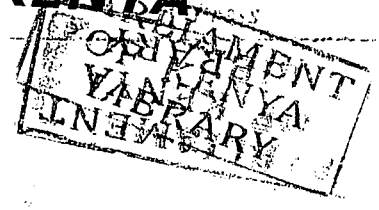


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REPUBLIC OF KENYA



NATIONAL ASSEMBLY OF KENYA

NINTH PARLIAMENT

**DEPARTMENTAL COMMITTEE ON HEALTH,
HOUSING, LABOUR AND SOCIAL WELFARE**

**REPORT ON THE NUTRITIONISTS AND
DIETICIANS BILL, 2006**

**CLERKS CHAMBER,
PARLIAMENT BUILDINGS,
NAIROBI**

NOVEMBER, 2006

PROPOSED AMENDMENTS TO THE NUTRITIONISTS AND DIETICIANS BILL, 2006

1.0 PREFACE

Mr. Speaker Sir,

The Departmental Committee on Health, Housing, Labour and Social Welfare was constituted at the commencement of the Ninth Parliament pursuant to the provisions of Standing Order No. 151. The said Standing Order No. 151 (1) (c) mandates the Committee to among other things:-

(c) to study and review all legislation after the First Reading subject to the exemptions under Standing Order No. 101 A (4)

2.0 SUBJECTS

The Committee's subjects are as follows:-

- (a) Health
- (b) Housing
- (c) Labour
- (d) Social Welfare

The Committee oversees the performance of the following Ministries:-

- (a) Health
- (b) Labour and Human Resource Development
- (c) Housing
- (d) Sports, Gender, Culture and Social Services

3.0 MEMBERSHIP

The Committee comprises the following Members:-

The Hon. (Dr.) Hezron Manduku, MP – **Chairman**
The Hon. Tobias Ochola Ogur, MP
The Hon. Reuben Ndolo, MP

The Hon. Norman M. G. K. Nyagah, MP
The Hon. (Dr.) Naomi Shaaban, MP
The Hon. Zebedeo J. Opore, MP
The Hon. Abdalla Ngozi, MP
The Hon. (Prof.) Julia Ojiambo, MP
The Hon. William Boit, MP
The Hon. Benson Mbai, MP
The Hon. David Koros, MP

4.0 SUMMARY

Mr. Speaker Sir,

On behalf of the Departmental Committee on Health, Housing, Labour and Social Welfare, I am pleased to present to the House the Committee's recommendations on the Nutritionists and Dieticians Bill, 2006, pursuant to the provisions of Standing Order 162. The Bill was referred to the Committee after it was tabled in the House for the First Reading on July 27, 2006.

I take this opportunity to thank all the Members of the Committee and the secretariat for their dedication and hard work and their desire to improve the Bill.

The Committee held several sittings to deliberate on the Bill and also discussed it with various stakeholders, during a workshop held in Naivasha, whose views have been integrated in the form of proposed amendments.

5.0 BACKGROUND

Mr. Speaker Sir,

This Bill seeks to provide for the registration of nutritionists and dieticians in the country. This cadre of health workers has been neglected in the past and this can be attested by the lack of a regulatory framework to guide nutritionists and dieticians.

While this Committee was conducting inspection visits to various health institutions in the country, it was appalled to see nutritionists operating in the corridors of health institutions without offices and proper facilities and at times equated to cooks. The Committee also learnt that this cadre of staff lacked a

system for their upward mobility and this killed their morale. It is important to appreciate that a doctor cannot adequately treat a patient without proper nutrition. In fact, some diseases are treated by only administering the right kind of food and this is done by nutritionists and dieticians.

In the developing world the biggest concerns often lie with the lack of vitamins and minerals, as well as the access to clean drinking water. The solution to a lack of nutrients is to improve people's diet. This can be done naturally but often people do not have access to the right types of food, and in some cases any food at all. As a result groups of people are fed 'supplementary food', this is food extra to their diets which contain the nutrients they lack or in countries where a population as a whole is lacking a certain vitamin or mineral the food is fortified.

It is important to realise an inadequate supply of food is often caused by war, or poverty or natural disasters like drought or floods as the case is in Kenya today. The situation can be especially bad if a country has suffered a combination of these and more other factors, for example, a drought and a civil war.

In addition to the shortage of food, diseases also cause malnutrition. Diseases such as diarrhoea cause the body to lose essential nutrients, by flushing them out of the body. They can take a long time to replace and may affect a child's growth and development. Another important fact is that malnutrition is increasing in situations where by people choosing to eat the wrong types of food, not by a lack of adequate supply.

The fight on the shortage of food and malnutrition can be won with the help of trained, qualified and motivated nutritionist and dieticians.

Mr. Speaker Sir,

There exists a difference between dietetics and nutrition even though the two are often confused and used interchangeably. Dietetics is the interpretation and communication of the science of nutrition to enable people to make informed and practical choices about food and lifestyle, in both health and disease while nutrition is the study of nutrients in food, how nutrients are used by the body, and the relationship between diet, health and disease.

