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THIRTEENTH PARLIAMENT (THIRD SESSION)

**DEPARTMENTAL COMMITTEE ON COMMUNICATION, INFORMATION AND
INNOVATION**



**REPORT ON
THE CONSIDERATION OF THE TECHNOPOLIS BILL, 2024 (NATIONAL
ASSEMBLY BILL NO. 6 OF 2024)**

**CLERKS CHAMBERS
DIRECTORATE OF DEPARTMENTAL COMMITTEES
PARLIAMENT BUILDINGS
NAIROBI**

JULY 2024


 THE NATIONAL ASSEMBLY PAPERS LAID			
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LIST OF ABBREVIATIONS AND ACRONYMS

BPO	Business Process Outsourcing
CEO	Chief Executive Officer
ICT	Information, Communication Technology
ITES	Information Technology Enabled Services
KICA	Kenya Information and Communications Act
KoTDA	Konza Tecchnopolis Development Authority
MP.	Member of Parliament
N.A	National Assembly
SMEs	Small and Medium Enterprises
TDA	Technopolis Development Authority
UNDP	United Nations Development Programme

LIST OF ANNEXURES

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CHAIRPERSON'S FOREWORD

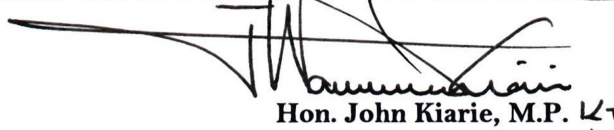
This report contains the Committee's proceedings on the consideration of the Technopolis Bill (*National Assembly Bill No. 6 of 2024*). The Bill was published on 2nd February 2024, read the First Time on 9th April 2024 and committed to the Departmental Committee on Communication, Information and Innovation for review and reporting to the House pursuant to Standing Order 127.

The Bill seeks to provide for a comprehensive framework for the establishment of a Technopolis in Kenya, to create the Technopolis Development Authority which will be responsible for the development, planning, management, improvement and maintenance of every Technopolis established.

Following the placement of adverts in the print media on 16th April 2024 requesting comments on the Bill from members of the public and relevant stakeholders pursuant to Article 118(1) (b) of the Constitution and Standing Order 127(3), the Committee received memoranda from Kenya Advanced Institute of Science and Technology (Kenya-AIST), GS1 Kenya, Sote Hub, Association of Countrywide Hubs, Viscar Limited and Huawei Technologies Kenya Limited. In addition, the Committee held meetings vide letter Ref: NA/DDC/CII/2024/016, Ref: NA/DDC/CII/2024/017, Ref: NA/DDC/CII/2024/018, Ref: NA/DDC/CII/2024/019, Ref: NA/DDC/CII/2024/020 and Ref: NA/DDC/CII/2024/021 dated 2nd May 2024, with the Ministry of Information Communication and the Digital Economy and other sector players. Upon receipt of the memoranda, the Committee held a total of five (5) meetings to consider the Bill and the submissions which are incorporated in this report. A total of six (6) memoranda were received from institutional stakeholders in the ICT sector. Thereafter, the Committee proceeded for a report writing retreat which provided the opportunity to consider the submissions of the stakeholders and to further draft, consider and approve its report.

On behalf of the Departmental Committee on Communication, Information and Innovation and pursuant to provisions of Standing Order 199 (6), it is my pleasant privilege and honour to present to this House the Report of the Committee on its consideration of the Technopolis Bill (*National Assembly Bill No. 6 of 2024*). The Committee is grateful to Offices of the Speaker and Clerk of the National Assembly for the logistical and technical support accorded to it during its sittings. The Committee further wishes to thank the Ministry of Information Communication and Digital Economy and the various stakeholders for submitting their comments on the Bill. Finally, I wish to express my appreciation to the Honourable Members of the Committee and the Committee Secretariat who made useful contributions towards the preparation and production of this report.

It is my pleasure to report that the Committee has considered the Technopolis Bill (*National Assembly Bill No. 6 of 2024*) and has the honour to report to the National Assembly with the recommendation that the Bill be APPROVED with amendments.



Hon. John Kiarie, M.P.

Chairperson, Committee on communication, information and Innovation.

PART ONE

1.0 PREFACE

1.1 Establishment and Mandate of the Committee

1. The Departmental Committee on Communication, Information and Innovation is one of the Departmental Committees of the National Assembly established under Standing Order 216 whose mandates pursuant to the Standing Order 216 (5) are as follows:
 - i. *To investigate, inquire into, and report on all matters relating to the mandate, management, activities, administration, operations and estimates of the assigned ministries and departments;*
 - ii. *To study the programme and policy objectives of ministries and departments and the effectiveness of the implementation;*
 - iii. *on a quarterly basis, monitor and report on the implementation of the national budget in respect of its mandate;*
 - iv. *To study and review all legislation referred to it;*
 - v. *To study, assess and analyse the relative success of the ministries and departments as measured by the results obtained as compared with their stated objectives;*
 - vi. *To investigate and inquire into all matters relating to the assigned ministries and departments as they may deem necessary, and as may be referred to them by the House;*
 - vii. *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 (Committee on Appointments);*
 - viii. *To examine treaties, agreements and conventions;*
 - ix. *To make reports and recommendations to the House as often as possible, including recommendations of proposed legislation;*
 - x. *To consider reports of Commissions and Independent Offices submitted to the House pursuant to the provisions of Article 254 of the Constitution; and*
 - xi. *To examine any questions raised by Members on a matter within its mandate.*
2. In accordance with the Second Schedule of the Standing Orders, the Committee is mandated to oversee: Communication, information, media and broadcasting (except for broadcast of parliamentary proceedings), information technology, communication technology, including development and advancement of technology, data protection and privacy, cyberspace and cyber-security, artificial intelligence, block-chain technology, and other emerging technologies.
3. In executing its mandate, the Committee oversees the State Department for ICT and the Digital Economy.

1.2 Committee Membership

4. The Departmental Committee on Communication, Information and Innovation was constituted by the House on Thursday, 27th October 2022 and comprises the following Members:

Chairperson

Hon. John Kiarie Waweru, MP
Dagoretti South Constituency
UDA Party

Vice Chairperson

Hon. Alfah Miruka Ondieki, MP
Bomachoge Chache Constituency
UDA Party

Hon. Shakeel Shabbir Ahmed, CBS, MP
Kisumu East Constituency
Independent Member

Hon. Gideon Kipkoech Kimaiyo MP
Keiyo South Constituency
UDA Party

Hon. Erastus Kivasu Nzioka, MP
Mbooni Constituency
WDM-K Party

Hon. Florence Jematiah Sergon, MP
Baringo County
UDA Party

Hon. Joseph Kipkosgei Tonui, MP
Kuresoi South Constituency
UDA Party

Hon. Irene Nyakerario Mayaka, MP
Nominated Member
ODM Party

Hon. Bensuda Joyce Atieno Osogo, MP
Homabay County
ODM Party

Hon. Kakuta Maimai Hamisi, MP
Kajiado East Constituency
ODM Party

Hon. Bernard Kibor Kitur, MP
Nandi Hills Constituency
UDA Party

Hon. Khalif Ali Abdisirat MP
Nominated Member
UDA Party

Hon. Geoffrey Wandeto, MP
Tetu Constituency
UDA Party

Hon. Mumina Gollo Bonaya, MP
Isiolo County
Jubilee Party

Hon. Umulkher Harun Mohamed, MP
Nominated Member
ODM Party

1.4 Committee Secretariat

1. The Committee is facilitated by the following staff secretariat:

Ms. Nuri Kitel Nataan
Clerk Assistant I

Mr. Sakana Saoli
Clerk Assistant III

Mr. Thomas Ogwel
Fiscal Analyst I

Ms. Lillian Mburugu
Media Relations Officer III

Ms Marlene Ayiro
Principal Legal Counsel I

Mr. Paul Shana
Sergeant At Arms

Mr. Githinji Wanjohi
Research Officer III

Mr. Kelvin Lengasi
Audio Officer

Mr. Boaz Chebiego
Research Officer III

Ms. Florence Wanja
Protocol Officer III

PART TWO

2 BACKGROUND OF THE TECHNOLIS BILL, 2024

2.1 SITUATIONAL ANALYSIS

5. The Technopolis Bill 2024 represents a pivotal piece of legislation in Kenya's strategic efforts to harness the potential of technology and innovation for economic development. This initiative is rooted in Kenya's Vision 2030, a comprehensive development plan aiming to transform Kenya into a newly industrializing, middle-income country offering a high quality of life to all its citizens by 2030.
6. The Bill seeks to establish Technopolis across the country, envisioned as hubs for technology, innovation, and entrepreneurship that will drive Kenya towards achieving its long-term development goals.
7. The conception of the Technopolis Bill 2024 is informed by the global trend of establishing science parks and innovation districts as catalysts for regional economic development. These hubs are designed to foster collaboration among universities, research institutions, start-ups, and established companies, thereby spurring technological innovation and economic growth. The Bill outlines a governance structure for the development and management of Technopolises, emphasizing the creation of a conducive environment for high-tech companies and start-ups through favourable regulatory frameworks, financial incentives, and state-of-the-art infrastructure.
8. Kenya's approach, as articulated in the Technopolis Bill 2024, mirrors successful models observed in other countries, such as USA's Silicon Valley, South Korea's Daedeok Innopolis and Finland's innovation ecosystem¹². These models underscore the importance of strategic government intervention in cultivating innovation ecosystems that can compete on a global scale. The Technopolis initiative aims not only to position Kenya as a leading innovation hub in Africa but also to attract international talent and investment, thereby enhancing the country's competitiveness in the global knowledge economy.
9. The Technopolis Bill, 2024. sponsored by Hon. Kimani Ichung'wah, MP, Leader of Majority party is a government sponsored Bill that seeks to establish the Technopolis Development Authority, to provide a framework for the development and management of technopolises, and for connected purposes.

