

REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY

-----  
TWELFTH PARLIAMENT SECOND SESSION

---

THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION & NATIONAL  
SECURITY

REPORT ON THE KENYA COAST GUARD SERVICE BILL, 2017

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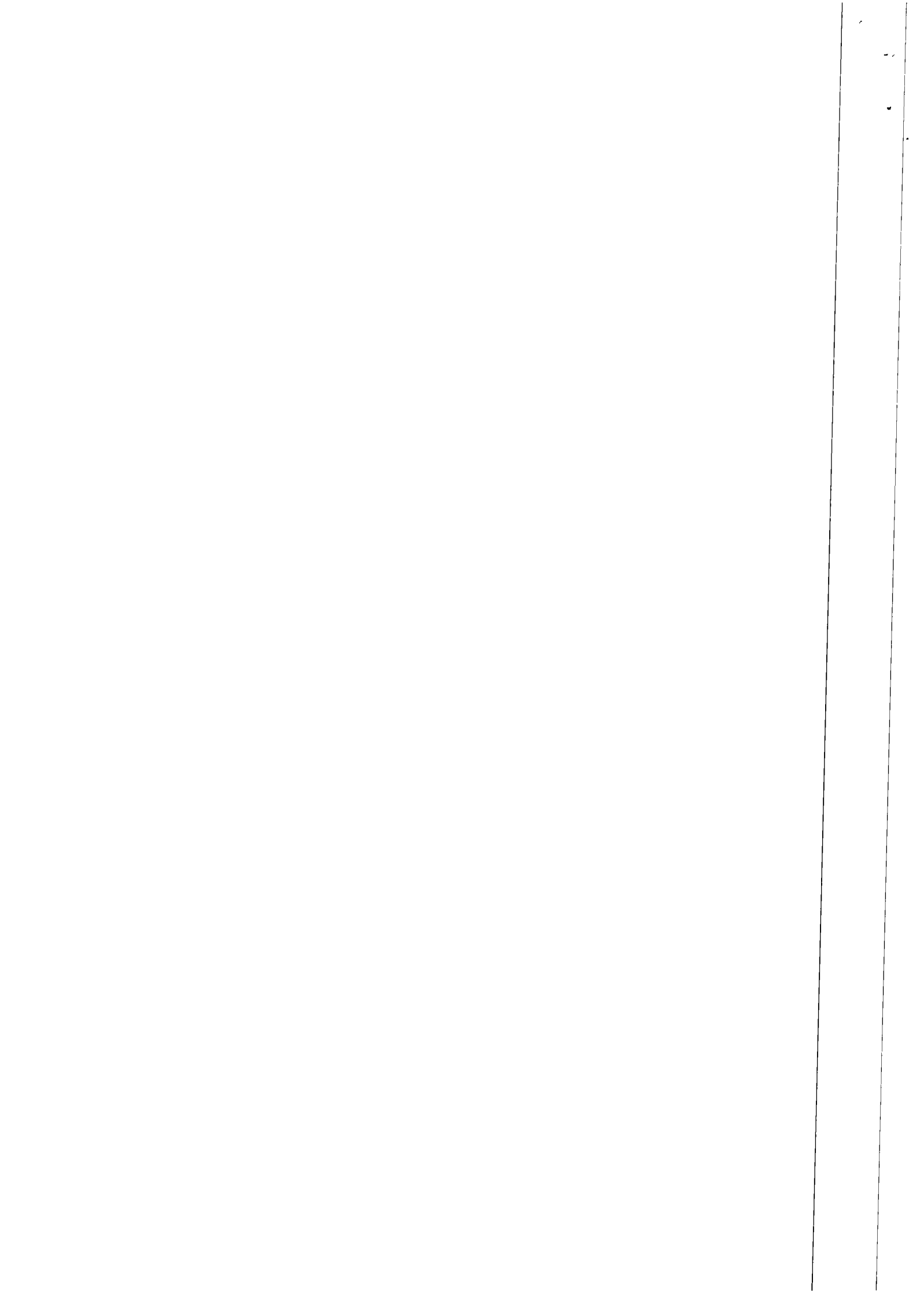
April, 2018





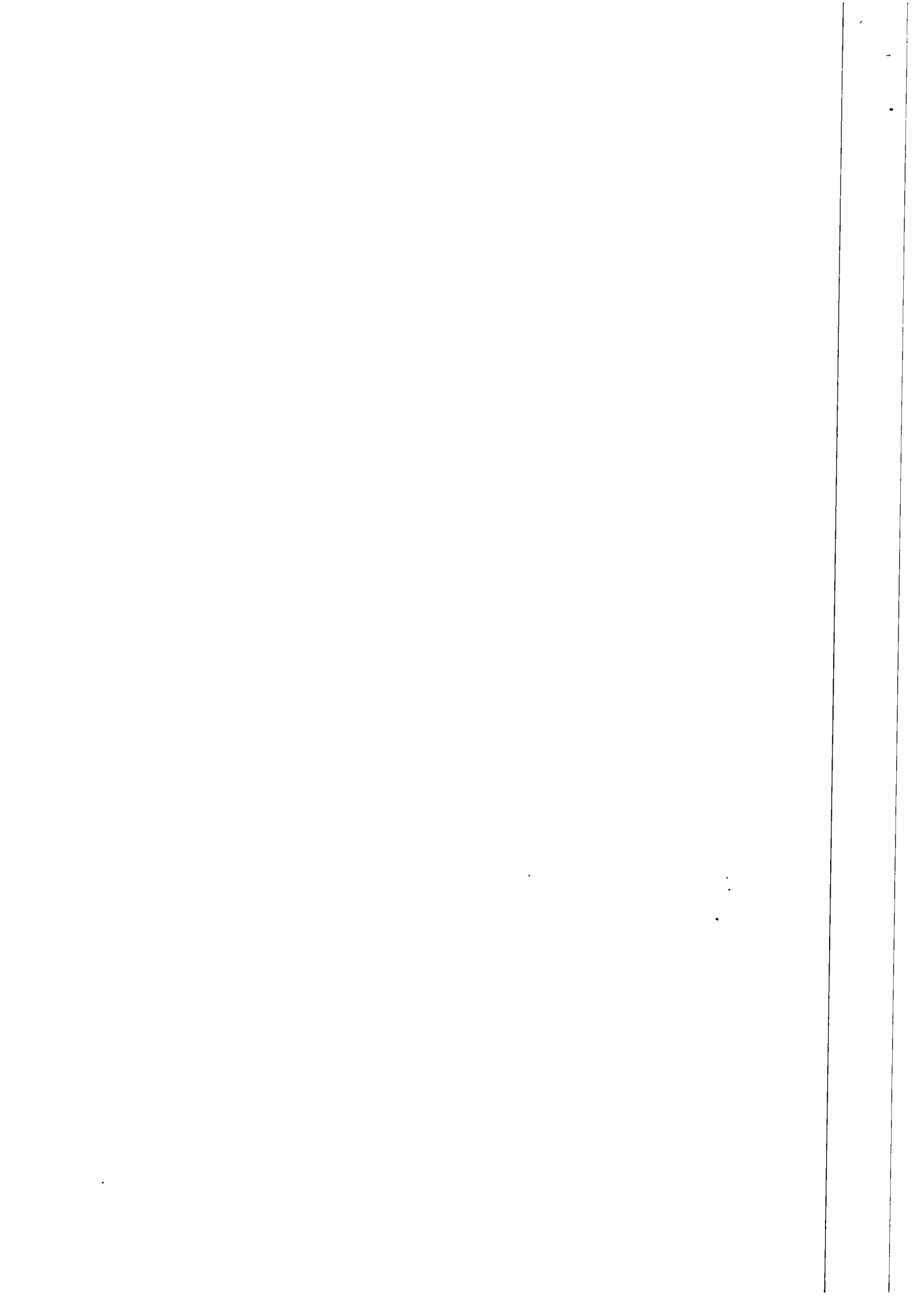
# CONTENTS

APPENDICES .....	3
FOREWARD .....	4
1.0 PREFACE.....	5
2.0 COMMITTEE MEMBERS .....	6
2.2 ADOPTION OF THE COMMITTEE REPORT .....	7
3.0 BACKGROUND.....	8
4.0 SITTINGS.....	8
5.0 SUMMARY OF THE KENYA COAST GUARD SERVICE BILL, 2017 .....	9
6.0 CONSIDERATION OF THE KENYA COAST GUARD SERVICE BILL, 2017 .....	11
6.1 PUBLIC PARTICIPATION.....	11
6.2 MINISTRY OF INTERIOR & COORDINATION OF NATIONAL GOVERNMENT AND THE MINISTRY OF DEFENCE.....	12
6.5 COMMITTEE GENERAL OBSERVATIONS.....	17
6.6 COMMITTEE RECOMMENDATIONS.....	18



**APPENDICES**

- Annex 1- Adoption list
- Annex 2- Request for submission of Memoranda
- Annex 3- Minutes
- Annex 4- Submission



## FOREWARD

The Bill was read for the first time on 14<sup>th</sup> February 2018 and subsequently committed to the Committee pursuant to the provisions of Standing Order 127 (1), it is on this basis that the Committee makes this Report. The Committee on Thursday 22<sup>nd</sup> March 2018 held meetings with stakeholders where submissions were received and considered before the adoption of this report.

I take this opportunity to thank all Members of the Committee for their input in the consideration of the Kenya Coast Guard Service Bill 2017. The Committee also takes this opportunity to thank the Offices of the Speaker and of the Clerk of the National Assembly for the logistical support accorded to it during the exercise. The Committee also appreciates the role played by the media following its coverage of the proceedings, thus enhancing accountability and transparency

Pursuant to provisions of Standing Order 199 (6), and on behalf of the Departmental Committee on Administration and National Security, it is my pleasant privilege and honour to present to this House the Report of the Committee on the Kenya Coast Guard Service Bill, 2017.

SIGNED



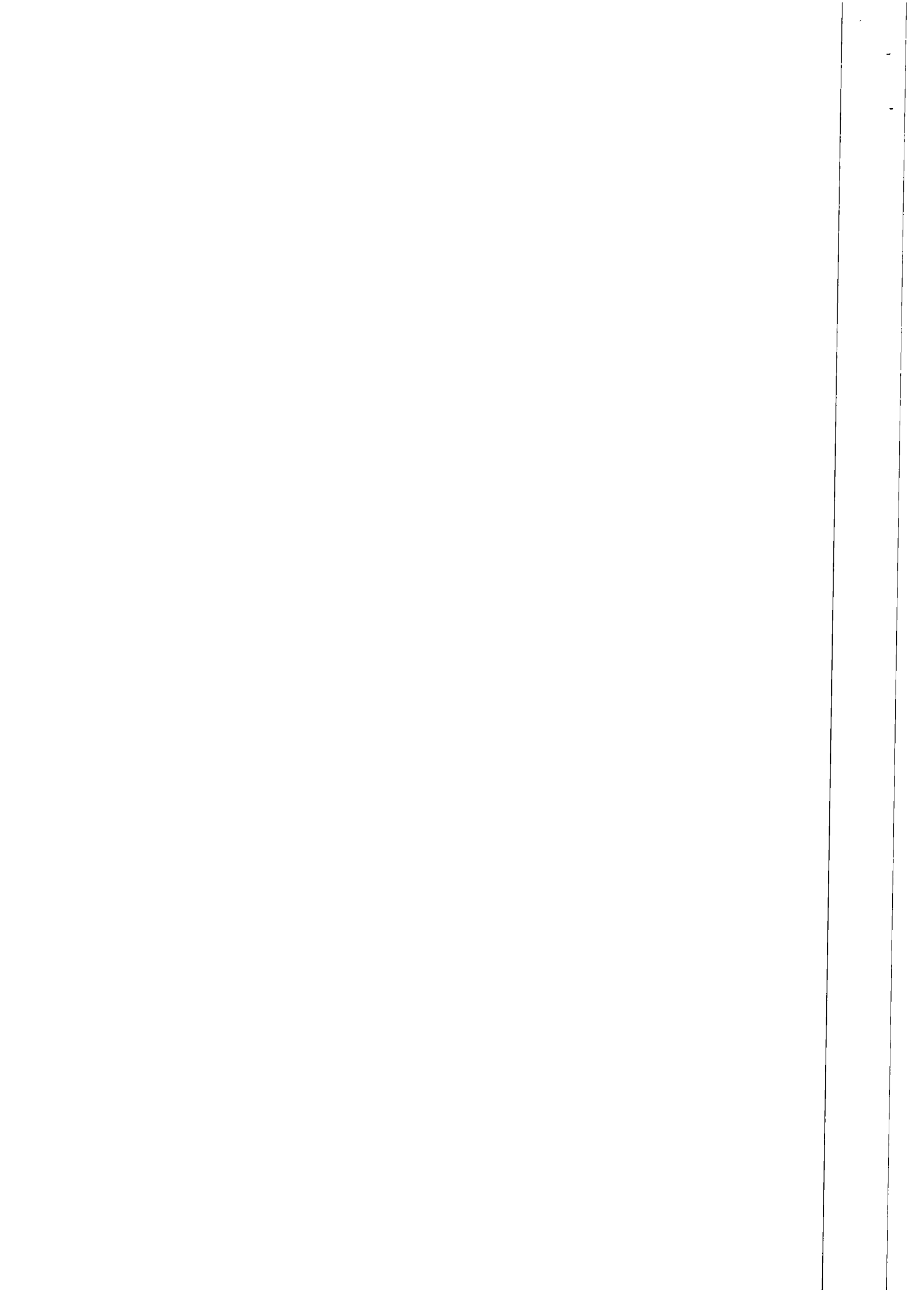
HON. (HON. PAUL KOINANGE, MP)