While nutritionists on one hand, undertake the practical application of nutrition with both individuals and population groups to promote the well being of individuals and communities to prevent nutrition related problems as well as

involvement in the diagnoses and dietary treatment of disease, dietitians on the other hand, work with people who have special dietary needs, inform the general public about nutrition, give unbiased advice, evaluate and improve treatments and educate clients, doctors, nurses, health professionals and community groups.

There is a need to protect this profession from people who are quacks but practicing as nutritionist or dieticians due to the lack of a legal or regulatory framework to guide the recruitment and registration of nutritionist and dieticians. The Bill provides the establishment of a board to regulate and register nutritionist and dieticians by providing the qualifications for registration and prescribing the code of conduct for those registered to practice the profession.

The Bill also establishes an Institute which shall set the framework for professional practice, advise minister and devise nutritional and dietary programmes for the country among other functions.

6.0 CONCLUSION

The Committee recommends the enactment of this Bill into law for the recognition of this noble profession but with relevant amendments as appended.



HON. REUBEN NDOLO, MP

MEMBER,

DEPARTMENTAL COMMITTEE ON HEALTH, HOUSING, LABOUR
AND SOCIAL WELFARE COMMITTEE

COMMITTEES PROPOSED AMENDMENTS TO THE NUTRITIONISTS
BILL, 2006

PART I- PRELIMINARY

The long title be amended by inserting the word **training** before the word **registration** and deleting all the words appearing after the word **participation** and substituting therefor with the words **in matters relating to nutrition and dietetics and for connected purposes** .

CLAUSE 1: That **Clause 1** be amended as follows:-

- Insert the words **being not later than thirty days from the date of assent** after the word **date** appearing in the third line.

CLAUSE 2: That **Clause 2** is amended as follows:-

- “council”** - in the interpretation of Council delete *section 10* and substitute therefor with **section 11**.

Insert a new interpretation before consultant nutritionist so as to read:

“Consultant Dietician” - means a Dietician who works under the a specific contract of service in a health institution or in private practice;

CLAUSE 3: That **Clause 3** be amended as follows:

- Clause 3:** - That all words appearing after and including the word **provided** be deleted.

CLAUSE 4: agreed to

CLAUSE 5: That **Clause 5** be amended as follows:

- Clause 5 ((v)** – delete **the central bureau of statistics** and substitute therefor with **the Kenya Bureau of Standards**.

Insert a new subsection (viii) and renumber subsequent subsection accordingly.

Clause 5 (e)(viii) – the Kenya medical training college

Clause 5 (e) (ix) - delete the word **three** appearing before the word **other** in the first line and substitute therefor with the word **two**.

Clause 5 (5) – delete all words appearing after the word ***board** appearing in the second line.

CLAUSE 6: agreed to

CLAUSE 7: That Clause 7 be amended as follows:

Clause 7 (1) – delete the words **in consultation with the public service commission** appearing before the word **employ** and substitute therefor with the word **shall**.

Clause 7 (2) – delete all the words in subsection 2 and substitute therefor with the words **there shall be a registrar who shall be an officer of the institute**.

Clause 8: agreed to

Clause 9: agreed to

Clause 10: agreed to

Clause 11: agreed to

CLAUSE 12: That Clause 12 be amended as follows:

Clause 12(1) – delete the words **in consultation with the public service commission** appearing after the word **institute**.

CLAUSE 13: That Clause 13 be amended as follows:

- That Clause 13(a) be deleted.

Clause 14: agreed to

Clause 15: agreed to

CLAUSE 16: - That Clause 16 be amended as follows:

Clause 16 3 (b) - delete the words **minimum of four years approved training** and substitute therefor with the word **degree** and insert the

words **nutrition and/or dietetics** after the word **in** appearing in line two and delete the word **university** and substitute therefor with the word **institution**.

Clause 16 (3) (c) - insert the words **of three years experience** after the word **dietician**.

Clause 16 (3) (d) – delete all the words in subsection (d) and substitute therefor with the words **have had a diploma from a recognised institution and a minimum of three years experience practising as a nutritionist or dietician**.

Clause 16 (3) (e) - That all the words appearing after the word **Kenya** be deleted and substituted therefor with the words **under a qualified nutritionist or dietician of three years experience to the satisfaction of the board**.

Clause 16 (4) - be deleted and subsequent subsection be renumbered accordingly.

Clause 16 (4) - delete the word **three** appearing before the word **thousand** in line four and substitute therefor with the word **one hundred**.

Clauses 17, 18, 19, 20, 21, 22, 23 – were agreed to

FIRST SCHEDULE

That the **First Schedule** be amended as follows:-

Section 1 (3) – insert the words **for another one term** after the word **re-appointment** appearing in the second line.

NB: Where the words **Chairman, he** or **his** appear, it be deleted and substituted therefor with an appropriate gender sensitive word. (Gender sensitivity)