2.2 Institutional Framework Proposed in the Bill

10. The Bill creates the **Technopolis Development Authority** with the following functions:
 - a. plan, develop and manage a Technopolis;
 - b. allocate land to investors in a Technopolis;
 - c. establish governance structures for a technopolis;
 - d. establish and manage science parks, information communication and technology parks and innovation centres;

¹ Oksanen, K., & Hautamäki, A. (2014). Transforming regions into innovation ecosystems: A model for renewing local industrial structures. *The Innovation Journal*, 19(2), 1.

² Castells, M., & Hall, P. (2009, November 4). Technopolises of the world: The making of twenty-first-century industrial complexes. SSRN. https://papers.ssrn.com/sol3/papers.cfm?abstract_id=1496180

- e. facilitate the realization of Kenya's digital economy by use of emerging technologies to support businesses within a technopolis;
- f. host strategic government infrastructure powered by emerging technologies including data centres, research centres and centres of excellence;
- g. promote technology oriented creative industries;
- h. coordinate the knowledge innovation ecosystem in a Technopolis in partnership with research institutions and innovation centres;
- i. promote and market Technopolises to investors and users;
- j. coordinate and administer incentives provided for operating in a technopolis;
- k. undertake investment in a Technopolis either by itself or through partnerships;
- l. administer a one-stop-shop for the provision of government services required to operate in a technopolis;
- m. facilitate research and implementation innovation programmes within a Technopolis; and
- n. any other function that may be assigned by the Cabinet Secretary or any written law.

2.3 Comparative Analysis

11. The following are considerations to compare technopolises around the world with the Kenyan context:

i. Origin and Development

a) South Korea

The foundation for South Korea's technopolises can be traced back to the country's broader economic development strategies, initiated in the 1960s and 1970s, which focused on rapid industrialization. Recognizing the limitations of being heavily dependent on manufacturing and the need to move up the value chain into more knowledge-intensive industries, the South Korean government began to pivot towards fostering a high-tech economy in the 1980s.

One of the earliest and most significant steps in this direction was the creation of the Daedeok Science Town (now Daedeok Innopolis) in 1973.

b) Silicon Valley

Emerged organically over several decades, initially fuelled by the presence of Stanford University, the establishment of high-tech companies, and an influx of venture capital. Its growth was not the result of a specific legislative act but rather a confluence of entrepreneurial spirit, academic collaboration, and private investment.

c) Japan

Since the mid-1970s, the focus of Japanese industrial policy has pivoted toward technological innovation, driven by the exceptional performance of Japan's industrial sector. In 1971, the Ministry of International Trade and Industry (MITI) suggested a shift towards a knowledge-intensive industrial framework that minimizes environmental impact. Thus, the Japanese **Technopolis plan** was initiated in 1983 that led to the designation of 26 areas³.

ii. Governance Structure

a) South Korea

³ Kyaw, A. (n.d.). Technopolis and Regional Development in Japan. ...

https://meral.edu.mm/record/2422/file_preview/Technopolis%20and%20regional%20development%20in%20Japan.pdf?allow_aggs=True

Has developed several innovation clusters, with the aim of consolidating research and development (R&D) resources, fostering collaboration among research institutes, universities, and companies, and driving national economic growth through high-tech industries.

b) Silicon Valley

Silicon Valley lacks a centralized governance structure specifically for its role as a technopole. Instead, it benefits from the broader regulatory and economic policies of California and the United States, with local governments, universities, and private entities playing significant roles in its ecosystem.

c) Japan

The Technopolis Plan proposed the formation of the **Technopolis Development Organisation (TDO)** in each Technopolis area as the principal organization for advancing the construction of the Technopolis. This contrasts with the centralized approach taken by Kenya where in Japan the management of the technopolis is decentralized amongst the different technopolises.

iii. Financial Incentives and Funding

a) South Korea

Offers a comprehensive package of incentives for businesses operating within its innovation clusters, including tax benefits, financial grants for R&D activities, and subsidies for start-ups. The government actively invests in R&D, significantly supporting the growth of high-tech industries.

b) Silicon Valley

Has thrived on private investment, particularly venture capital, which has been crucial in funding start-ups and technology companies. Government policy has indirectly supported its growth through favourable business, tax, and intellectual property laws.

c) Japan

Japan provided significant government funding for infrastructure, research and development, and incentives for private sector investment in the designated Technopolis areas. The plan also included financial incentives to promote regional industries and attract businesses to these new hubs.

iv. Focus and Industry Specialization

a) South Korea

Has strategically focused on specific high-tech industries, such as semiconductors, biotechnology, and information technology, among others. Each innovation cluster, including Daedeok Innopolis, often has thematic areas of specialization, leveraging existing research and industrial strengths to compete globally.

b) Silicon Valley

Has a broad focus on technology and innovation, with significant strengths in software, hardware, internet services, and more recently, biotechnology and clean energy. Its ecosystem encourages a wide range of technological advancements and start-ups.

c) Japan

Japanese Technopolis Plan was designed to promote specific sectors of technological innovation tailored to the regional strengths of each Technopolis area. The plan was not only about high-tech industries but also included the integration of cultural, educational, and environmental considerations into the development of Technopolis areas.

v. **Culture and Ecosystem Dynamics**

d) **South Korea**

South Korea's culture and ecosystem dynamics are integral to its success as a global innovation hub. The country's rapid ascent in the technological and economic spheres is deeply rooted in its cultural values, educational priorities, and a highly coordinated innovation ecosystem that includes government, industry, and academia. These elements combine to create a unique environment conducive to technological advancement and creative endeavours.

e) **Silicon Valley**

Is characterized by a unique culture of risk-taking, innovation, and entrepreneurship, supported by a dense network of entrepreneurs, venture capitalists, and mentors. This culture has been critical to its success but is challenging to replicate.

f) **Japan**

Japan's approach to fostering technopolises, or science cities, is deeply influenced by its unique culture and the dynamics of its innovation ecosystem. The country's method of integrating traditional values with cutting-edge technology and research has established a robust framework that supports the growth of technopolises.

PART THREE

3 OVERVIEW OF THE TECHNOPOLIS BILL, 2024

3.1 Introduction of the Bill

12. The Technopolis Bill, 2024, is a bill originating from the party forming the national government and is sponsored by Hon Kimani Ichung'wa, the leader of Majority Party.
13. The Technopolis Bill, 2024 was tabled in the House for first reading and thereafter committed to the Departmental Committee on Communication Innovation and information pursuant to Standing order 127.

3.2 Brief Overview of the Bill

14. This is a comprehensive framework for the creation, management and development of a Technopolis in Kenya;
15. The Bill is divided into ten parts and has two schedules.
 - a. **Part I (Clause 1-3)** of the Bill provides for the preliminary provisions including the short title; the interpretation and the objects of the Act.
 - b. **Part II (Clause 4-14)** of the Bill provides for the establishment of the Technopolis Development Authority which shall succeed the Konza Technopolis Development Authority established under Legal Notice No. 23 of 2012; the functions of the Authority; the powers of the Authority; the Board of the Authority; vacation of office; powers of the Board; conduct of business and affairs of the Board; seal and execution of documents; delegation of functions and powers of the Board; Chief Executive Officer; Corporation Secretary and staff of the Board.
 - c. **Part III (Clause 16-21)** of the Bill provides for the establishment of a Technopolis; the features of a Technopolis; Buffer Zone of a Technopolis; development of high technology innovation ecosystem; administration of a one-stop shop; and establishment of a Technopolis small enterprise support centre.
 - d. **Part IV (Clause 22-27)** of the Bill provides for the power by the Authority to undertake development control with in a Technopolis; development approval; application and approval of development permit; development compliance; review and appeal of a decision of the Authority; and the offence of non-compliance.
 - e. **Part V (Clause 28-36)** of the Bill provides for a licence to operate or carry out business activities in a Technopolis; application and issuance of a licence; refusal to issue a licence; renewal of a licence; suspension and revocation of a licence; notice of non-compliance; variation of conditions of a licence; review of a decision of the Authority; and register of licensees.
 - f. **Part VI (Clause 37-40)** of the Bill provides for the power by the Authority to undertake inspections to ensure compliance with development control and licensing requirements; enforcement sanctions that may be imposed by the Authority; compliance with the provisions of the Fair Administrative Action Act, 2015; and coordination with other government entities on the performance of the inspection function.
 - g. **Part VII (Clause 41-46)** of the Bill provides for the sources of Funds of the Authority; the annual estimates of revenue and expenditure of the Authority; accounts and audit; expenditure of the funds of the Authority; annual reports of the Authority; and the financial year of the Authority.