(CHAIRPERSON)

DEPARTMENTAL COMMITTEE ON ADMINISTRATION & NATIONAL SECURITY

DATE

24<sup>th</sup> April 2018





## 1.0 PREFACE

The Departmental Committee on Administration and National Security was constituted on 14<sup>th</sup> December 2017 pursuant to provisions of Standing Orders 216(1).

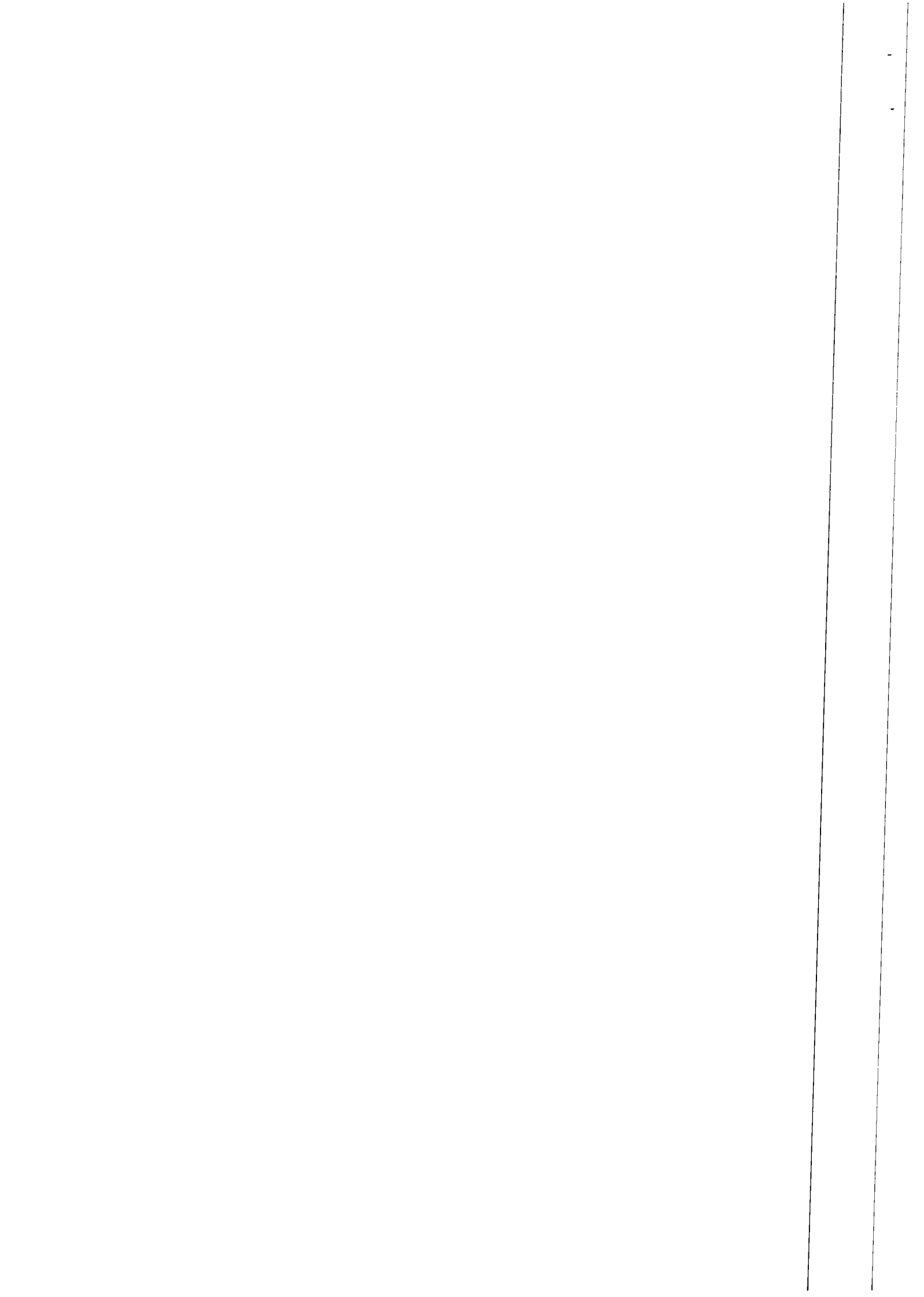
1. The Committee executes its mandate in accordance with the provisions of Standing Order 216 (5), from which it draws its mandate to, inter alia;
  - a) investigate, inquire into and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned Ministries and departments; and
  - b) study and review all legislation referred to it;
  - c) To vet and report on all appointments where the Constitution or any law requires the National Assembly to approve, except those under Standing Order 204.

### Honourable Speaker,

2. In executing its mandate, the Committee oversees the following Ministries and Departments:
  - i) The Ministry of Interior & Coordination of National Government
    - a) State Department of Interior
    - b) State Department of Border Control, Immigration and Registration of Persons.
    - c) State Department of Correctional Services
  - ii) The National Police Service Commission
  - iii) The Independent Policing Oversight Authority
  - iv) The Public Service Commission
3. According to Schedule II of the Standing Orders, the Committee is mandated to

Consider the following subjects:

- i) National Security;
- ii) Police Services;
- iii) Home Affairs;
- iv) Public Administration;
- v) Public Service,
- vi) Prisons;
- vii) Immigration

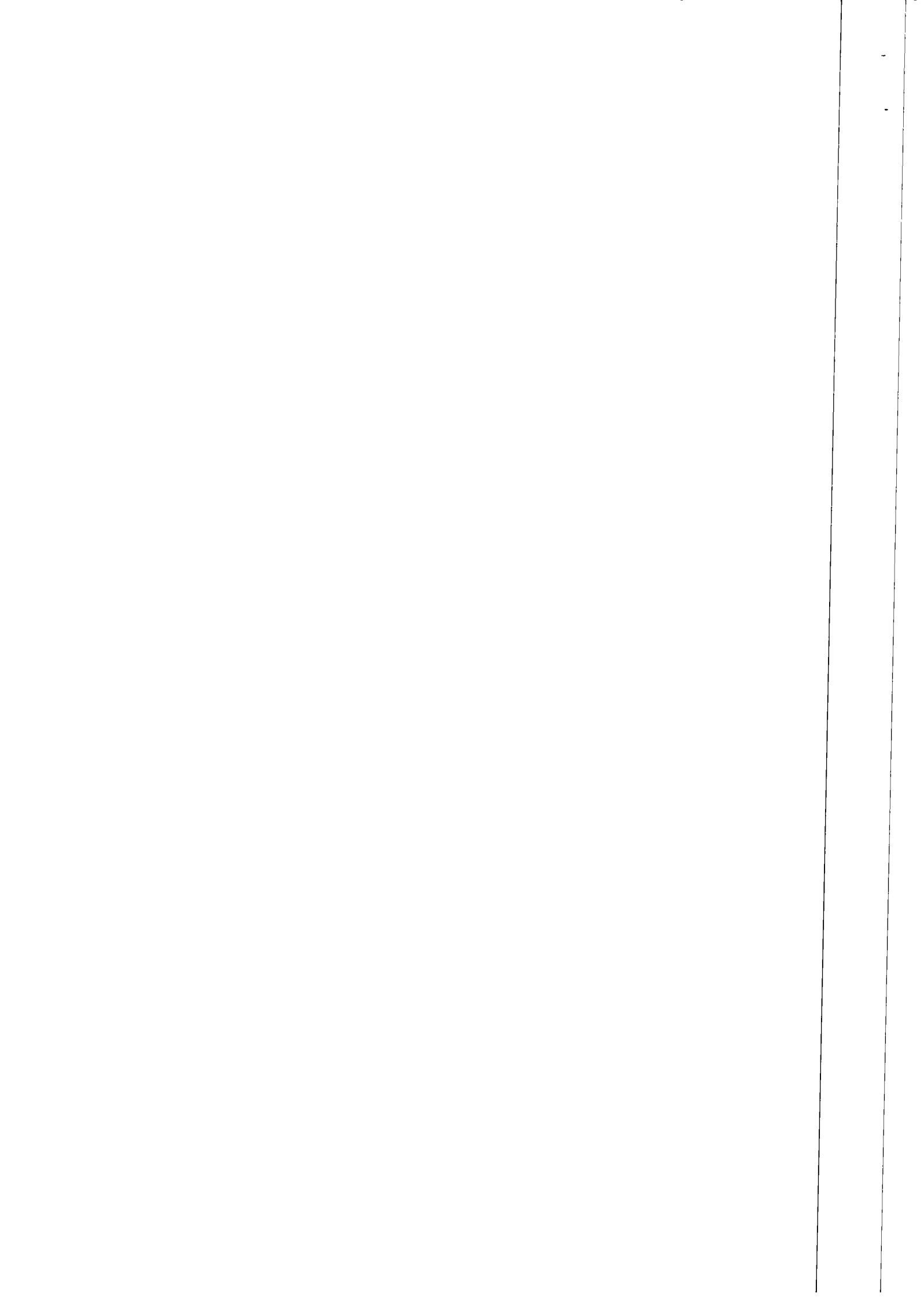


## 2.0 COMMITTEE MEMBERS

1. Hon. Paul Koinange, MP (Chairperson)
2. Hon. John Waluke, MP (Vice-Chairperson)
3. Hon. Athanas Wamunyinyi, MP
4. Hon. George Theuri, MP
5. Hon. Justus Kizito, MP
6. Hon. Dr. Makali Mulu, MP
7. Hon. Didmus Wekesa Barasa Mutua, MP
8. Hon. Geoffrey Kingagi Muturi, MP
9. Hon. Marselino Malimo Arbelle, MP
10. Hon. Dr. Tecla Chebet Tum, MP
11. Hon. Josphat Kabinga Wachira, MP
12. Hon. Nimrod Mbithuka Mbai, MP
13. Hon. Martin Deric Ngunjiri Wambugu, MP
14. Hon. Abdi Omar Shurie, MP
15. Hon. Yussuf Mucheke Halima, MP
16. Hon. Peter Masara, MP
17. Hon. Ahmed Kolosh Mohammed ,MP
18. Hon. Aduma Owuor, MP
19. Hon. Edward Oku Kaunya,MP

## 2.1 COMMITTEE SECRETARIAT

- |                       |   |                        |
|-----------------------|---|------------------------|
| 1. Mr. Abdullahi Aden | - | Senior Clerk Assistant |
| 2. Mr. Joshua Ondari  | - | Clerk Assistant III    |
| 3. Mr. Sidney Bwire   | - | Legal Counsel II       |
| 4. Mr. Donald Manyala | - | Researcher Officer     |



## 2.2 ADOPTION OF THE COMMITTEE REPORT

We, the undersigned Members of the Departmental Committee on Administration and National Security have, pursuant to Standing Order 199, adopted this report and appended our signatures to affirm our approval and confirm its accuracy and authenticity. (*See Attached Annexes*)

1. Hon. Paul Koinange, MP
2. Hon. John Waluke, MP (Vice-Chairperson)
3. Hon. Athanas Wamunyinyi, MP
4. Hon. George Theuri, MP
5. Hon. Justus Kizito, MP
6. Hon. Makali Mulu, MP
7. Hon. Didmus Wekesa Barasa Mutua, MP
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13. Hon. Martin Deric Ngunjiri Wambugu, MP
14. Hon. Abdi Omar Shurie, MP
15. Hon. Yussuf Mucheke Halima, MP
16. Hon. Peter Masara, MP
17. Hon. Ahmed Kolosh Mohammed, MP
18. Hon. Aduma Owuor, MP
19. Hon. Edward Oku Kaunya, MP



### **3.0 BACKGROUND**

Article 109 of the Constitution states that Parliament shall exercise its legislative power through Bills passed by Parliament and assented to by the President.

