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## CORRIGENDUM

IN Gazette Notice No. 7461 of 2015, *amend* the paragraph citation printed as "paragraph (1) (h)" to read "paragraph 1 (c)".

## GAZETTE NOTICE No. 8600

### ESTABLISHMENT OF THE TECHNICAL COMMITTEE (TC) FOR DEVELOPMENT OF A NATIONAL INVESTMENT POLICY

IT IS notified for the general information of the public that the Principal Secretary, State Department of Commerce and Tourism in the Ministry of East African Affairs, Commerce and Tourism, in order to revamp the investment climate in Kenya, has established a Technical Committee for the development of a National Investment Policy which will guide investment promotion and facilitation in the country and support the attraction and retention of high levels of foreign and domestic investment in Kenya, spurring growth, innovation and job creation.

#### 1. The Technical Committee shall comprise of the following persons:

Richard O. Sindiga	—(Chairman).
Dr. Moses Ikiara	— (Vice Chairman)

#### Members:

Isaac Bondet (Eng.)	Ministry of Energy and Petroleum
Robert Bwire	Kenya Investment Authority
Benjamin Chesang	Export Processing Zones Authority
George N. Kamau	Ministry of Devolution and Planning
Mumbi Githaiga	Office of the Attorney-General and Department of Justice
Judy Oduma	Council of Governors
Boniface Ngigi	The National Treasury
Rachael Osendo	Kenya Law Reform Commission
Said Athman	Ministry of Mining
Joshua Kimulu	Ministry of East African Affairs, Commerce and Tourism
Onesmus Masinde	Kenya National Chamber of Commerce and Industry
Abraham Barno	Ministry of Agriculture, Livestock and Fisheries
Philemon Kiprono (Dr.)	Ministry of Interior and Co-ordination of National Government
Peter Ochieng	Export Promotion Council
Victor Ogalo	Kenya Private Sector Alliance
Charles Mahinda	Ministry of Industrialization and Enterprise Development
Grephas Ogutu	Ministry of Foreign Affairs and International Trade

Roslyn Ng'eno	(Joint Secretary)
Anthony Njeru	(Joint Secretary)

#### 2. The Terms of Reference of the Committee shall be to:

- (a) address issues pertaining to the Kenya investment environment relevant to domestic and foreign investors covering best practice requirements in promotion, facilitation, investment prioritization among other areas in investment. The following are proposed areas of coverage:
  - (i) overview and definition;
  - (ii) investment incentives;
  - (iii) institutional architecture and other imperatives for successful implementation;
  - (iv) regional integration and international treaties;
  - (v) role of ICT and other appropriate technologies;
  - (vi) government objectives vis-a-vis investment, priority sectors;
  - (vii) treatment and protection of investors (local/foreign), including:
    - local content and community issues;
    - minimum capital requirements;
    - standards of treatment;
    - protection;
    - guarantees;
    - environmental compliance;
    - corporate social responsibility;
  - (viii) sector specific policies and incentives; and
  - (ix) other issues e.g. monetary issues.
- (b) undertake a review of the following areas to provide a comprehensive background:
  - (i) brief overview of macroeconomic context for the last 10 years (market size and growth rate, macro stability (inflation, interest rates etc), infrastructure, technology and skill levels, investment flows (domestic and foreign; inward and outward; greenfield and M&A;

country of origin or destination; sector-wise breakdown)

- (ii) overview of main policy trends for the last 10+ years (parameters/priorities of the national development strategy/poverty reduction strategy, trade policy including any regional trade arrangements, membership of the WTO, privatization/regulation, broad parameters of competition law, labour and environmental regulation, fiscal regime for foreign investors and their investments and intellectual property rights regime);

- (iii) Policy-making process for investment issue (what are the national policy objectives/targets for investment, to what extent are these purely economic objectives and how far are they affected by social and political objectives, which Ministry(ies)/agencies/other quasi-governmental bodies participate in the decision-making process, how much independence to sub-national layers of government (state, region, municipality etc.) have on investment issues).

- (c) the technical committee shall also undertake the following tasks:

- (i) review and document the national laws relevant to foreign investors;
- (ii) review and discuss such laws as employment laws, corporate laws, investment laws and evaluate whether and how they protect foreign investors.