- h. **Part VIII (Clause 47- 61)** of the Bill provides for the establishment of the Technopolis Dispute Resolution Tribunal whose members shall be appointed by the Judicial Service Commission; the term of office of the members of the Tribunal; the oath of office; the discipline and removal of members of the Tribunal; appointment of staff of the Tribunal; arrangement of business of the Tribunal; quorum for hearing and determination of a matter before the Tribunal; jurisdiction of the Tribunal; appeals to the Tribunal; procedure before the Tribunal; powers of the Tribunal; decisions of the Tribunal; appeal against the decision of the Tribunal; and rules of the Tribunal.
- i. **Part IX (Clause 62-65)** of the Bill provides for the general provisions including incentives; regulations; offences of provision of false information, non-compliance or obstruction; and general penalty for offences with respect to a development permit and a licence to operate in a Technopolis.
- j. **Part X (Clause 66-67)** of the Bill provides for the transitional and saving provisions and the revocation of Legal Notice No. 23 of 2012.
- k. **The First Schedule** to the Bill provides for the conduct of business and affairs of the Board.
- l. **The Second Schedule** to the Bill provides for oath or affirmation of office by members of the Tribunal.

3.3 Clause by Clause Analysis of the Bill

- 16. **Clause 1: The Citation of the Act:** The Technopolis Act, 2023.
- 17. **Clause 2:** Interpretation of key technical terms that have been used in the Bill such as:
 - a. **“Authority”** means the Technopolis Development Authority established under Clause 4.
 - b. **“Buffer Zone”** means a defined area surrounding a Technopolis that is subject to controlled land use;
 - c. **“Cabinet Secretary”** means the Cabinet Secretary responsible for matters relating to information and communications technology;
 - d. **“Konza Technopolis”** means all that parcel of land known as Land Reference Number 9918/6 measuring 2023.6 hectares or thereabouts.
 - e. **“Technopolis”** which means a designated geographical area established to achieve the objects of the Act and includes the Konza Technopolis.
The clause provides for interpretation of technical terms used in the Act.
- 18. **Clause 3: Objects of the Act:**
 - a. Provide for the establishment, development and management of a Technopolis in a designated geographical area;
 - b. Create a conducive environment to attract and retain world-class talent by providing state-of-the-art infrastructure;
 - c. Position a Technopolis as a premier destination for technology-driven businesses, research institutions and innovation ecosystems;
 - d. Provide for the adoption of sustainable environmental practices and technologies within a Technopolis;
 - e. Offer incentives and other forms of Government support to encourage investments in a Technopolis; and
 - f. Support the development of Kenya’s knowledge-based economy.

The clause defines the scope and the purpose of this Act.

The overriding objective of the Act is to provide for the establishment and management of Technopolises across the country which hitherto did not exist.

It seeks to strategically position Kenya at the forefront of technological innovation and economic transformation.

A Technopolis may be established in any part of the Country.

Standardized process and criteria for establishment of a Technopolis.

19. **Clause 4: Establishment of the Technopolis Development Authority** - as a body corporate to administer this Act which shall be the successor of the Konza Technopolis Development Authority. This ensures continuity and wealth of experience is transitioned. The Authority has all necessary powers of a body corporate necessary for the discharge of its mandate: The Authority shall regulate the activities of a Technopolis established under the Act.

The clause establishes the Technopolis Development Authority – as a body corporate to administer this Act which shall be the successor of the Konza Technopolis Development Authority. This ensures continuity and wealth of experience is transitioned. The Authority shall regulate the activities of a Technopolis established under the Act.

20. **Clauses 5: The Functions of the Authority** - ensures that a Technopolis is planned to achieve its intended vision; centralized management of a Technopolis to achieve sustainability and quality of operations. The functions of the Authority include:

- a. plan, develop and manage a Technopolis;
 - b. allocate land to investors in a Technopolis;
 - c. establish governance structures for a Technopolis.
 - d. establish and manage science parks, information communication and Technology parks and innovation centres;
 - e. facilitate realization of Kenya's digital economy by use of emerging technologies to support businesses within a Technopolis;
 - f. Host strategic government infrastructure powered by emerging technologies including data centres, research centres and centers of excellence.
 - g. promote technology oriented creative industries
 - h. coordinate the knowledge innovation ecosystem in a Technopolis in partnership with research institutions and innovation centres;
 - i. promote and market Technopolises to investors and users;
 - j. coordinate and administer incentives provided for operating in a Technopolis
 - k. undertake investment in a Technopolis either by itself or through partnerships
 - l. administer a one-stop-shop for provision of government services required to operate in a Technopolis
 - m. facilitate research and implementation of innovation programmes within a Technopolis; and
 - n. any other function that may be assigned by the Cabinet Secretary or any written law.
- This clause ensures among others that a Technopolis is planned to achieve its intended vision; centralized management of a Technopolis to achieve sustainability and quality of operations.*

21. **Clause 6 - Powers of the Authority** - to enable the Authority to administer its functions under the Act. The powers include:

- a. formulate administrative by-laws and Guidelines for the sustainable development and management of a Technopolis.
- b. regulate land use in a Technopolis;
- c. mobilise funds for the development of a Technopolis;

- d. approve development applications, issue construction permits and licence users within a Technopolis;
- e. charge fees and levies for proper carrying out of functions under the Act;
- f. enter, inspect and search any premises to enforce the Act;
- g. establish a special purpose vehicle as may be necessary for the discharge of its functions; and
- h. grant such exemptions of fees, levies or any other charges imposed under this Act.

The powers under this clause will enable the Authority to administer its functions under the Act.

The powers are necessary for purposes of enabling the Authority come up with the requisite administrative by-laws and Guidelines to guide the development and management of a Technopolis.

22. **Clause 7 - The Board of directors of the Authority – establishment of the Board which shall oversee management functions of the Authority.** The Board is established in accordance with Mwongozo framework which is the Code of Governance for State Corporations. The criteria for qualifications of the members of the Board is also set out. The Chairperson and the members of the Board shall hold office for a term of three years and shall be eligible for reappointment for one further term. The Board shall be composed of:

- a. the Chairperson appointed by the President;
- b. the Principal Secretary of the ministry responsible for matters relating to information communication and technology or a designated representative;
- c. the Principal Secretary for the National Treasury or a designated representative;
- d. the Attorney General or a designated representative;
- e. five persons, not being public officers, appointed by the Cabinet Secretary; and
- f. the Chief Executive Officer who shall be an ex officio member.

The clause establishes the board of directors of the Authority which shall oversee management functions of the Authority.

The Board composition includes both State and Non State Actors which provides the suitable competencies required to provide policy guidance to the Authority.

The board is established in accordance with Mwongozo framework which is the code of Governance for state corporations.

The Board shall compose of 9 members as required by Mwongozo.

The Bill also proposes the qualification for appointment of the Chairperson and independent Board members which inter alia includes at least an undergraduate degree and fifteen years' experience for the chairperson and ten years' experience in any relevant field for the members of the Board.

23. **Clauses 9-15** of The Bill provides for the powers of the Board, Conduct of business of the Board, seal and execution of documents, delegation of functions and powers, chief executive officer, corporation secretary and staff of the Board.
24. **Clause 18: Buffer Zone** - This is a development control measure to prevent urban sprawl and ensure seamless integration to a Technopolis. It also provides room for expansion of a technopolis to accommodate auxiliary services not provided for within a technopolis.
25. **Clause 19 - Development of high technology ecosystem by the Authority** - It is an intentional strategy towards the achievement of Kenya's vision to be a globally competitive knowledge-based economy. In developing the high technology innovation ecosystem, the Authority shall:
- a. identify strategic areas of innovation;

- b. cause the creation of specialized institutions in high technology in a Technopolis;
- c. establish a database of innovations in high technology in a Technopolis;
- d. adopt international best practices on high technology innovation standards; and
- e. facilitate the commercialization of innovations in a Technopolis.

The Clause allows a Technopolis to create synergies for co-creation, collaboration and innovation within a Technopolis to achieve the objectives of a Technopolis e.g. for a Technopolis with a focus in agriculture, will engage players within the agricultural sector to promote R&D and innovation to promote economic development (job creation, production lines etc.)

It is an intentional strategy towards the achievement of Kenya's vision to be a globally competitive knowledge based economy

26. **Clause 20: Establishes One Stop Shop:** to facilitate the provision of government services and regulatory requirements for businesses to operate in a Technopolis including:

- a. the registration and licensing of businesses;
- b. the provision of services related to immigration for expatriates;
- c. the processing of permits and approvals; and
- d. the administration of requirements relating to tax and customs.

This clause seeks to facilitate the ease of doing business in a Technopolis by ensuring administration of government services and regulatory essentials under one roof.

This will shorten the time for settling investors enhancing the competitiveness of the Technopolises.

The one stop shop will offer broaden services tailored towards investor facilitation such as Special Economic Zones; expatriates compliance, green building certifications, licensing etc.

27. **Clause 21: Establishes the Technopolis small enterprise support centre** - to support the incubation and growth of small enterprises utilizing high tech and emerging technologies drawn from the innovation eco-system. The centre may:

- a. assist small enterprises with business support; and
- b. provide technical assistance for new and young entrepreneurs.

28. **Clause 22: Development Control** - empowers the Authority to control development in a Technopolis vide approval of development plans submitted by investors in compliance with the master plan. This ensures that a Technopolis is planned/zoned and developed as per globally accepted standards.

29. **Clause 23 and 24: Development approval/permits** - all developments to comply with a Technopolis physical and land use development plan and development codes.

30. **Clause 25: Development compliance** - enables the Authority to ensure compliance with the conditions of the development permits.

31. **Clause 26: Review and Appeal**- enables the parties aggrieved by decisions of the Authority appeal to the Tribunal.

This clause provides for a dispute resolution mechanism resulting from approval of development permits.

This allows for reassessment of the Authority's decisions offering an avenue for parties to request for internal review or otherwise lodge an appeal with the Tribunal.