The Kenya Coast Guard Service Bill, 2017 was read for the first time on 14<sup>th</sup> February 2018 and subsequently committed to the Committee pursuant to the provisions of Standing Order 127 (1) and report to the House.

The Bill provides for the establishment, functions, discipline, organization and administration of the Kenya Coast Guard Service and for connected matters.

The Bill guiding principles include the national values and principles of governance set out in Article 10(2) of the constitution, the Bill of Rights, as well as the values and principles of the public service set out in Article 232 and the principles of national security set out in Article 238.

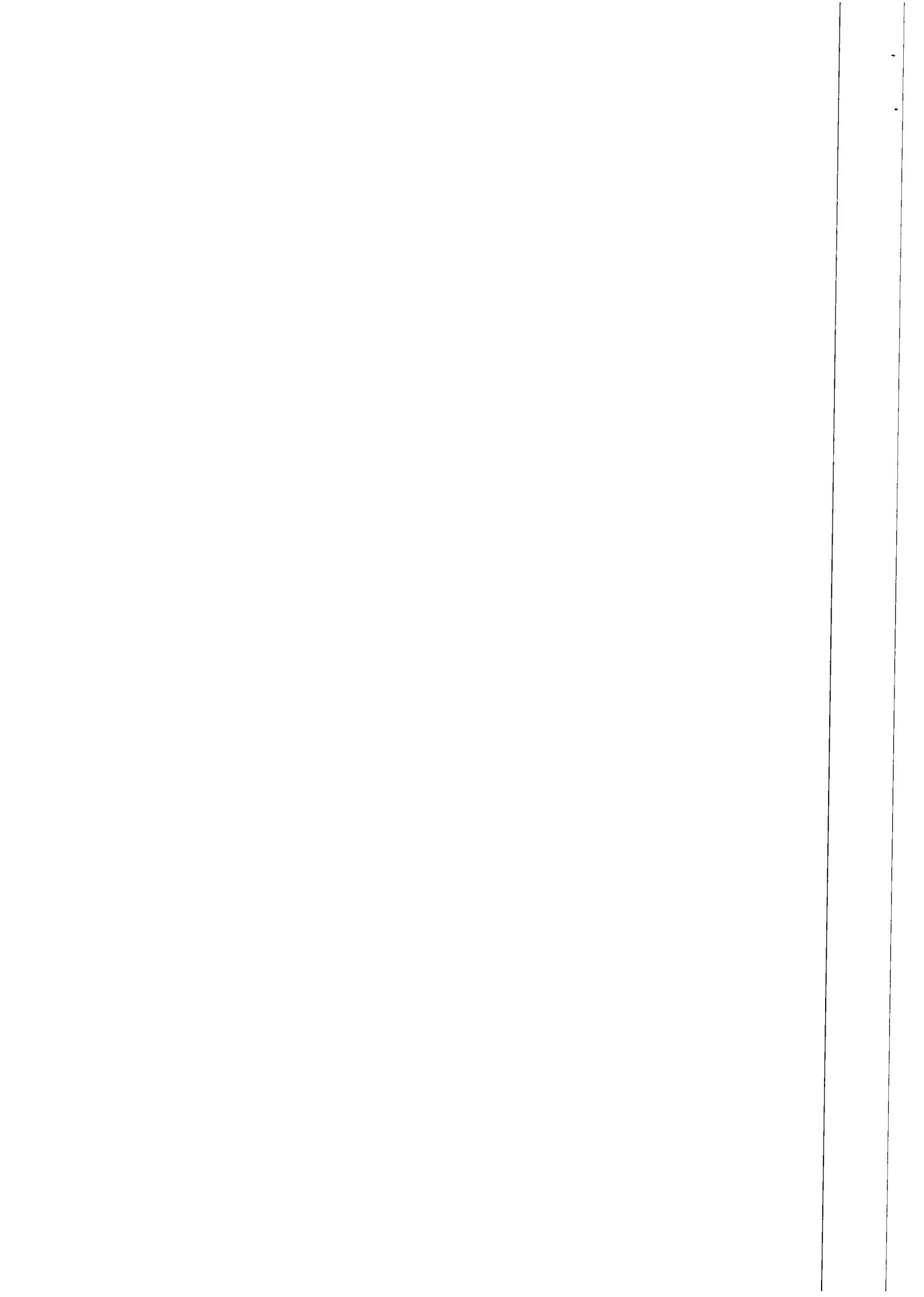
The functions of the Service include enforcing maritime security and safety, pollution control and sanitation measures as well as prosecute maritime offenders. It shall also be responsible for port and coastal security, search and rescue, the protection of maritime resources including fisheries among others.

The Kenya Coast Guard service shall have the mandate of law enforcement and security in Kenya's internal and territorial waters owing to the fact that Kenya does not have a specialized law-enforcement agency to deal with maritime issues.

Kenya Navy currently handles such issues but is not legally and operationally equipped for law enforcement, particularly in territorial and international waters.

### **4.0 SITTINGS.**

The Committee considered the Kenya Coast Guard Service Bill, 2017 in its sittings held on Thursday 22<sup>nd</sup> March, 2018 and adopted its report on Monday 23<sup>rd</sup> April, 2018.





## 5.0 SUMMARY OF THE KENYA COAST GUARD SERVICE BILL, 2017

The Kenya Coast Guard Service Bill, 2017 seeks to provide for the establishment, functions, discipline, organization and administration of the Kenya Coast Guard Service. (hereinafter referred to as the Service ) the Service shall have the mandate of law enforcement and security in Kenya's internal and territorial waters.

### 5.1 PART I PRELIMINARY

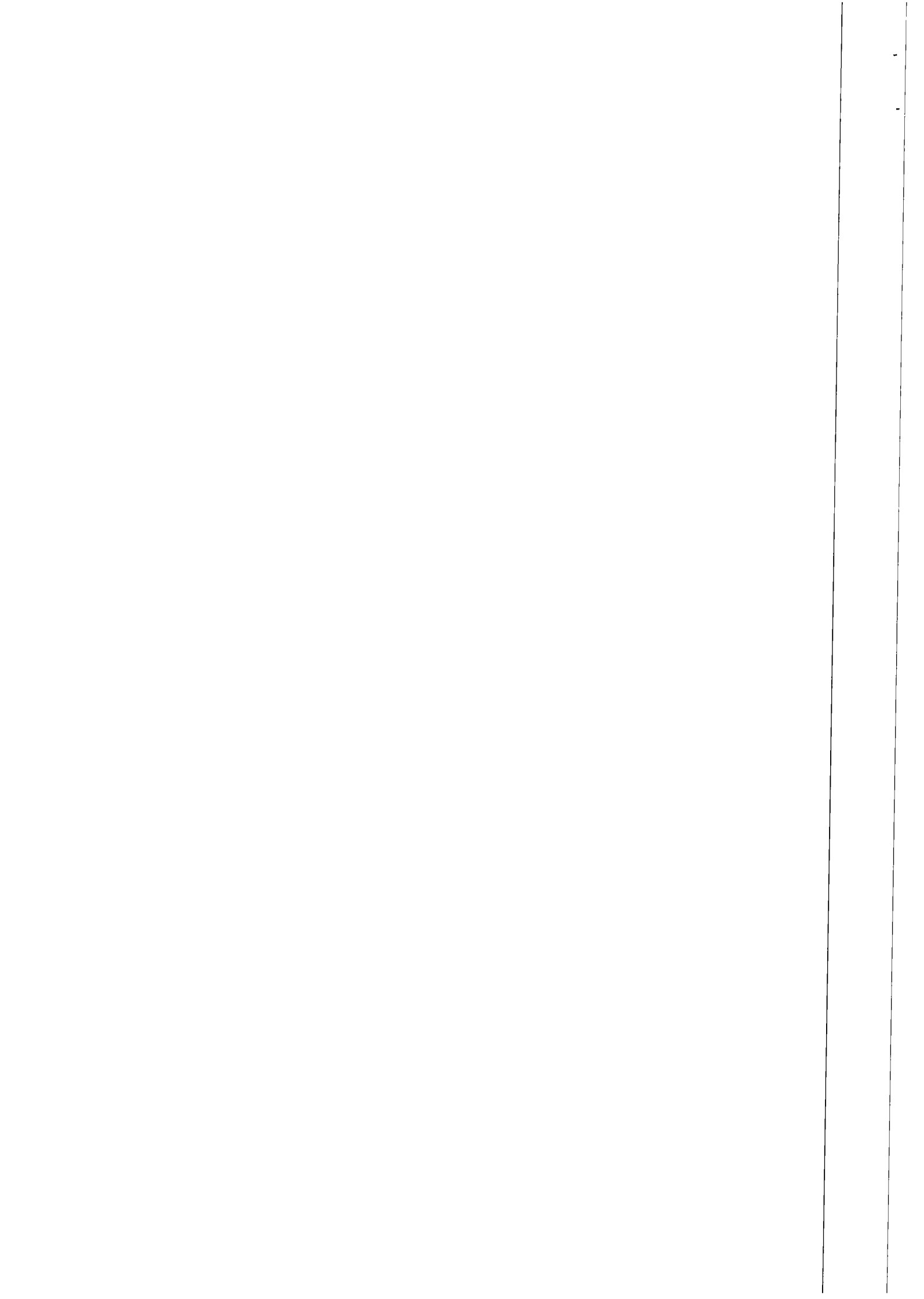
This part deals with preliminary matters including the object and the guiding principles of the Bill. The object of the bill is the establishment of the Kenya Coast Guard Service while its guiding principals include the national values and the principles of governance set out in Article 10(2) of the constitution, the Bill of Rights as well as the principles of national security set out in Article 238 of the Constitution.

The Service shall also strive for high standards of professionalism and discipline promote and practice transparency, comply with constitutional standards of human rights and fundamental freedoms reflect the diversity of Kenya and insofar as it is practicable, ensure that not more than two-thirds of its Members are of the same gender.

### 5.2 PART II ESTABLISHMENT AND FUNCTIONS OF THE SERVICE

This part contains provisions touching on the establishment of the Service. **Clause 5** establishes the Service and that it shall reflect the diversity of Kenya. **Clause 6** provides that the Service will be composed of three components namely disciplined, uniformed and civilian component. The functions of the service include enforcing maritime security and safety, pollution control and sanitation measures as well as prosecute maritime offenders. It shall also be responsible for the port and coastal security, search and rescue the protection of maritime resources including fisheries and shall perform any other function conferred on it by law.

