Justin Muturi EGH MP**
Attorney General
NAIROBI
2. **Mr. Abdi Hassan Ali**
The Government Printer
NAIROBI