This ensures fairness and due process in the Authority's decision making

32. **Clause 27: Offences** – creates offences and sanctions for non-compliance with development control.

This clause provides for enforcement provisions by creating offences and specifies sanctions and legal consequences which are imposed on a person for non-compliance with development permits requirements in a Technopolis.

This ensures that all developments align with the planned vision and standard of a Technopolis hence preserving order and deterring against violations.

33. **Clause 28: Issue of licence** – Authority to issue licences to operate in a Technopolis. This ensures that only licensed activities are carried out in a Technopolis as per the Master Plan and the approved investment proposal. The license to be applied for by the licensee.
34. **Clause 29: Different classes of licenses** - allows the Authority to issue different classes of licenses to ensure alignment to different strategic focus areas and master plan of a Technopolis.
35. **Clause 30: Refusal to grant license** – gives the Authority discretion in issuing licenses and has specified the grounds for such refusal.
36. **Clause 31: Renewal of licenses** - enables the Authority to renew licences to ensure continuity of businesses operating in a Technopolis.
37. **Clause 32: Suspension or revocation of a licence** - by the Authority for non-compliance by the Licensee with the conditions of the License. This is a regulatory safeguard to ensure compliance by the Licensees.
38. **Clause 37: Inspections and enforcement** - empowers the Authority to undertake quality control of development at a Technopolis and allows the Authority to take appropriate measures to ensure compliance within a Technopolis.
39. **Clause 38: Enforcement sanctions** - empowers the Authority to enforce sanctions on individuals or entities that breach any provisions of the Act.
40. **Clause 39: Fair Administration** - ensures the Authority adheres to the constitutional requirements of fairness and due process as further stipulated in the Fair Administration Actions Act, 2015 before executing any enforcement action.
41. **Clause 40: Coordination on enforcement** - enables the Authority to collaborate with other relevant government agencies in the investigation and enforcement processes.

This clause enables the Authority to collaborate with other relevant government agencies in the investigation and enforcement processes.

This promotes an integrated approach in line with the one government approach initiative.

42. **Clause 41: Sources Funds of the Authority:** includes: exchequer, monies collected from its activities; grants, donations and monies borrowed.
43. **Clause 42: Annual estimates:** The Authority to prepare annual estimates of its budget according to PFMA.
44. **Clause 43: Accounts and Audit:** The Board to keep proper books of accounts of the Authority which shall be audited by the Auditor General according to the Public Audit Act.
45. **Clause 44: Expenditure:** allowable expenditure out of the funds of the Authority- funding the operations of the Authority.
46. **Clause 45: Annual Reports:** Authority shall, three months after the end of each financial year, prepare and submit to the Cabinet Secretary an annual report relating to the operations of the Authority.

This clause requires the Authority to prepare an annual report on its operations for scrutiny by the Cabinet Secretary in a supervisory capacity.

This report is a public document accessible under Article 35 of the Constitution and the Access to Information Act, 2016.

47. **Clause 46: Financial Year:** The financial year of the Authority shall be the period of twelve months ending on the thirtieth of June in each year.
48. **Clause 47-Establishment of Technopolis Dispute Resolution Tribunal.** This part consists of 14 clauses (47-61).

This part establishes a Tribunal under the Act to adjudicate over disputes arising under the Act.

The Tribunal presents various advantages over the courts on account of its cost effectiveness, accessibility, freedom from technicality, expedition and expert knowledge on the operations of Technopolises.

The Technopolises by their nature deal with high technology relating to a blend of life sciences, engineering and other related disciplines.

It is expected that there will be numerous disputes emanating from the Technopolises hence requiring a dedicated and a specialised tribunal to resolve the disputes
49. **Clause 62: Incentives**

The clause provides for the incentives under the Special Economic Zones , or any other relevant law will extend to the Technopolises.
50. **Clause 63: Regulations**

The clause provides for delegation of power for the cabinet secretary to make regulations to provide details on the specified provisions of the Act.
51. **Clause 64-Offences.** The clause provides for offences and sanctions for breach of the provisions of the Act.
52. **Clause 66.** Transitional and saving provisions

This clause provides for the transition of the Konza Technopolis Development Authority to be the new Technopolis Development Authority.

This will safeguard the gains made by KoTDA and ensure the expertise and regulatory aspects made are seamlessly transitioned.

It also preserves the existing rights and obligations including contracts, staff into the new Authority.

A member of the Board of the former Authority in office, shall continue to be a member of the Board of the Authority as though appointed under this Act and shall serve the remainder of their term.
53. **Clause 67-Revocation of L.N 23 of 2012**

The clause revokes the Legal Notice No. 23 of 2012 upon the commencement of the Act.
54. **First Schedule:** Conduct of business and affairs of the Board
55. **Second Schedule:** Oath and affirmation of office by members of the Tribunal.

PART FOUR

4.0 PUBLIC PARTICIPATION/STAKEHOLDER CONSULTATION

56. Following the call for memoranda from members of the public through the placement of adverts in the print media on 16th April 2024 requesting comments on the Bill and invitation of stakeholders vide letter Ref: NA/DDC/CII/2024/016, Ref: NA/DDC/CII/2024/017, Ref: NA/DDC/CII/2024/018, Ref: NA/DDC/CII/2024/019, Ref: NA/DDC/CII/2024/020 and Ref: NA/DDC/CII/2024/021 dated 2nd May 2024, the Ministry of Information, Communication, Association of Countrywide Innovation Hubs and GS1 Kenya submitted their views on the Bill.
57. The stakeholders submitted as follows:

4.1 The Ministry of Information, Communications and Digital Economy

The Ministry of Information, Communication and Digital Economy made the submissions as follows:

58. On the long title, the Ministry proposed to insert the word “establishment” immediately before the word development appearing in the long title. The justification is to enhance the clarity that the Bill seeks to guide on the establishment of technopolises.

Committee Observations/ Recommendations

59. The Committee agreed with the proposal.
60. On interpretation, the Ministry proposed to delete the word "Sophisticated" and substitute therefor the words "cutting edge" in the definition of the words "high technology". This is to ensure the technical definition is closely aligned with the common usage in the ICT sector. Delete the present definition of the word "Technopolis" and substitute therefor the following new definition. "Technopolis" means a designated geographical area with a high density of technology-oriented enterprises established with primary objective of advancing research, science, technology, innovation, partnerships and economic growth and includes the Konza Technopolis. This provides better technical clarity and to closely aligns the definition with the best practices

On paragraph (a) of the objects clause, the Ministry proposes to delete the Words "in a designated geographical area" appearing at the end of the paragraph. This is to improve the drafting technicalities of the object for simplicity and clarity.

Committee Observations/ Recommendations

61. The Committee agreed with the proposal.
62. On the functions of the authority, the Ministry proposes to enhance the functions of the authority by inserting a new paragraph (o) immediately after paragraph (n). This new paragraph will read: "Coordinate and regulate Business Process Outsourcing (BPO) and Information Technology Enabled Services (ITES) sectors in partnership with relevant stakeholders." This amendment is driven by the global trend of countries embracing the IT services sector as a key driver of growth, economic diversification, and job creation. The export of IT services presents an opportunity for economies to diversify and integrate more deeply into the global economy. Companies are increasingly outsourcing and offshoring various business functions, from data entry and customer service to human resource management, finance, administration, business research, data analytics, legal processes, and other professional services, to cut costs and access a global talent pool. This shift not only helps retain talent but also combats the brain drain experienced by many low- and middle-income countries. Under the National ICT Policy of 2019, Konza Technopolis is

envisioned as a hub to capture the burgeoning global Business Process Outsourcing and Information Technology Enabled Services (BPO/ITES) sector in Kenya. Recognizing the importance of digital work models and BPOs, the government has prioritized these areas in the 4th Medium Term Plan (MTP) for 2023/27, with a goal to enable at least 1.5 million digital workers over a 5-year period.

Committee Observations/ Recommendations

63. **The Committee agreed with the proposal.**

64. The Ministry proposes to refine the language in paragraph 6(a) by deleting the words "bylaws and," appearing in the paragraph because the two words are repetitive as they are already imputed in the words administrative guidelines. Following this, the Ministry suggests inserting a new paragraph (g) immediately after paragraph (h), with the following content: "Formulate legal, regulatory, and appropriate guidelines for sustainable BPO/ITES growth." The rationale behind this change is the recognition that countries with advanced BPO/ITES sectors, such as India, the Philippines, and South Africa, have specialized government agencies like the Technopolis Development Authority (TDA) that play a crucial role in coordinating these ecosystems. These agencies focus on a range of activities to support the growth and development of the BPO/ITES sectors, including:

- i. Formulation of relevant policies.
- ii. **Development of incentive package for private BPO/ITES players**
- iii. **Workforce readiness**
- iv. **Niche identification and marketing.**
- v. **Framework for ICT Skilling**
- vi. **Establishing a national BPO/ITES strategy**
- vii. **Ecosystem coordination**
- viii. **Track record of global clients**

Committee Observations/ Recommendations

65. **The Committee agreed with the proposal.**

66. On clause 7, regarding the board of the authority, the Ministry proposes the following amendments:

- (a) For the qualification of the Chairperson as outlined in clause (2) (a), the word "Fifteen" should be deleted and replaced with "Ten".
- (b) For the qualification of the members as specified in clause (2) (b), the word "ten" should be deleted and replaced with "Five".
- (c) A new sub-clause should be inserted immediately after clause (5), reading as follows:

"(6) In the appointment of members under 7(1)(e), the Cabinet Secretary shall ensure that the appointments provide equal opportunities to men, women, youth, persons with disabilities, and marginalized groups.