- (d) undertake benchmarking tours to identify best practices in investment generation process;

- (e) review the NIP concept note, work programme and budget;

- (f) brief the steering committee;

- (g) undertake stakeholder consultations on the various sectors and areas of coverage.

3. In the performance of its functions, the Committee:

- (a) shall hold such number of meetings in such places and at such times as the Committee shall consider necessary for the proper discharge of its functions;
- (b) liaise and consult with Government Ministries, public bodies and the private sector in order to collect the required information;
- (c) may carry out or cause to be carried out such studies or research as may inform the Committee on its mandate;
- (d) Subject to the foregoing, the committee shall have the powers necessary or expedient for the proper execution of its mandate, including the power to regulate its procedure.

4. The Committee shall be deemed to have commenced work on the 1st September, 2015.

5. The Committee shall prepare and present its final policy to the Cabinet Secretary by the 31st December, 2015, after which it shall stand dissolved.

Dated the 26th October, 2015.

IBRAHIM MOHAMED,  
Principal Secretary,  
State Department of Commerce and Tourism,  
Ministry of East African Affairs, Commerce and Tourism.

GAZETTE NOTICE NO. 8601

TASKFORCE ON THE REVIEW OF THE WAKF  
COMMISSIONERS ACT 1951

IT IS notified for the general information of the public that the Attorney-General has appointed a taskforce consisting of the following—

Hamadi Boga (Prof.)—Chairman

1. The Members of the Taskforce shall be—

Sheikh Juma Ngao

Zubeir Hussein Noor  
Sheikh Ibrahim Lethome  
Saad Yahya (Prof.)  
Mwanakitina Bakari (Dr.)  
Abdallah Kheir (Dr.)  
The Chief Kadhi or his representative

Joint Secretaries:

Brenda Mtoka  
Jafred Maliru

TERMS OF REFERENCE OF THE TASKFORCE

2. The Terms of Reference for the Taskforce shall be to—

- (a) review the legal, policy and institutional framework for the management of Wakf Commissioners of Kenya;
- (b) propose appropriate reforms to the legal, policy and institutional framework for Wakf properties in Kenya;
- (c) propose appropriate amendments to various legal instruments with a view to strengthening the legal and institutional framework for the management of wakfcommissioners of Kenya;
- (d) consider and propose appropriate mechanisms for collaboration and co-operation among the institutions involved in the management of wakf properties;
- (e) consider and propose appropriate mechanisms for the management of wakf Commissioners of Kenya in the devolved system of Government and in the management of the properties and the Wakf Commission of Kenya;
- (f) identify international or regional best practices in the management of Wakf Commissions and Wakf properties;
- (g) prepare a report on the necessary legal, policy and institutional reforms necessary for effective management of Wakf Commissioners of Kenya and Wakf properties;
- (h) carry out such other functions as may be necessary or incidental to the foregoing.

3. In the performance of its functions, the Taskforce—

- (a) shall hold such number of meetings in such places and at such times as the Taskforce shall consider necessary for the proper discharge of its functions;
- (b) co-opt any resource persons as and when necessary, on short term basis, to assist in the achievement of the Terms of Reference;
- (c) make reports or updates, every two weeks, to the Attorney General outlining any matters that may require urgent action;
- (d) shall receive views from members of the public and receive oral and written submissions from any person with relevant information;
- (e) may use official reports of any previous investigations relevant to its mandate;
- (f) may carry out or cause to be carried out such studies or researches as may inform the Taskforce on its mandate.

4. The Taskforce shall complete its work and submit its final report to the Attorney-General not later than three months from the date of its first appointment and the Attorney-General may when necessary extend the period.

5. The costs incurred by the Taskforce, including but not restricted to the facilitation and payment of allowances in respect of the members and secretariat of the Taskforce, shall be defrayed from the funds of the Wakf Commissioners of Kenya.

6. The Secretariat of the Taskforce shall be based at the Office of the Attorney-General and Department of Justice offices in Mombasa. Submission from the public can be addressed to the Secretary, Taskforce to Review of the Wakf Commissioners Act, P.O. Box 80366 Mombasa.

Dated the 26th October, 2015.

GITHU MUGAI,  
Attorney General.