Part II further provides for the establishment of the council of the service, the Technical Committee of the Service as well as the appointment and qualifications of the Director General of the Service. The Council shall among other functions, be responsible for the overall policy, supervision and control of the service act on the reports of the Technical committee, review penalties imposed on members of the Service, consider the service budget estimates, commissioning of research by the service and advising the President on any matter relating to the Service. The Technical Committee shall advise the Council on policy issues, oversee the Management and administration of the Service, act on the reports of the Director General and make recommendations to the Council on any matter relating to the functions of the service. The Director General shall be responsible for the day to day administration, control, and management of the service, command the disciplined and uniformed component of the service, the effective utilization of the resources of the service,



reporting on the activities, oversee the implementation of the policies and submitting to the Council the budget estimates of the Service.

### **5.3 PART III DISCIPLINE**

This part of the Bill contains provisions regulating disciplinary offences, penalties, recovery of fines by deduction from salary, desertion, absence without leave of members of the Service. It further gives the Director General the power to summon witnesses in relation to any disciplinary offense. It prohibits torture or other cruel, degrading and inhuman treatment of any person by the member of the Service

### **5.4 PART IV OFFENCES GENERALLY**

This part contains provisions regulating offences concerning the Service which include obstructing an officer, assisting in the desertion of a member of the Service, unlawful purchase of Service store, the unlawful dealing in service stores, and the unlawful interference with aids-to-navigation and the prohibition of the use of the name of the Service.

### **5.5 PART V LIMITATION OF RIGHTS OR FUNDAMENTAL FREEDOMS**

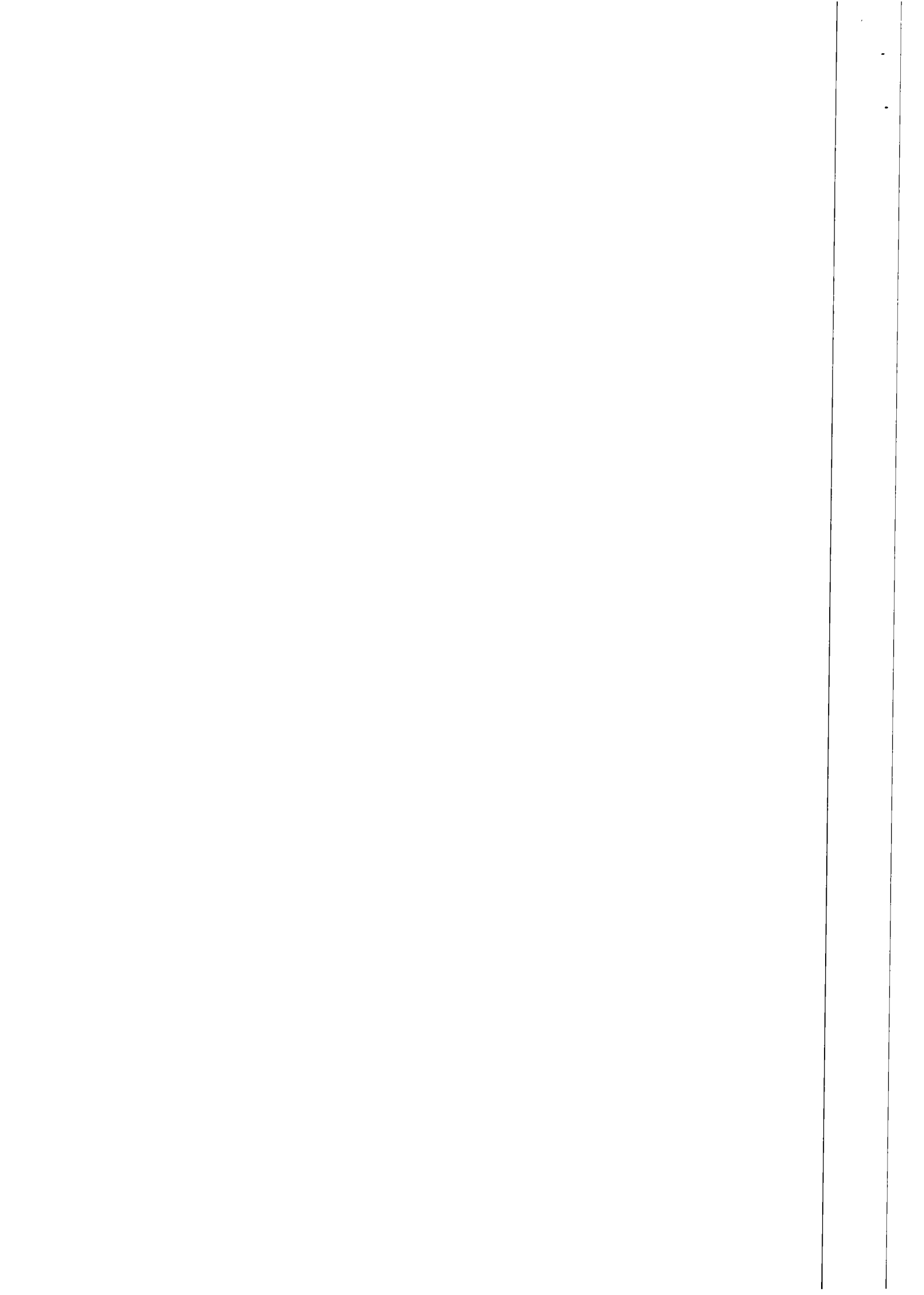
This part of the Bill contains provisions touching on the limitation of fundamental rights and freedoms of the members of the Service including the right to privacy, access to information, association, assembly, demonstration, picketing and petition, labour relations, economic and social rights for the purposes of the Bill.

### **5.6 PART VI FINANCIAL PROVISIONS**

This part contains provision touching on financial matters including the sources of the funds of the service and the manner in which the service shall account for its funds and how its accounts shall be audited.

### **5.7 PART VII MISCELLANEOUS PROVISIONS**

This part of the Bill contains provisions regulating uniforms of the Service; exemption of the service from execution of a judgment, decree or order of court on any property of the Service or for which the Service is responsible. A requirement that members of the service, on their recruitment shall divulge the places where they ordinarily reside and the address of their next of kin.



This part further provides for the manner in which members of the service may seek redress from their superiors if they have been wronged in any way. It grants the Cabinet Secretary the power to designate temporary holding areas for the detention of persons suspected to have committed offences under the Act as well as the secondment of personnel from other national security organs, the making of regulations and the publication of service standing orders by the service.

There are four schedules in the bill; the first schedule contains the ranking structure of the Service, while the second schedule contains provisions regulating the conduct of business and affairs of the Council. The third schedule contains the oath of office to which the members of the service shall subscribe on recruitment or appointment while the fourth schedule contains offences against discipline for which the member of the service may be disciplined under the Act.

## **6.0 CONSIDERATION OF THE KENYA COAST GUARD SERVICE BILL, 2017**

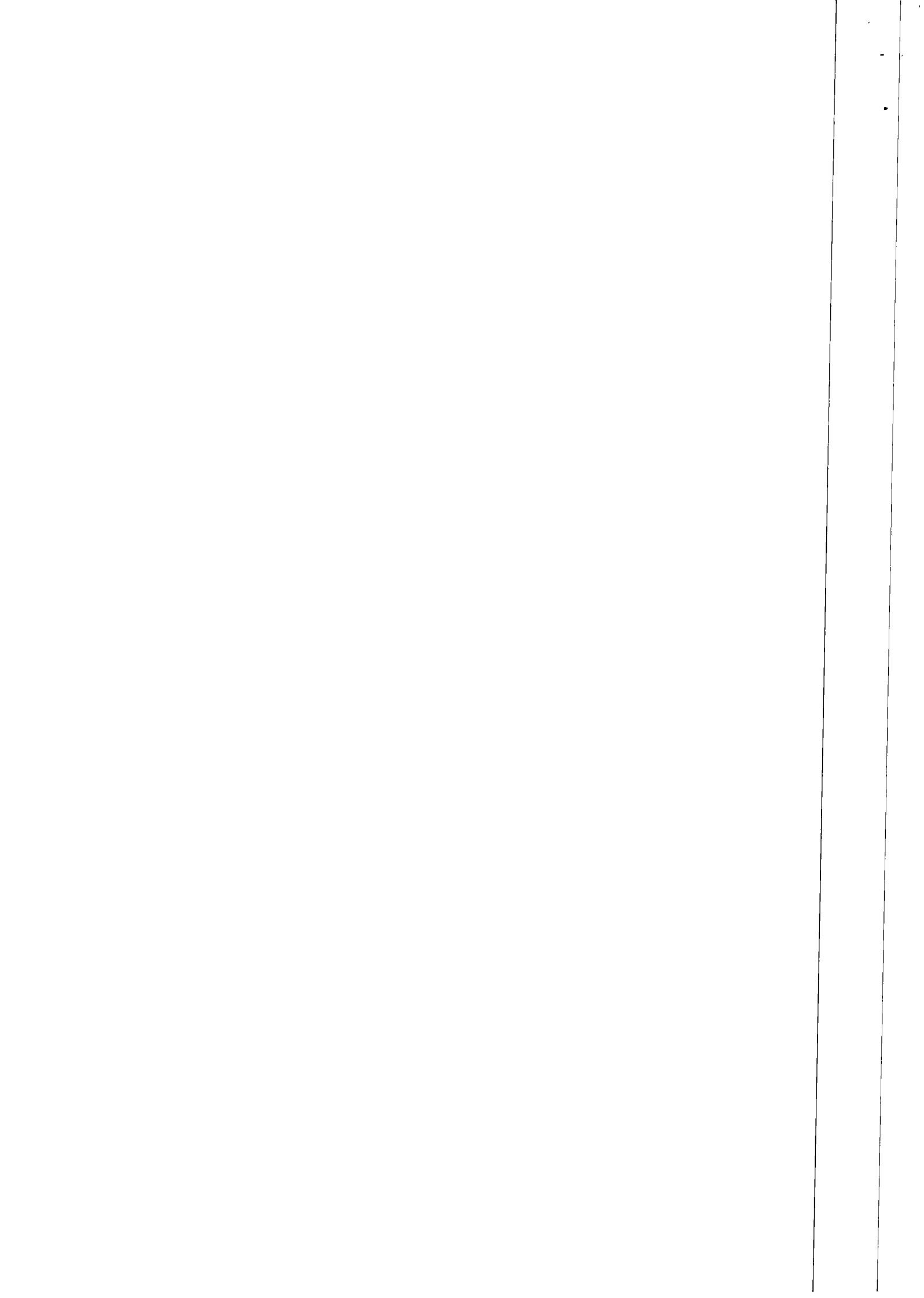
The committee considered the Kenya Coast Guard Service Bill, 2017 in a sitting held on Thursday 22<sup>nd</sup> March, 2018. Pursuant to Article 118 (1) (b) and standing order 127 (3) the committee invited the public to make representation on the Bill.

### **6.1 PUBLIC PARTICIPATION**

Pursuant to Article 118 of the Constitution and Standing Order 127 (3) the committee invited memoranda from the public vide a notice in the local dailies.

One of the most important features of the Country constitutional framework is the requirement of public participation in governance and other administrative activities. Specifically, the provisions of the following Articles are pertinent.

- i) Article 10 recognizes public participation as one of the national values;
- ii) Article 27 provides for equal treatment of all persons, while affirmative action in governance is provided for in Articles 54 and 56 of the Constitution;
- iii) Article 35 provides for the right of access to information held by the State or another person which is necessary for the exercise of any right or fundamental freedom;



- iv) Article 118 requires Parliament to conduct its business in an open manner and to facilitate public participation and involvement in the legislative and other business of Parliament and its committees. It also prohibits Parliament from denying the public and media access into its sittings unless there are any justifiable reasons.