The proposed amendment aims to reduce the years of experience required in leadership and management for the Chairperson and members, to avoid excluding a broader pool of potential talent. The proposed clause is intended to clarify the importance of diversity in the composition of the board."

Committee Observation

67. **The Committee was of the view that the amendment proposed in paragraph 63 (c) would be difficult to implement. The Mwongozo code of governance already stipulates such provisions that guides appointing officers on how to conduct appointments to Boards.**

68. On clause 8, regarding the vacation of office, the Ministry proposes to insert the words "The Chairperson and a" at the beginning of subclause (1) and subclause (2). This proposed insertion addresses the omission of the Chairperson's criteria in the provisions for the vacation of office.

Committee Observations/ Recommendations

69. **The Committee agreed with the proposal.**

70. On clause 17, concerning the features of a Technopolis, the Ministry proposes to insert the following new paragraph as follows: A Technopolis shall— (e) Host enterprises that address national and global challenges by utilizing research, science, technology, and innovation. The proposed paragraph sets globally acceptable standards for a Technopolis, distinguishing it from other smart and urban areas/cities.

Committee Observations/ Recommendations

71. **The Committee agreed with the proposal.**

72. On clause 24, concerning the application and approval of a development permit, the Ministry proposes to insert a new sub-clause (6) immediately after Sub-clause (5), which states: "The Authority shall notify the applicant of its decision to refuse the application." The proposed sub-clause aims to strengthen the requirements for substantive and procedural due process by mandating that the Authority informs the applicant of any refusal to grant the license.

Committee Observations/ Recommendations

73. **The Committee agreed with the proposal.**

74. On clause 34, concerning the variation of conditions of a license, the Ministry proposes to amend subclause (3) by deleting paragraph (d), which states "set out such further information as the authority may consider necessary." This deletion aims to limit the authority's flexibility, which could potentially be subject to abuse.

Committee Observations/ Recommendations

75. **The Committee agreed with the proposal.**

76. On clause 35, regarding review, the Ministry proposes to (a) amend the marginal note to read "Review and Appeal" and (b) delete subclauses (1) and (2), replacing them with the following consolidated subclause: "(1) Any party aggrieved by the decision of the Authority under this Part may seek a review by the Authority or appeal to the Tribunal in accordance with this Act." This amendment establishes an internal dispute resolution mechanism to address grievances in a timely and transparent manner, aiming to avoid lengthy and costly litigation.

Committee Observations/ Recommendations

77. **The Committee agreed with the proposal.**

78. On clause 38, regarding enforcement sanctions, the Ministry proposes to insert a new paragraph (a) as follows:

(2) A sanction issued may include—

(a) Restricting a licensee from engaging in a specified activity. This proposed amendment introduces a useful sanction of restricting an activity as an enforcement measure for a violation, which may have been inadvertently omitted in the published bill.

Committee Observations/ Recommendations

The Committee did not agree with this proposed amendment as the same is speculative and not actual.

79. On clause 41, regarding the funds of the authority, the Ministry proposes to amend subclause (1) by replacing the word "parliament" with "National Assembly." Additionally, subclause (2) should be deleted. These proposed amendments aim to harmonize the provision with the Public Finance Management Act by acknowledging the role of the National Assembly in managing funds and removing subclause (2), which is inconsistent with the PFMA.

Committee Observations/ Recommendations

80. **The Committee agreed with the proposal.**

81. On clause 62, regarding incentives, the Ministry proposes to amend subclause (2) by deleting the words "addition to the incentives under subsection (1)," appearing at the beginning of the subclause. The proposed amendment aims to clarify that subclauses (1) and (2) are distinct and severable in terms of providing for the incentives that extend to the Technopolises.

Committee Observations/ Recommendations

The Committee agreed to this amendment.

82. On clause 65, regarding the general penalty, the Ministry proposes to delete the clause in its entirety. This clause is deemed unnecessary because all penalties have been adequately addressed in the specific provisions where an offence has been created.

Committee Observations/ Recommendations

83. **The Committee agreed with the proposal.**

4.2 Kenya Advanced Institute of Science and Technology (KENYA-AIST)

84. The Kenya Advanced Institute of Science and Technology (KENYA-AIST), submitted a memorandum REF: Kenya-AIST/PRI/12/Vol.1/1 dated 6th May 2024, to the National Assembly.
85. As an anchor tenant within the Konza Technopolis the Kenya Advanced Institute of Science and Technology, expressed its gratitude for the efforts of the National Assembly in drafting legislation to regulate the activities of Technopolis in Kenya. The institute proposed the following amendments to the Technopolis Bill, 2024:

- i. Introduction of New Clause 7(A): providing that, the Board may co-opt any other person(s) with necessary expertise and on temporary basis as it considers necessary to assist the Board in discharging its duties and responsibilities; provided that the persons so co-opted shall have no voting rights. This will ensure the Board has the necessary skills and expertise to deliver on her responsibilities.
- ii. Amendment to Clause 12(1)(b): The bill should be amended to include the phrase "who shall not have voting rights" at the end of Clause 12(1)(b). This amendment is crucial for clearly defining the role of the CEO in Board meetings, including their lack of voting rights.

Committee Observations/ Recommendations

86. **The Committee agreed with the proposals.**

4.3 GS1 Kenya

GS1 Kenya submitted a memorandum dated 6th May 2024, to the National Assembly. Additionally, they appeared before the Committee on 8th May 2024, and submitted orally the following together with their written submission:

87. That they agree with the establishment of a Technopolis Authority to regulate future technopolis developments.
88. That the following be considered for **Section 7** of the Bill:
 - a. That as a new concept in Section 7 (1) (e), be amended to allow the Cabinet Secretary to appoint two or three of the five appointees be local investors (provided they meet the requirement expressed in Section 7 (3)).
 - b. That the Bill includes the creation of a Smart City Council by the Permanent Secretary in charge of the Technopolis Development Authority and the Technopolis Authority Board. The role of the Smart City Council should include but not limited to supervision and development of the city culture. (The Council should be composed of the Technopolis Authority staff and investor's representatives of that city).
 - c. That the Smart City Council be chaired by a Technopolis Development Authority Board member.

Committee Observations/ Recommendations

89. The Committee disagreed with this view as it is too prescriptive and would introduce room for discrimination for private sector players who are not chosen to the Board.
90. They also raised a concern with Section 67 of the Bill, where in their understanding they believe that there is Konza Smart City managed by KoTDA, but with the establishment of Technopolis Development Authority and revoking of KoTDA, does this mean that KoTDA ceases to be and if so, what is the new name of the city.

4.4. Viscar Industrial Capacity Limited

Viscar Industrial Capacity Limited submitted a memorandum 29th April 2024, to the National Assembly and submitted the following:

91. That they support the Technopolis Bill, 2024, for the following reasons:
 - a. That the Bill institutionalizes the aspirations of Smart Cities in Kenya with Konza being the first. In turn, this will enhance the establishment of other smart cities in Kenya, resulting in smart management of urbanization.
 - b. The Bill will ensure that Konza city overcomes the drawbacks of Government changes. By enacting a law to protect it, it becomes a part of our Constitution hence something that must be observed by all Kenyans.
92. That the following be considered for incorporation in the Bill:
 - a. That KoTDA takes lead on matters smart cities in Kenya meaning the establishment of any other smart city or transforming existing cities into smart cities should be led by KoTDA.
 - b. That Konza city and any other smart city should be established with African/Kenyan heritage in consideration. This will help uphold our culture as well as provide opportunities for Kenyans.

4.5 Sote Hub

Sote Hub submitted a memorandum 29th April 2024, to the National Assembly and submitted the following:

93. That they believe that Section 19 (f) will allow a Technopolis to create synergies for co-creation, collaboration and innovation within a Technopolis. This is an international strategy towards the achievement of Kenya's vision to be a globally competitive knowledge-based economy.
94. That they recommend the creation of a Startup Fund to address the challenge of inadequate funding. Konza's own study Konza's own study undertaken with UNDP funding titled – Mapping the Innovation Ecosystem in Kenya (2022) – found out that some potential sources of funding have not been adequately exploited by Kenyan innovators. These include the Ajira Youth Innovation Fund, Youth Enterprise Development Fund. The main reason is that the nature of these funds are targeting SMEs and not startups.

4.6. Huawei Technologies (Kenya) Company Limited

Huawei Technologies (Kenya) Company Limited submitted a memorandum 30th April 2024, to the National Assembly and submitted the following:

95. That they express support for the Bill. They believe that the Bill is important to establish a Technopolis Development Authority that can develop Konza Technopolis as well as other technopolises in the future.

4.7 Association of Countrywide Innovation Hubs

Association of Countrywide Innovation Hubs submitted a memorandum 23rd April 2024, to the National Assembly and submitted the following:

96. That they express enthusiastic support for the Technopolis Bill, 2024. They believe that this legislation provides a significant opportunity to harness the potential of high technology innovation ecosystems and propel the country towards becoming a globally competitive knowledge-based economy.

PART FIVE

5.0 COMMITTEE RECOMMENDATION

97. The Committee having considered the Technopolis Bill (*National Assembly Bill No. 6 of 2024*) recommends that the House approve the Bill with the following proposed amendments-

PART SIX

6 SCHEDULE OF PROPOSED AMENDMENTS

LONG TITLE

THAT, the long title of the Bill, be amended by inserting the word “establishment” immediately after the words “a framework for the”.