The Constitution obligates the State and all State organs to ensure adequate public consultation on all public policies, legislation or any decision that is likely to impact on the people of Kenya. Failure to factor in the mandatory requirement of public participation exposes the legislative instrument or policy framework to constitutional challenges of legitimacy, hence making it actionable for unconstitutionality in a court of law.

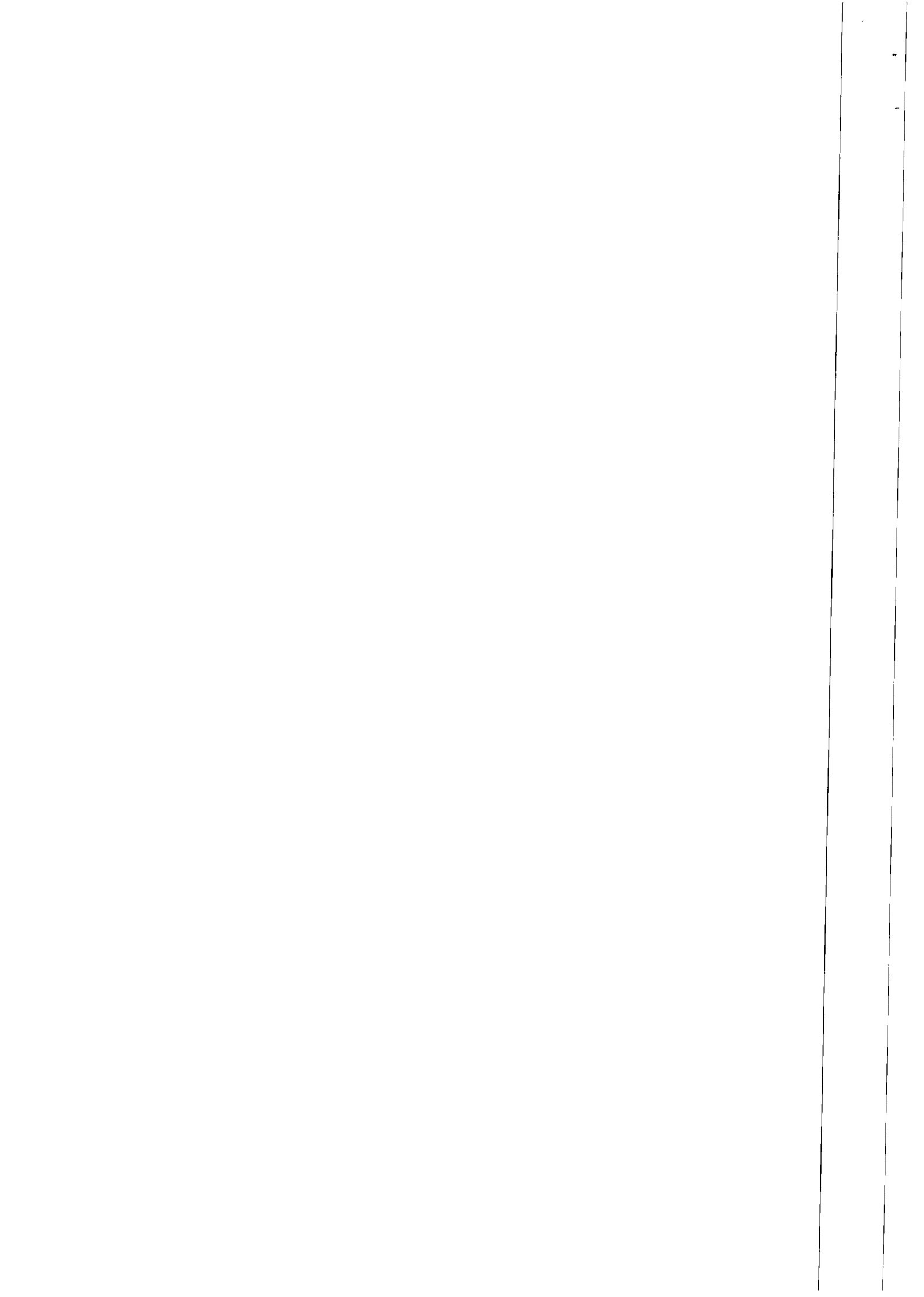
Effective public consultation is based on principles of openness, transparency, integrity and mutual respect. The open process facilitates acceptability amongst the key stakeholders, subsequently facilitating efficient and effective implementation of the legislative instrument.

The committee engaged different stakeholders in the security, environment and the transport sector by holding meetings with the relevant Ministries and agencies and views were sought from the following:

## **6.2 MINISTRY OF INTERIOR & COORDINATION OF NATIONAL GOVERNMENT AND THE MINISTRY OF DEFENCE**

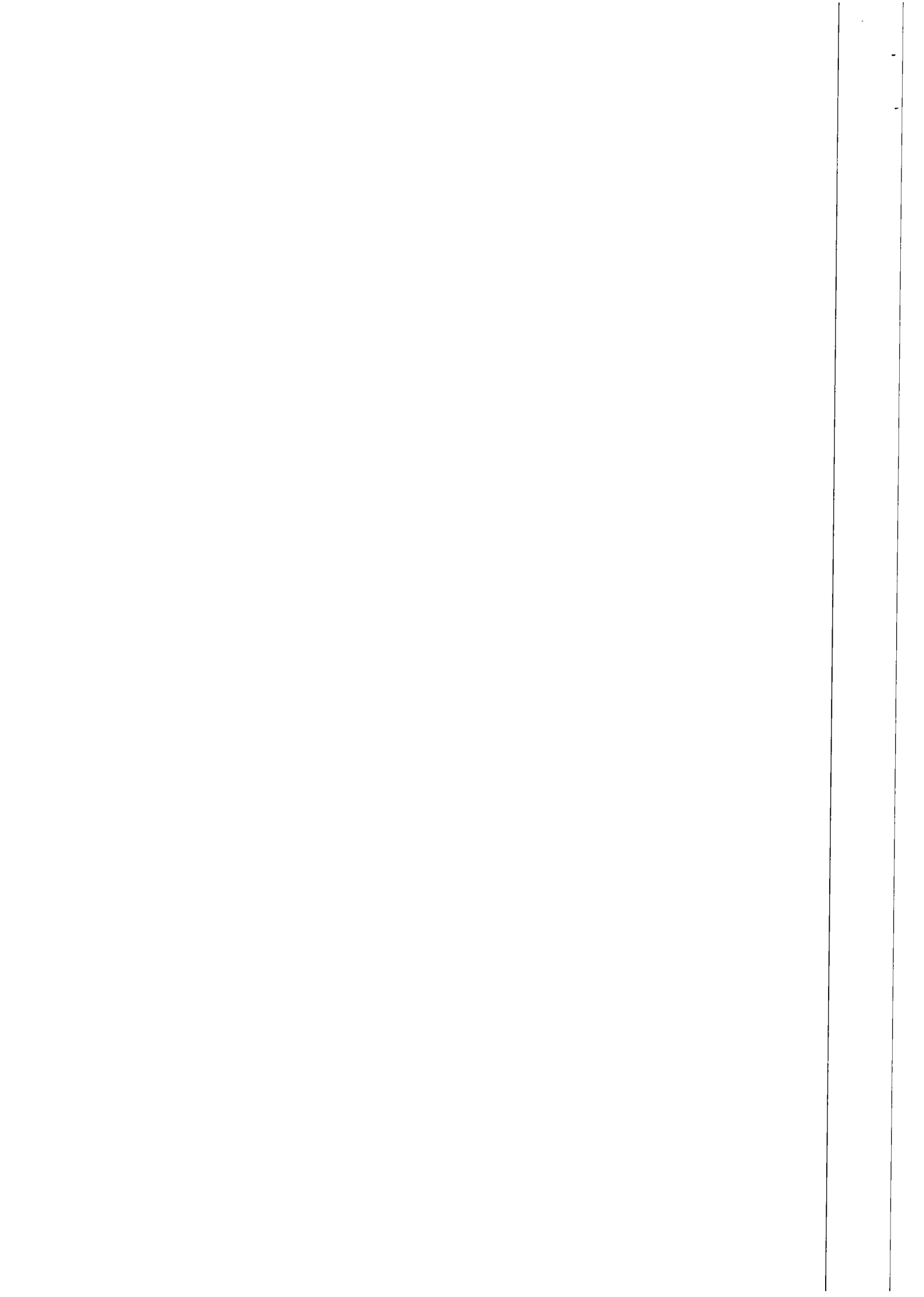
Dr. Fred Matiang'i, the Cabinet Secretary Ministry of Interior and Coordination of National Government and Ms. Rachael Omamo, Cabinet Secretary Ministry of Defence accompanied by their respective Principal Secretaries Dr. Eng. Karanja Kibicho and Mr. Saitoti Torome appeared before the Committee and informed the Committee that:

- a) The Kenya Coast Guard Service Bill, 2017 was drafted in accordance with the proposed multi-agency model:
  - i) Ministries Interior, Defence, Fisheries & Transport
  - ii) Department of Immigration
  - iii) Kenya Marine and Fisheries Research Institute (KMFRI)
  - iv) Kenya Maritime Authority (KMA)
  - v) Kenya Ports Authority (KPA)
  - vi) Kenya Revenue Authority
  - vii) Kenya Wildlife Service (KWS)
  - viii) National Environment Management Authority
  - ix) The Bill was drafted by an inter-ministerial committee
- b) The Bill is premised on Article 239(4) of the Constitution of Kenya;





- c) The process of safeguarding the Kenya Coastline started in 1982. The major maritime threats are:-
- i) Piracy and crime at sea
  - ii) terrorism
  - iii) trafficking and smuggling of illegal immigrants
  - iv) proliferation of arms
  - v) illegal bio-prospecting
  - vi) illegal unreported and unregulated fishing (IUU)
  - vii) illegal dumping of toxic waste
  - viii) introduction of alien species
  - ix) drug trafficking
  - x) destruction of marine environment and trafficking of illegal trophies
- d) There is need to have law on the Kenya Coast Guard Service as this will help the following:-
- i) Provide maritime security within the territorial waters, ports and coastal areas
  - ii) Protection of maritime resources and archeological objects or sites
  - iii) Keep sea lanes of communication open
  - iv) Provide a command headquarters to co-ordinate the functions of MDA at sea (Art 240(6) of Constitution of Kenya)
  - v) Facilitate the pooling of maritime resources for effective utilization
  - vi) Relieve the KN to secure the EEZ and continental shelf
  - vii) It will facilitate exploitation of Blue Economy:
  - viii) Reduce revenue loss from IUU and stimulate value addition processes in line with Agenda Four.
- e) The Bangladesh Coast Guard Armed Force is established under the Ministry of Home Affairs and it is commanded by Director General. Officers drawn from existing security agencies & other employees seconded from public agencies or employed into the Coast Guard and they enforce law within the territorial waters. Bangladesh Coast Guard is the simplest model and cost effective compared with US and Australian model.



## **Committee Observation**

The committee observed that both the Ministry of Interior & Coordination of National Government and the Ministry of Defense agreed to the Bill and had no any amendments.

### **6.3 THE NATIONAL TREASURY, MINISTRY OF ENVIRONMENT & FORESTRY AND THE MINISTRY OF TRANSPORT AND INFRASTRUCTURE**

Hon. Nelson Gaichuhie, Chief Administrative Secretary National Treasury, Mr. Charles Sunkuli, Principal Secretary, State Department for Environment and Climate Change and Prof. Paul Maringa, Principal Secretary State Department for Transport, Ministry of Transport and Infrastructure appeared before the Committee and informed the Committee that they were part of the Multi-Agency drafters and therefore, they have agreed to the bill as presented by the Ministry of Interior & Coordination of National Government and Ministry of Defense.