CLAUSE 2

THAT, Clause 2 of the Bill be amended —

- (a) in the definition of the term “high technology” by deleting the word “sophisticated” and substituting therefor the words “cutting edge”;
- (b) by deleting the definition of the term “Technopolis” and substituting therefor the following new definition—

“Technopolis” means a designated geographical area with a high density of technology-oriented enterprises established with primary objective of advancing research, science, technology, innovation, partnerships and economic growth and includes the Konza Technopolis;

CLAUSE 5

THAT, Clause 5 of the Bill be amended by inserting the following new paragraphs immediately after paragraph (n) as follows-

“(na) coordinate and regulates business process outsourcing and information technology enabled services sectors in partnership with relevant stakeholders”

CLAUSE 6

THAT, Clause 6 of the Bill be amended by —

- (a) deleting the words “by-laws and” appearing in paragraph (a); and
- (b) inserting a new paragraph immediately after paragraph (h)-

“(ha) formulate legal, regulatory and appropriate guidelines for sustainable business process outsourcing”.

CLAUSE 7

THAT, Clause 7 of the Bill be amended —

- (a) in sub-clause (2) by deleting the word “fifteen” appearing immediately after the words “has at least,” appearing in paragraph (b) and substituting therefor the word, “ten”;
- (b) in sub-clause (3) by deleting the word “ten” appearing immediately after the words “has at least,” appearing in paragraph (b) and substituting therefor the word, “five”; and
- (c) by inserting the following new sub-clauses immediately after sub-clause (5) as follows—
 - “(6) In the appointment of members under 7(1)(e), the Cabinet Secretary shall ensure that appointments provide equal opportunities to men, women, youth, persons with disabilities and marginalized groups; and

“(7) The Board may co-opt any other person with necessary expertise as it considers it necessary to assist the Board in discharging its duties and responsibilities.

NEW CLAUSE 7A

Co-option of members to the Board.	7A The Board may co-opt any other person with necessary expertise and on a temporary basis as it considers necessary to assist the Board in discharging its duties and responsibilities.
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CLAUSE 8

THAT, Clause 8 of the Bill be amended in—

- (a) sub-clause (1) by inserting the words “ The Chairperson and” immediately before the words, “A member” appearing in paragraph (a); and
- (b) sub-clause (2) by inserting the words “ The Chairperson and” immediately before the words, “the member”.

CLAUSE 17

THAT, Clause 17 of the Bill be amended by inserting the following new paragraph immediately after paragraph (d)—

“(da) host enterprises that address national and global challenges by utilizing research, science, technology and innovation.”

CLAUSE 24

THAT, Clause 24 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (5)—

“(5a) The authority shall notify the applicant of its decisions to refuse the application.”

CLAUSE 34

THAT, Clause 34 of the Bill be amended by deleting paragraph (e).

CLAUSE 35

THAT, Clause 35 of the Bill be amended by—

- (a) deleting the marginal note and substituting therefor the following new marginal note—
“Review and appeal”
- (b) by deleting sub-clauses (1) and (2) and substituting therefore the following new sub-clause—

“(1) Any party aggrieved by the decision of the Authority under this clause may seek review by the Authority or appeal to the Tribunal in accordance with this Act.”

CLAUSE 41

THAT, Clause 41 of the Bill be amended by inserting the following new paragraph immediately after paragraph (e)—

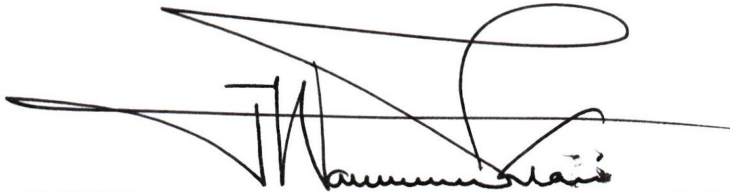
“(ea) restricting a licensee from engaging in a specified activity.

CLAUSE 62

THAT, Clause 62 of the Bill be amended in sub-clause (2) by deleting the words “In addition to the incentives under subsection (1) appearing immediately after the words “cabinet Secretary.”


CLAUSE 64

THAT, that the Bill be amended by deleting Clause 64.



SIGNED..... DATE.....

HON. JOHN KIARIE, MP
CHAIRPERSON
DEPARTMENTAL COMMITTEE ON COMMUNICATION, INFORMATION AND
INNOVATION

 THE NATIONAL ASSEMBLY PAPERS LAID	
DATE: 30 JUL 2024	DAY:
TABLED BY:	
CHECKED BY THE CLERK:	

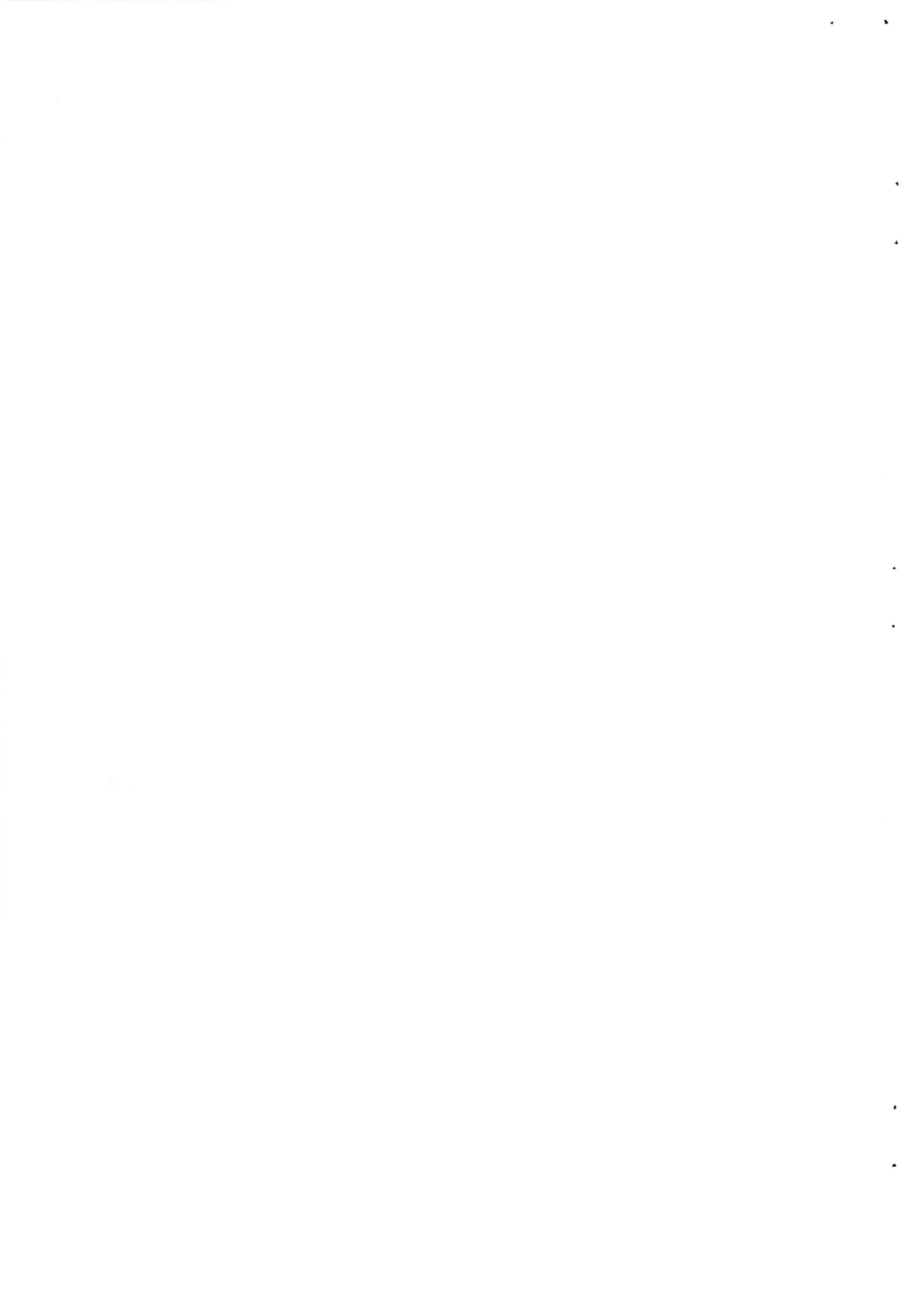


THIRTEENTH PARLIAMENT - THIRD SESSION – 2024
DIRECTORATE OF DEPARTMENTAL COMMITTEES
DEPARTMENTAL COMMITTEE ON COMMUNICATION, INFORMATION AND INNOVATION

ADOPTION SCHEDULE

Report on the consideration of the Technopolis Bill (*National Assembly Bill No. 6 of 2024*)

No.	MEMBER	SIGNATURE
1.	Hon. John Kiarie Waweru, MP - Chairperson	
2.	Hon. Alfah Miruka Ondieki, MP – Vice Chairperson	
3.	Hon. Shakeel Shabbir Ahmed, CBS, MP	
4.	Hon. Erastus Kivasu Nzioka, MP	
5.	Hon. Joseph Kipkosgei Tonui, MP	
6.	Hon. Bensuda Joyce Atieno Osogo, MP	
7.	Hon. Bernard Kibor Kitur, MP	
8.	Hon. Geoffrey Wandeto, MP	
9.	Hon. Gideon Kimaiyo Kipkoech, MP	
10.	Hon. Flowrence Jematiah Sergon, MP	
11.	Hon. Irene Nyakerario Mayaka, MP	
12.	Hon. Kakuta Maimai Hamisi, MP	
13.	Hon. Khalif Ali Abdisirat, MP	
14.	Hon. Mumina Gollo Bonaya, MP	
15.	Hon. Umulkher Harun Mohamed, MP	