### **6.4 COMMITTEE AMMENDMENTS**

Having considered all the clauses, the committee therefore proposed the following amendments with justification as agreed upon in its meeting held on 21<sup>st</sup> April, 2018 and as adopted on Monday 23<sup>rd</sup> April, 2018.

#### **CLAUSE 2**

**THAT** Clause 2 of the Bill be amended

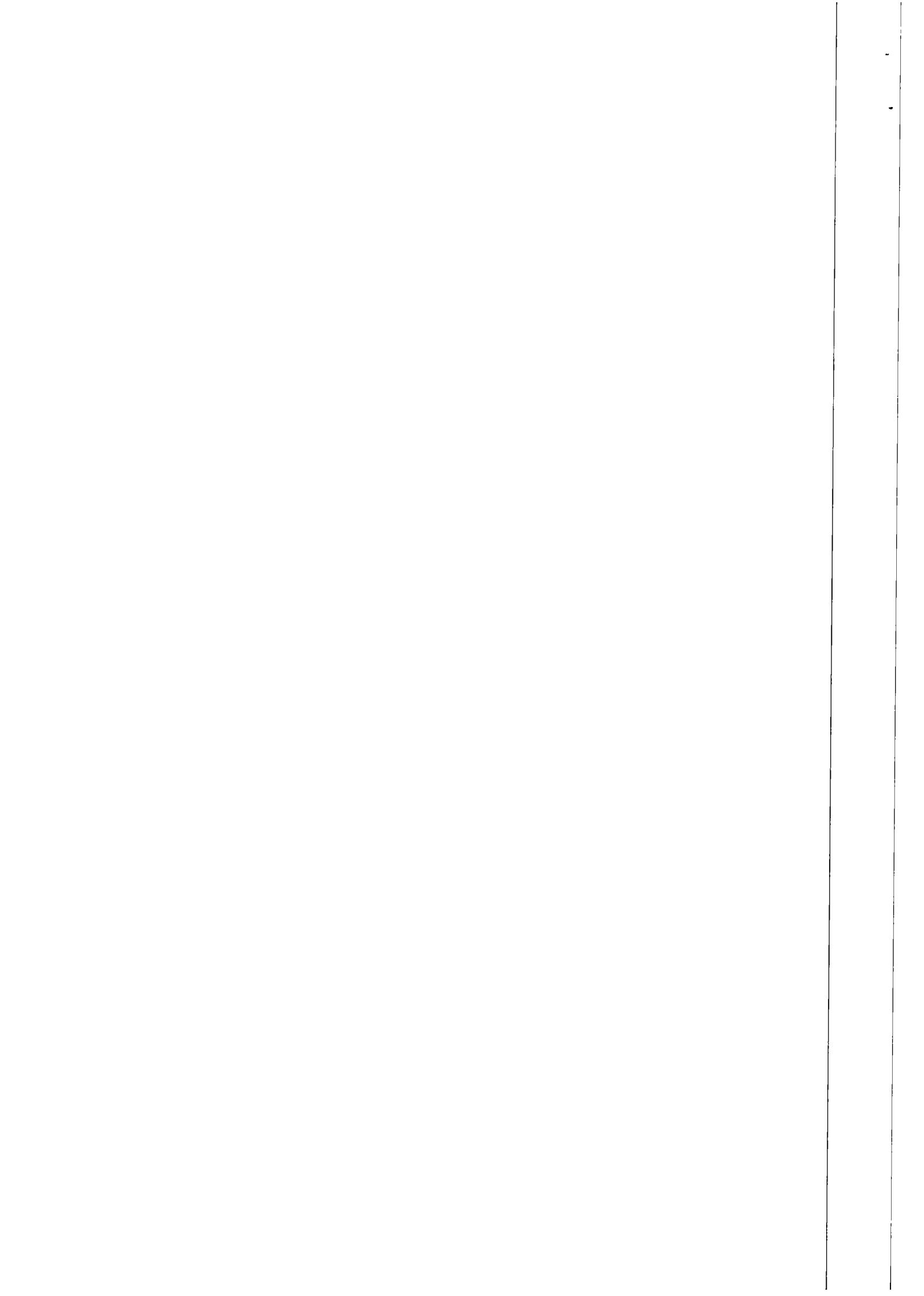
by deleting the expression (1)

by inserting the following new definition in proper alphabetical sequence

baseline means the baseline set out the First Schedule of the Maritime Zones Act;

contiguous zone means the waters contiguous to the territorial sea and extending twenty four nautical miles into the ocean from the baseline;

inland waters means all water masses forming part of the territory of the Republic of Kenya including lakes and rivers but excludes the territorial sea and internal waters;



internal waters means water on the landward side of the baseline;

territorial sea means part of the sea demarcated under the First Schedule of the Maritime Zones Act;

### **Comments**

The amendment seeks to define the maritime zones where the Service will perform its functions. Whereas territorial waters is defined, the maritime zones forming the territorial waters are not defined. The amendment defines the territorial sea, contiguous zone, inland waters and internal waters where the Service will perform its functions. The definition of the inland waters includes lakes and rivers within the territory of Kenya thus ensuring that the Service will perform its functions in rivers and lakes within the territory of the Republic of Kenya.

#### **CLAUSE 4**

**THAT** Clause 4 of the Bill be amended

by inserting the expression (1) immediately before the clause

by inserting the following new subclause immediately after the clause

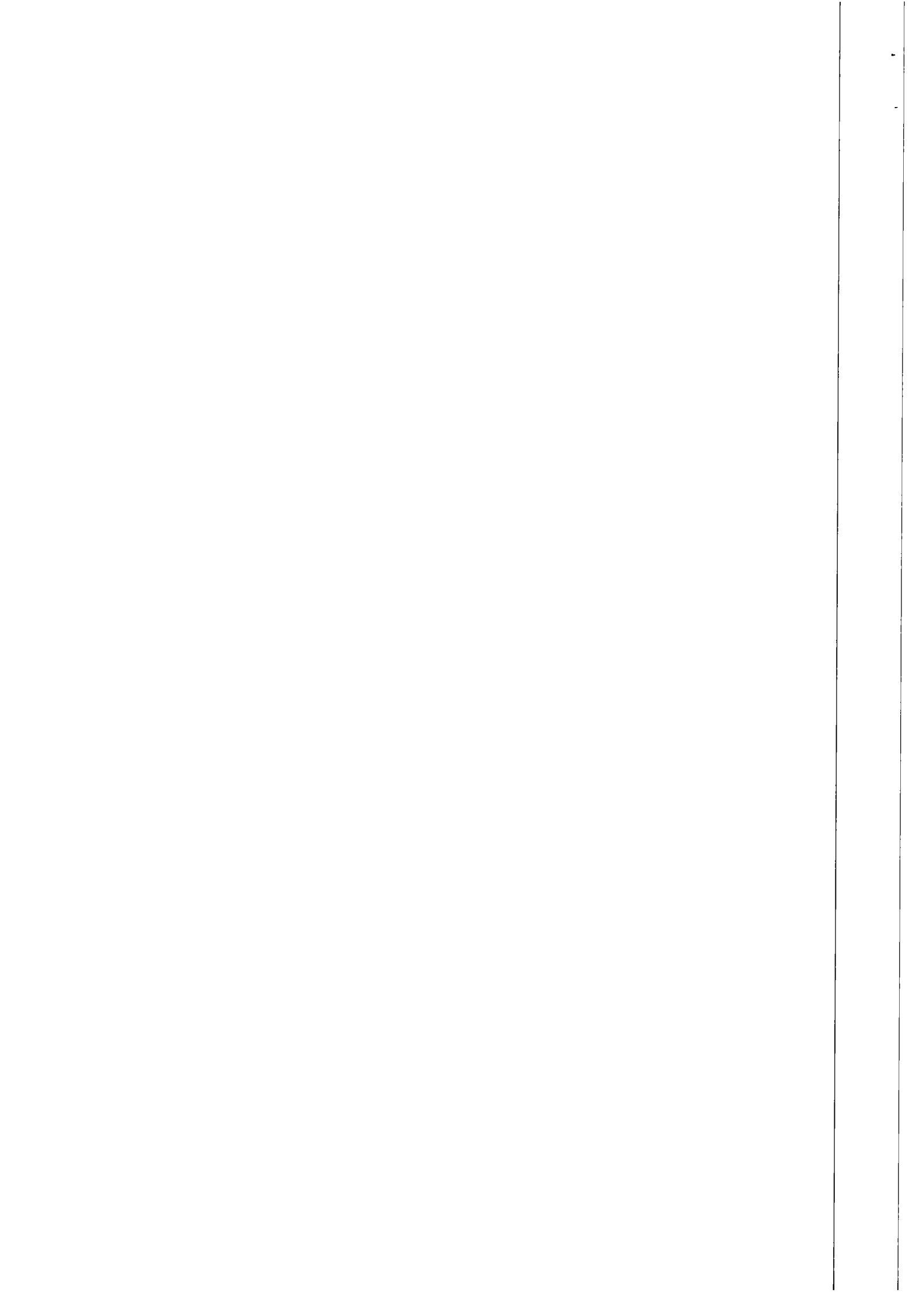
(2) The Cabinet Secretary shall be responsible for the implementation of the Act.

### **Comments**

The amendment seeks to assign ministerial responsibility for the Service to the Cabinet Secretary responsibility for internal security. Even though the Service will be multi agency, it is necessary to assign ministerial responsibility to an individual cabinet secretary for purposes of accountability and reporting to the National Assembly. Since the Service will be performing internal security functions, the amendment seeks to domicile the Service within the internal security docket.

#### **CLAUSE 8**

**THAT** Clause 8 of the Bill be amended in subclause (1) by inserting the following new paragraph immediately after paragraph (a)



- (ba) to enforce prevention of trafficking of the narcotic drugs, prohibited plants and psychotropic substances;
- (bb) to enforce prevention of trafficking of illegal goods;
- (bc) to enforce prevention of trafficking of illegal firearms and ammunition

### **Comments**

The amendments seek to enlarge the functions of the Service to include prevention of trafficking in narcotics drugs and psychotropic substances, firearms and ammunition and illegal goods. Smuggling of contrabands, firearms, ammunition and drugs is prevalent within the coastal areas and rivers and lakes extending to Kenya's international boundaries. It is proposed that the Service be empowered to deal with such smuggling in order to protect vulnerable sections of the society such as the youth. This will also promote national security while also enforcing customs laws.