REPUBLIC OF KENYA
THE NATIONAL ASSEMBLY
THIRTEENTH PARLIAMENT – THIRD SESSION - 2024
DIRECTORATE OF DEPARTMENTAL COMMITTEES

**MINUTES OF THE 27TH SITTING OF THE DEPARTMENTAL COMMITTEE ON
COMMUNICATION, INFORMATION & INNOVATION HELD AT 3RD FLOOR
COMMITTEE ROOM 20, BUNGE TOWER, ON 22TH MAY 2024 AT 2.00 PM.**

PRESENT

- | | | |
|--|---|-------------------------|
| 1. Hon. John Kiarie Waweru, MP | - | Chairperson |
| 2. Hon. Alfah Miruka Ondieki, MP | - | Vice-Chairperson |
| 3. Hon. Erastus Kivasu Nzioka, MP | | |
| 4. Hon. Joseph Kipkosgei Tonui, MP | | |
| 5. Hon. Bensuda Joyce Atieno Osogo, MP | | |
| 6. Hon. Geoffrey Wandeto, MP | | |
| 7. Hon. Bernard Kibor Kitur, MP | | |
| 8. Hon. Kakuta Maimai Hamisi, MP | | |
| 9. Hon. Gideon Kipkoech Kimaiyo, MP | | |
| 10. Hon. Umulkher Harun Mohamed, MP | | |

ABSENT

1. Hon. Shakeel Shabbir Ahmed, CBS, MP
2. Hon. Irene Nyakerario Mayaka, MP
3. Hon. Flowrence Jematiah Sergon, MP
4. Hon. Khalif Ali Abdisirat, MP
5. Hon. Mumina Gollo Bonaya, MP

SECRETARIAT

- | | | |
|--------------------------|---|---------------------------|
| 1. Ms. Nuri Kitel Nataan | - | Clerk Assistant I |
| 2. Ms. Marlene Ayiro | - | Principal Legal Counsel I |
| 3. Mr. Boaz Chebiego | - | Research Officer III |
| 4. Mr. Githinji Wanjohi | - | Research Officer III |
| 5. Ms. Lilian Mburugu | - | Media Relations Officer |
| 6. Mr. Paul Shana | - | Serjeant-At-Arms |
| 7. Mr. Kelvin Lengasi | - | Audio Officer |

Agenda

1. Preliminaries
2. Confirmation of the Minutes
3. **Consideration and Adoption of The Report on The Technopolis Bill, 2024 (National Assembly Bill No. 6 Of 2024)**
4. Any Other Business
5. Adjournment

MIN.NO/NA/CII/2024/128: PRELIMINARIES

The Chairperson called the meeting to order at 2:15 pm, followed by a word of prayer.

MIN.NO/NA/CII/2024/129: CONFIRMATION OF MINUTES

The agenda was deferred.

MIN.NO/NA/CII/2024/130: CONSIDERATION AND ADOPTION OF THE REPORT ON THE TECHNOLIS BILL, 2024 (NATIONAL ASSEMBLY BILL NO. 6 OF 2024)

The Committee considered the report and **adopted** the below listed amendments.

LONG TITLE

THAT, the long title of the Bill, be amended by inserting the word “establishment” immediately after the words “a framework for the”.

CLAUSE 2

THAT, Clause 2 of the Bill be amended —

- (a) in the definition of the term “high technology” by deleting the word “sophisticated” and substituting therefor the words “cutting edge”;
- (b) by deleting the definition of the term “Technopolis” and substituting therefor the following new definition—

“Technopolis” means a designated geographical area with a high density of technology- oriented enterprises established with primary objective of advancing research, science, technology, innovation, partnerships and economic growth and includes the Konza Technopolis;

CLAUSE 5

THAT, Clause 5 of the Bill be amended by inserting the following new paragraphs immediately after paragraph (n) as follows-

“(na) coordinate and regulates business process outsourcing and information technology enabled services sectors in partnership with relevant stakeholders”

CLAUSE 6

THAT, Clause 6 of the Bill be amended by —

- (a) deleting the words “by-laws and” appearing in paragraph (a); and
- (b) inserting a new paragraph immediately after paragraph (h)-

“ (ha) formulate legal, regulatory and appropriate guidelines for sustainable business process outsourcing”.

CLAUSE 7

THAT, Clause 7 of the Bill be amended —

- (a) in sub-clause (2) by deleting the word “fifteen” appearing immediately after the words “ has at least,” appearing in paragraph (b) and substituting therefor the word, “ten”;
- (b) in sub-clause (3) by deleting the word “ten” appearing immediately after the words “has at least,” appearing in paragraph (b) and substituting therefor the word, “five”; and
- (c) by inserting the following new sub-clauses immediately after sub-clause (5) as follows—
 - “(6) In the appointment of members under 7(1)(e), the Cabinet Secretary shall ensure that appointments provide equal opportunities to men, women, youth, persons with disabilities and marginalized groups; and
 - “(7) The Board may co-opt any other person with necessary expertise as it considers it necessary to assist the Board in discharging its duties and responsibilities.

NEW CLAUSE 7A

Co-option of members to the Board.	7A The Board may co-opt any other person with necessary expertise and on a temporary basis as it considers necessary to assist the Board in discharging its duties and responsibilities.
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CLAUSE 8

THAT, Clause 8 of the Bill be amended in—

- (a) sub-clause (1) by inserting the words “ The Chairperson and” immediately before the words, “A member” appearing in paragraph (a); and
- (b) sub-clause (2) by inserting the words “ The Chairperson and” immediately before the words, “the member”.

CLAUSE 17

THAT, Clause 17 of the Bill be amended by inserting the following new paragraph immediately after paragraph (d)—

“(da) host enterprises that address national and global challenges by utilizing research, science, technology and innovation.”

CLAUSE 24

THAT, Clause 24 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (5)—

“(5a) The authority shall notify the applicant of its decisions to refuse the application.”

CLAUSE 34

THAT, Clause 34 of the Bill be amended by deleting paragraph (e).

CLAUSE 35

THAT, Clause 35 of the Bill be amended by—

- (a) deleting the marginal note and substituting therefor the following new marginal note—
“Review and appeal”
- (b) by deleting sub-clauses (1) and (2) and substituting therefore the following new sub-clause—

“(1) Any party aggrieved by the decision of the Authority under this clause may seek review by the Authority or appeal to the Tribunal in accordance with this Act.”

CLAUSE 41

THAT, Clause 41 of the Bill be amended by inserting the following new paragraph immediately after paragraph (e)—

“(ea) restricting a licensee from engaging in a specified activity.

CLAUSE 62

THAT, Clause 62 of the Bill be amended in sub-clause (2) by deleting the words “In addition to the incentives under subsection (1) appearing immediately after the words “cabinet Secretary.”

CLAUSE 64

THAT, that the Bill be amended by deleting Clause 64.

MIN.NO.NA/CII/2024/131:

ANY OTHER BUSINESS

There was no other business arising.

MIN.NO.NA/CII/2024/132:

ADJOURNMENT

There being no other business to deliberate on, the meeting was adjourned at three o'clock (3.00 pm.). The next meeting will be held on notice

SIGNED:**DATE:**

HON. JOHN KIARIE, MP (CHAIRPERSON)
DEPARTMENTAL COMMITTEE ON COMMUNICATION, INFORMATION AND
INNOVATION





REPUBLIC OF KENYA
THIRTEENTH PARLIAMENT- THIRD SESSION (2024)
THE NATIONAL ASSEMBLY

IN THE MATTER OF ARTICLE 118(1) (b) OF THE CONSTITUTION
AND

IN THE MATTER OF CONSIDERATION BY THE NATIONAL ASSEMBLY OF-

1. **THE KENYA NATIONAL COUNCIL FOR POPULATION AND DEVELOPMENT BILL (NATIONAL ASSEMBLY BILL NO. 72 OF 2023);**
2. **THE SOCIAL ASSISTANCE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 80 OF 2023)**
3. **THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2024);**
4. **THE TECHNOLIS BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2024); AND**
5. **THE COOPERATIVES BILL (NATIONAL ASSEMBLY BILL NO. 7 OF 2024).**

INVITATION TO SUBMIT MEMORANDA

WHEREAS, Article 118(1) (b) of the Constitution requires Parliament to facilitate public participation and involvement in the legislative and other business of Parliament and its Committees and National Assembly Standing Order 127(3) requires House Committees considering Bills to facilitate public participation;

AND WHEREAS, the Kenya National Council for Population and Development Bill (National Assembly Bill No. 72 of 2023); the Social Assistance (Amendment) Bill (National Assembly Bill No. 80 of 2023); the Public Finance Management (Amendment) Bill (National Assembly Bill No. 2 of 2024); the Technopolis Bill (National Assembly Bill No. 6 of 2024); and the Cooperatives Bill (National Assembly Bill No. 7 of 2024) have been Read a First Time and referred to the relevant Departmental Committees for consideration and reporting back to the House;