### **CLAUSE 18**

**THAT** Clause 8 of the Bill be amended in by inserting the words and the term shall be non-renewable immediately after the word years

### **Comments**

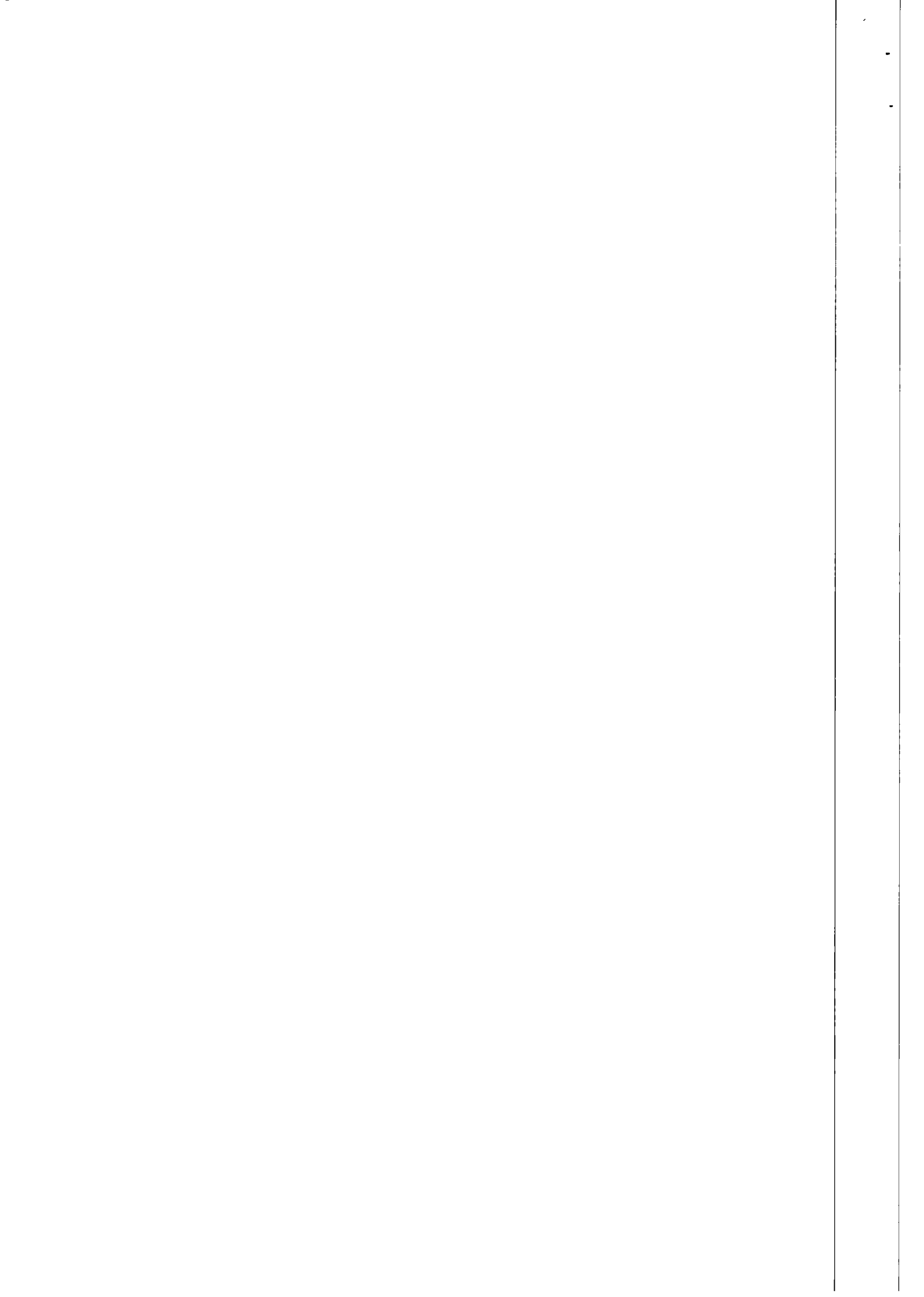
The amendment seeks to limit the tenure of service of the Director General to a fixed term of four years non-renewable. The amendment applies the established practice within the national security sector where Service Chiefs serve for a fixed term non-renewable. This is the case with the Chief of the Kenya Defence Forces, the Inspector General of the National Police Service and the Director General of the National intelligence Service. The amendment will also facilitate the vertical growth of officers within the Service.

### **CLAUSE 56**

**THAT** Clause 56 of the Bill be amended in subclause (1)

by inserting the following new paragraph immediately after paragraph (a)

- (aa) harmonize the entry level and rank for the personnel of the Service ”





by deleting paragraph (f)

### Comments

The Service will draw its personnel from the national security sector and the public service. It is therefore necessary that the Cabinet Secretary develop regulations to harmonize the entry levels and ranks of its personnel. This will provide a clear framework of determining seniority and precedence within the Service.

Clause 56(1)(f) duplicates clause 56(1)(a) and therefore superfluous.

### FIRST SCHEDULE

**THAT** the FIRST SCHEDULE of the Bill be amended in Part II

by deleting the word petty and substituting therefore the word warrant appearing in paragraph (1)

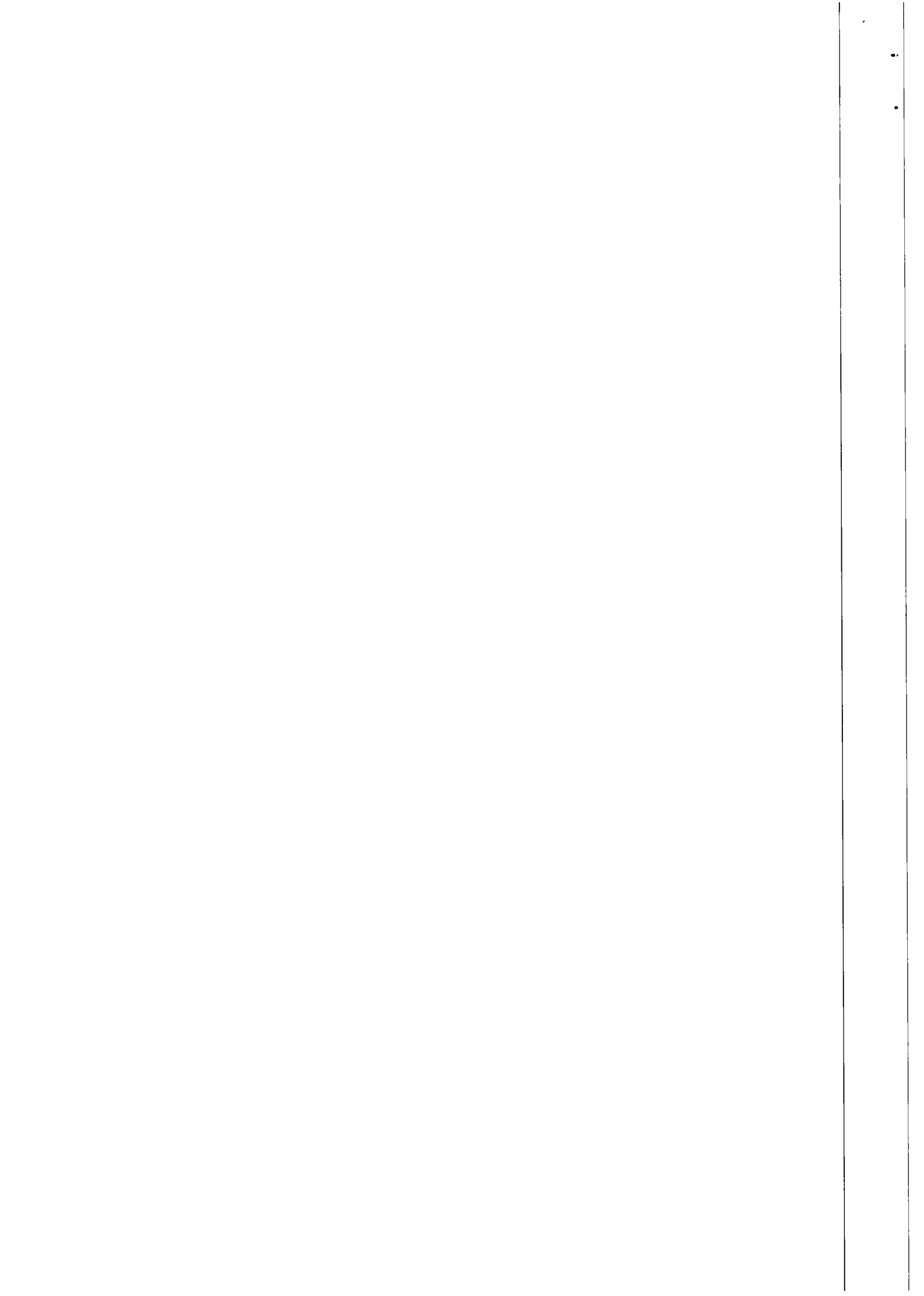
by deleting the word petty and substituting therefore the word warrant appearing in paragraph (2)

### Comments

The amendment seeks to create the rank of warrant officers as opposed to petty officers, which does not accord the necessary dignity to the proposed ranks of the Service. A warrant officer is a standard rank within the national security sector and therefore ought to be adopted.

### 6.5 COMMITTEE GENERAL OBSERVATIONS

1. The Kenya Coast Guard Service Bill, 2017 seeks to provide for the establishment, functions, discipline, organization and administration of the Kenya Coast Guard Service.
2. The Committee has agreed to all the clauses excluding Clause **2, 4 ,8, 18 and 56**
3. The Committee proposes amendments with justification to **Clauses 2, 4, 8, 18 and 56**



## 6.6 COMMITTEE RECOMMENDATIONS

The Committee having considered the Kenya Coast Guard Service Bill, 2017 will be proposing amendments in clauses.

### CLAUSE 2

**THAT** Clause 2 of the Bill be amended

by deleting the expression (1)

by inserting the following new definition in proper alphabetical sequence

baseline means the baseline set out the First Schedule of the Maritime Zones Act;

contiguous zone means the waters contiguous to the territorial sea and extending twenty four nautical miles into the ocean from the baseline;

inland waters means all water masses forming part of the territory of the Republic of Kenya including lakes and rivers but excludes the territorial sea and internal waters;

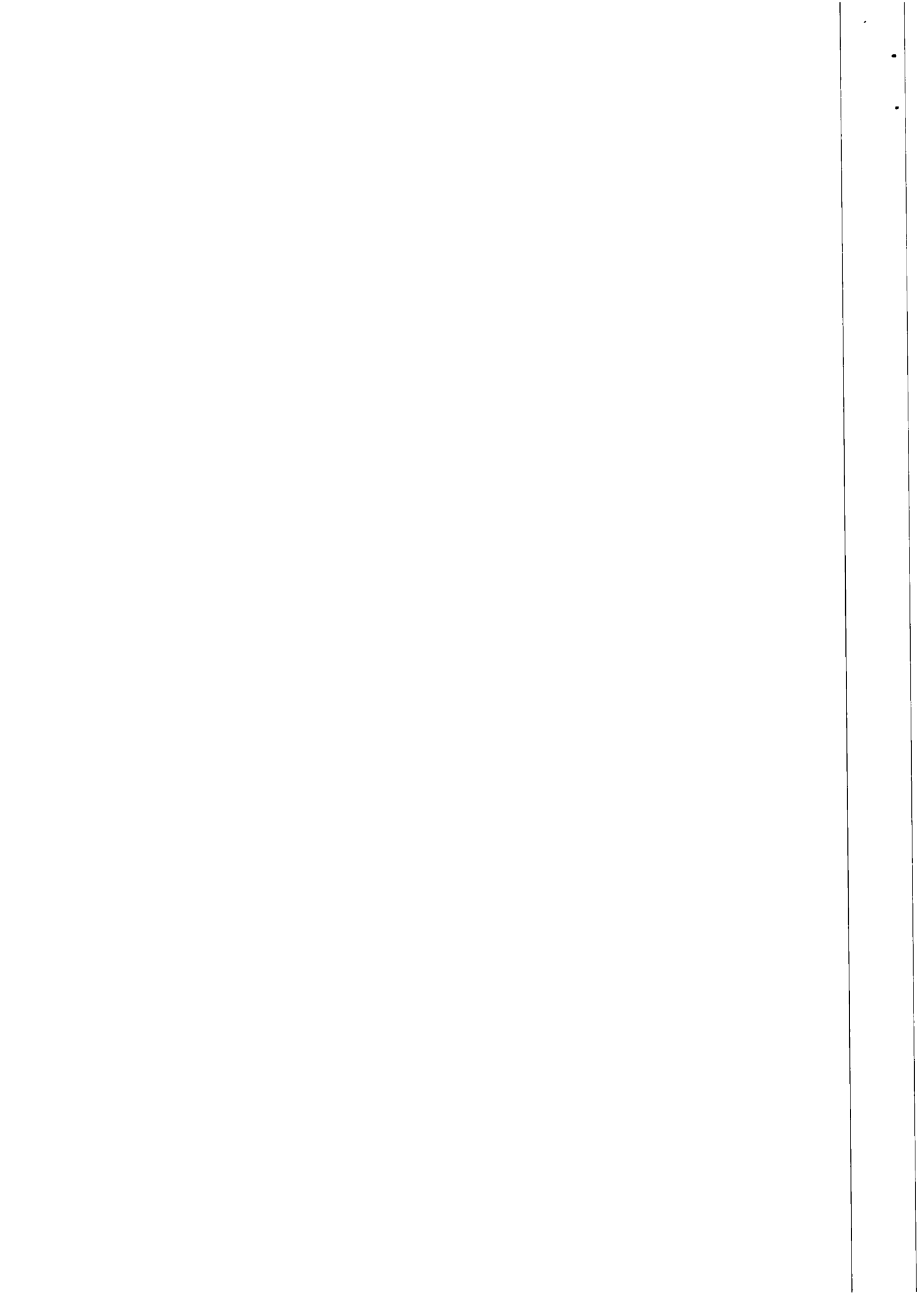
internal waters means water on the landward side of the baseline;

territorial sea means part of the sea demarcated under the First Schedule of the Maritime Zones Act;

### Comments

The amendment seeks to define the maritime zones where the Service will perform its functions. Whereas territorial waters is defined, the maritime zones forming the territorial waters are not defined. The amendment defines the territorial sea, contiguous zone, inland waters and internal waters where the Service will perform its functions. The definition of the inland waters includes lakes and rivers within the territory of Kenya thus ensuring that the Service will perform its functions in rivers and lakes within the territory of the Republic of Kenya.

### CLAUSE 4



**THAT** Clause 4 of the Bill be amended

by inserting the expression (1) immediately before the clause

by inserting the following new subclause immediately after the clause

(2) The Cabinet Secretary shall be responsible for the implementation of the Act.

### **Comments**

The amendment seeks to assign ministerial responsibility for the Service to the Cabinet Secretary responsibility for internal security. Even though the Service will be multi agency, it is necessary to assign ministerial responsibility to an individual cabinet secretary for purposes of accountability and reporting to the National Assembly. Since the Service will be performing internal security functions, the amendment seeks to domicile the Service within the internal security docket.

### **CLAUSE 8**

**THAT** Clause 8 of the Bill be amended in subclause (1) by inserting the following new paragraph immediately after paragraph (a)

(ba) to enforce prevention of trafficking of the narcotic drugs, prohibited plants and psychotropic substances;

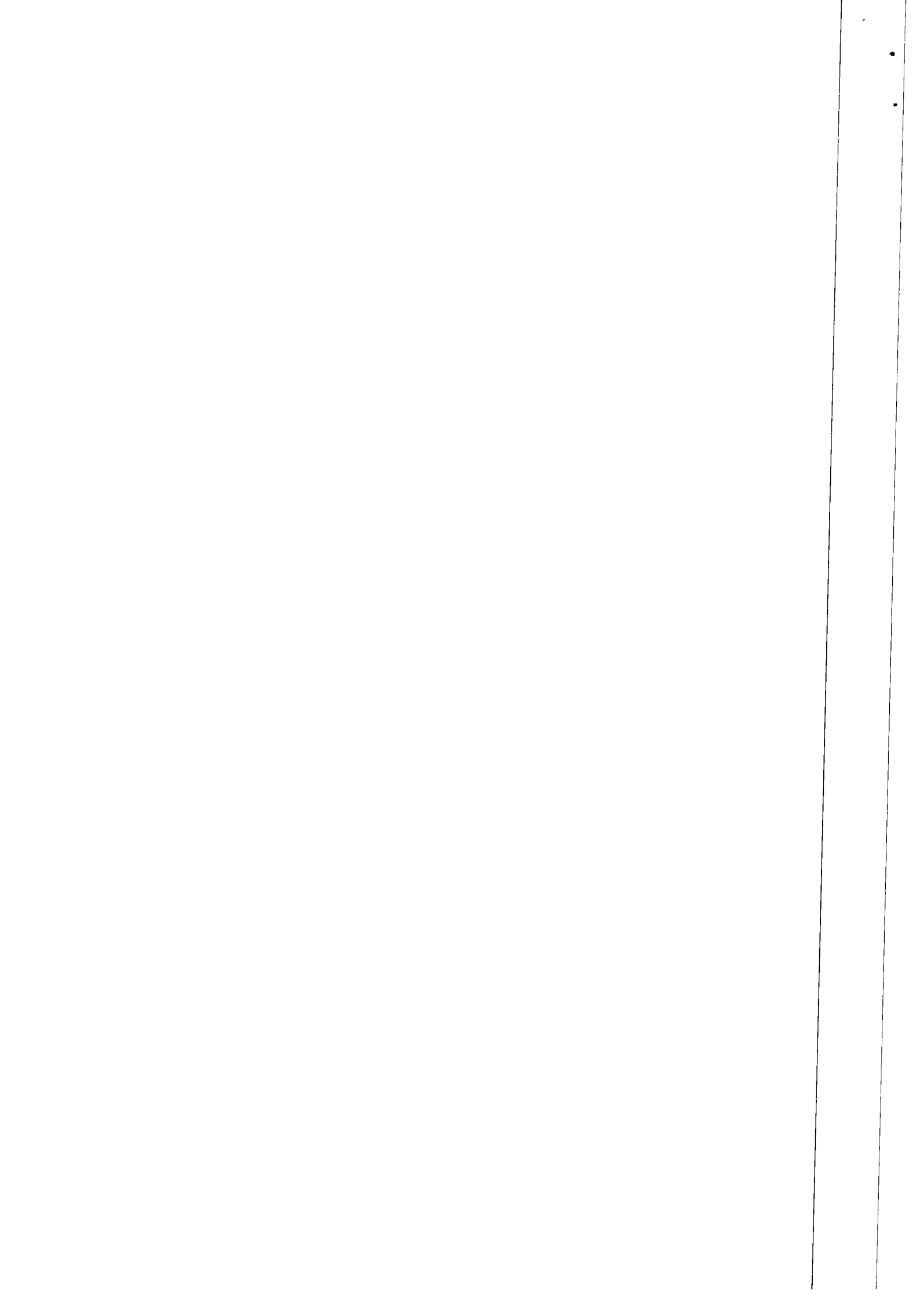
(bb) to enforce prevention of trafficking of illegal goods;

(bc) to enforce prevention of trafficking of illegal firearms and ammunition

### **Comments**

The amendments seek to enlarge the functions of the Service to include prevention of trafficking in narcotics drugs and psychotropic substances, firearms and ammunition and illegal goods. Smuggling of contrabands, firearms, ammunition and drugs is prevalent within the coastal areas and rivers and lakes extending to Kenya's international boundaries. It is proposed that the Service be empowered to deal with such smuggling in order to protect vulnerable sections of the society such as the youth. This will also promote national security while also enforcing customs laws.

### **CLAUSE 18**



**THAT** Clause 8 of the Bill be amended in by inserting the words and the term shall be non-renewable immediately after the word years

#### **Comments**

The amendment seeks to limit the tenure of service of the Director General to a fix term of four years non-renewable. The amendment applies the established practice within the national security sector where Service Chiefs serve for a fixed term non-renewable. This is the case with the Chief of the Kenya Defence Forces, the Inspector General of the National Police Service and the Director General of the National intelligence Service. The amendment will also facilitate the vertical growth of officers within the Service.

#### **CLAUSE 56**

**THAT** Clause 56 of the Bill be amended in subclause (1)

by inserting the following new paragraph immediately after paragraph (a)

(aa) harmonize the entry level and rank for the personnel of the Service ”

by deleting paragraph (f)

#### **Comments**

The Service will draw its personnel from the national security sector and the public service. It is therefore necessary that the Cabinet Secretary develop regulations to harmonize the entry levels and ranks of its personnel. This will provide a clear framework of determining seniority and precedence within the Service.

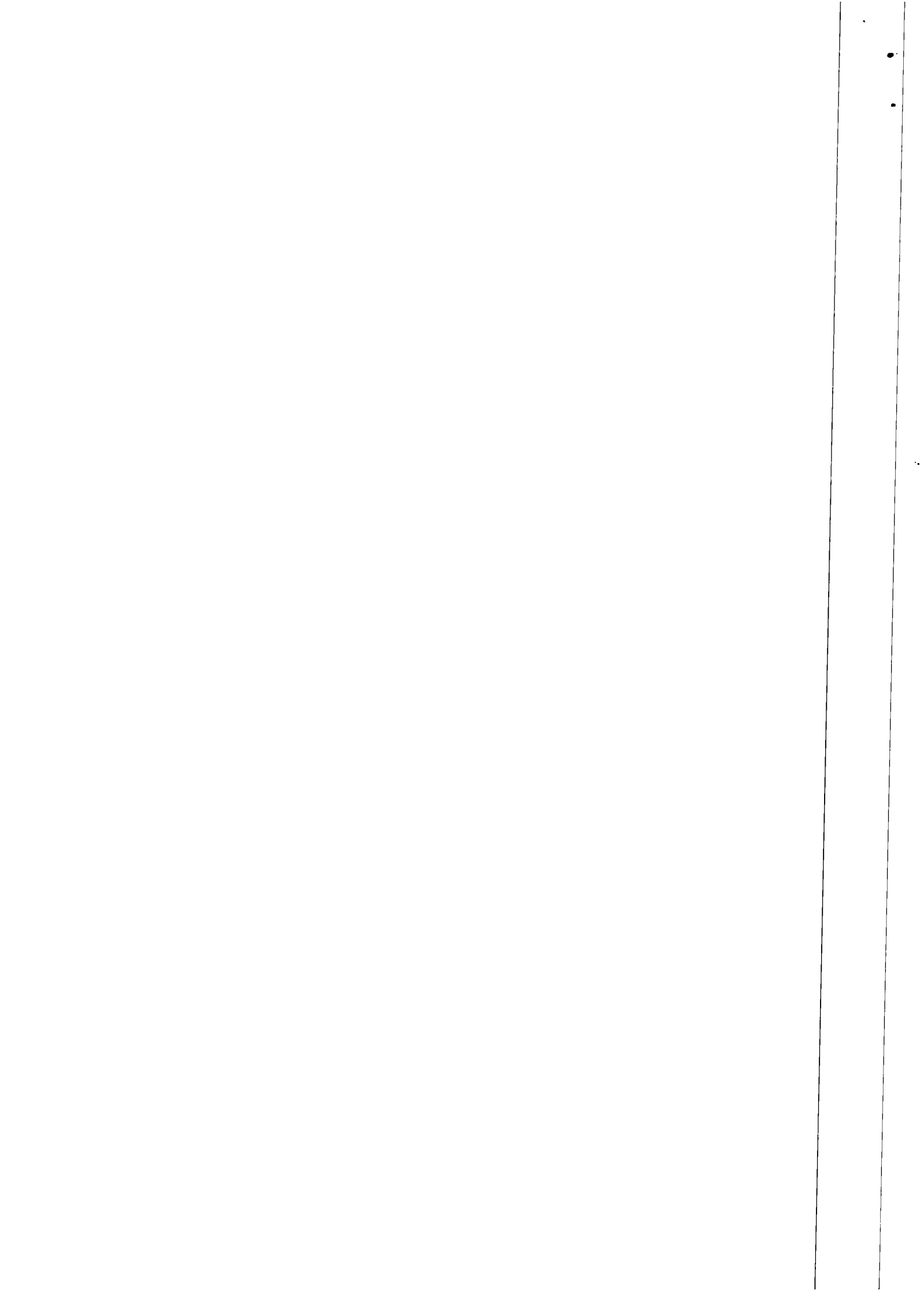
Clause 56(1)(f) duplicates clause 56(1)(a) and therefore superfluous.

#### **FIRST SCHEDULE**

**THAT** the FIRST SCHEDULE of the Bill be amended in Part II

by deleting the word petty and substituting therefore the word warrant appearing in paragraph (1)

by deleting the word petty and substituting therefore the word warrant appearing in paragraph (2)





## Comments

The amendment seeks to create the rank of warrant officers as opposed to petty officers, which does not accord the necessary dignity to the proposed ranks of the Service. A warrant officer is a standard rank within the national security sector and therefore ought to be adopted.