IT IS NOTIFIED that:-

1. **The Kenya National Council for Population and Development Bill (National Assembly Bill No. 72 of 2023)** is a Bill sponsored by the **Leader of the Majority Party, Hon. Kimani Ichung'wah, EGH, MP** that seeks to anchor the Kenya National Council for Population and Development in law through an Act of Parliament. The Council is currently established under Legal Notice No. 120 of 2004. Under the Bill, the Council is mandated, among others, to-
 - (a) carry out research and analysis on population issues;
 - (b) develop policies, plans and publications relating to population and development;
 - (c) identify and advise national and county governments on population issues that may not be adequately or appropriately addressed;
 - (d) co-ordinate and supervise population programmes;
 - (e) establish standards for population programmes;
 - (f) monitor and assess the impact of population programmes and make recommendations arising from such assessments;
 - (g) create public awareness and mobilize support for population and development programmes in the country;
 - (h) undertake advocacy activities to support population issues, including family planning; and
 - (i) mobilize resources for implementation of population programmes.
2. **The Social Assistance (Amendment) Bill (National Assembly Bill No. 80 of 2023)** is a Bill sponsored by **Hon. Peter Francis Masara, MP** that seeks to amend the Social Assistance Act, 2013 to require the Social Assistance Authority to collaborate with County Governments in the provision of social assistance to elderly persons with regard to shelter and health care services.
3. **The Public Finance Management (Amendment) Bill (National Assembly Bill No. 2 of 2024)** is a Bill sponsored by the **Hon. Kuria Kimani, MP** that seeks to amend the Public Finance Management Act, 2012. The Bill proposes to reduce the time for submission of financial statements to the Office of the Auditor General by public entities from three months after the end of a financial year to one month. This will ensure that the Office of the Auditor General has adequate time to audit the statements and prepare the required reports.
4. **The Technopolis Bill (National Assembly Bill No. 6 of 2024)** is a Bill sponsored by the **Leader of the Majority Party, Hon. Kimani Ichung'wah, EGH, MP** to provide a comprehensive framework for the establishment of a Technopolis in Kenya. The Bill envisions the Technopolis as an ecosystem that combines integrated state-of-the-art infrastructure, enabling policies, and a legal framework intended to maximize Kenya's competitiveness in high technology and grow its knowledge economy. The Bill creates a Technopolis Development Authority that is mandated, among others, with the development, planning, management, improvement and maintenance of the Technopolis and any other Technopolis subsequently established.
5. **The Cooperatives Bill (National Assembly Bill No. 7 of 2024)** is a Bill sponsored by the **Leader of Majority, Hon. Kimani Ichung'wah, EGH, MP** that seeks to provide a legal framework that promotes a sustainable and competitive cooperative sector for socio-economic development in a devolved system of governance. More specifically, the Bill seeks to provide for matters relating to the promotion, constitution, registration and regulation of Cooperatives and to give effect to Article 186 and the Fourth Schedule to the Constitution of Kenya by repealing and replacing the Co-operative Societies Act, 1997.

NOW THEREFORE, in compliance with Article 118(1) (b) of the Constitution and Standing Order 127(3), the Clerk of the National Assembly hereby invites the public and stakeholders to submit memoranda on the Bills to the respective Departmental Committees listed below:-

No.	BILL	COMMITTEE
1.	The Kenya National Council for Population and Development Bill (National Assembly Bill No. 72 of 2023)	Finance and National Planning
2.	The Social Assistance (Amendment) Bill (National Assembly Bill No. 80 of 2023)	Social Protection
3.	The Public Finance Management (Amendment) Bill (National Assembly Bill No. 2 of 2024)	Finance and National Planning
4.	The Technopolis Bill (National Assembly Bill No. 6 of 2024)	Communication, Information and Innovation
5.	The Cooperatives Bill (National Assembly Bill No. 7 of 2024)	Trade, Industry and Co-operatives

Copies of the Bills are available at the National Assembly Table Office, Main Parliament Buildings and on www.parliament.go.ke/the-national-assembly/house-business/bills.

The memoranda may be forwarded to the **Clerk of the National Assembly, P.O. Box 41842-00100, Nairobi**; hand-delivered to the **Office of the Clerk, Main Parliament Buildings, Nairobi** or emailed to ena@parliament.go.ke to be received on or before **Tuesday 30th April, 2024 at 5.00 p.m.**

S. NJOROGE, CBS
CLERK OF THE NATIONAL ASSEMBLY
 16th April 2024

"For the Welfare of Society and the just Government of the People"



REPUBLIC OF KENYA
THIRTEENTH PARLIAMENT- THIRD SESSION (2024)
THE NATIONAL ASSEMBLY

IN THE MATTER OF ARTICLE 118(1) (b) OF THE CONSTITUTION
 AND

IN THE MATTER OF CONSIDERATION BY THE NATIONAL ASSEMBLY OF-

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INVITATION TO SUBMIT MEMORANDA

Article 118(1) (b) of the Constitution requires Parliament to facilitate public participation and involvement in the legislative and other business of Parliament and its Committees and National Assembly. Standing Order 127(3) requires House Committees considering Bills to facilitate public participation;

AND WHEREAS, the Kenya National Council for Population and Development Bill (National Assembly Bill No. 72 of 2023); the Social Assistance (Amendment) Bill (National Assembly Bill No. 80 of 2023); the Public Finance Management (Amendment) Bill (National Assembly Bill No. 2 of 2024); the Technopolis Bill (National Assembly Bill No. 6 of 2024); and the Cooperatives Bill (National Assembly Bill No. 7 of 2024) have been Read a First Time and referred to the relevant Departmental Committees for consideration and reporting back to the House;

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 - (b) develop policies, plans and publications relating to population and development;
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 - (d) co-ordinate and supervise population programmes;
 - (e) establish standards for population programmes;
 - (f) monitor and assess the impact of population programmes and make recommendations arising from such assessments;
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The memoranda may be forwarded to the **Clerk of the National Assembly, P.O. Box 41842- 00100, Nairobi**; hand-delivered to the **Office of the Clerk, Main Parliament Buildings, Nairobi** or emailed to cas@parliament.go.ke to be received on or before **Tuesday 30th April, 2024 at 5.00 p.m.**

S. NJOROGE, CBS
CLERK OF THE NATIONAL ASSEMBLY
 16th April 2024

"For the Welfare of Society and the just Government of the People"



MINISTRY OF INFORMATION, COMMUNICATIONS AND DIGITAL ECONOMY SUBMISSIONS ON THE TECHNOPOPOLIS BILL, 2024

S/No	Clause	PROPOSED AMENDMENT	JUSTIFICATION
1.	Long Title	Insert the word “establishment” immediately before the word development appearing in the long title.	<ul style="list-style-type: none"> ➤ This is to enhance the clarity that Bill seeks to guide on the establishment of technopolises.
2.	2 Interpretation.	<p>In the definition of the words “high technology”, delete the word “Sophisticated and substitute therefor the words “cutting edge”</p> <p>Delete the present definition of the word “Technopolis” and substitute therefor the following new definition</p> <p>“Technopolis” means a designated geographical area with a high density of technology- oriented enterprises established with primary objective of advancing research, science, technology, innovation, partnerships and economic growth and includes the Konza Technopolis.</p>	<ul style="list-style-type: none"> ➤ This is to ensure the technical definition is closely aligned with the common usage in the ICT sector. ➤ This is providing better technical clarity and to closely align the definition with the best practices
3.	3- Objects of the Act.	On paragraph (a) of objects clause, delete the words “in a designated geographical area” appearing at the end of paragraph.	<ul style="list-style-type: none"> ➤ This is to improve the drafting technicalities of the object for simplicity and clarity
4.	5. Functions of the Authority	Insert paragraph (o) immediately after paragraph (n) to read as follows; “Coordinate and regulate Business Process Outsourcing (BPO) and ITES sectors in partnership with relevant stakeholders”	<ul style="list-style-type: none"> ➤ Countries around the world are embracing the IT services sector as a new driver of growth, economic diversification, and job creation. IT services exports offer an opportunity to diversify their economies and integrate into the global economy. ➤ To cut costs and tap into the vast pool of global talent, companies are increasingly outsourcing and offshoring business functions from data entry, customer service, human resource management, finance, and administration to business research, data analytics, legal processes, and other professional services.



		<ul style="list-style-type: none"> ➤ IT and BPO/ITES services also help to retain talent and to combat the brain drain that many low- and middle-income countries are experiencing. ➤ Under the National ICT Policy, 2019, Konza Technopolis is conceived to capture the growing global Business Process Outsourcing and Information Technology Enabled Services (BPO/ITES) sector in Kenya. ➤ The government has prioritized digital work models and BPOs in the 4th MTP 2023/27, with a goal to enable at least 1.5 million digital workers over a 5 year period
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PART II — THE TECHNOPOPOLIS DEVELOPMENT AUTHORITY

4	6. Powers of the Authority	<p>On paragraph (a), deleting the words “bylaws and” appearing in the paragraph</p> <p>Insert paragraph (g) immediately after paragraph (h) to read as follows: - “formulate legal, regulatory and appropriate guidelines for sustainable BPO/ITES growth”</p>	<ul style="list-style-type: none"> ➤ The two words are repetitive because they are already imputed in the words administrative guidelines. ➤ Countries with advanced BPO/ITES sectors like India, Philippines and South Africa have special purposes government agencies like Technopolis Development Authority (TDA) coordinate such ecosystems through: <ul style="list-style-type: none"> ✓ Formulation of relevant policies ✓ Development of incentive package for private BPO/ITES players ✓ Workforce readiness ✓ Niche identification and marketing. ✓ Framework for ICT skilling ✓ Establishing national BPO/ITES strategy ✓ Ecosystem coordination ✓ Track record of global clients
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5.	7-Board of the Authority.	<p>(a) For the qualification of the Chairperson as provided on clause (2) (a), delete the word "Fifteen" and substitute with the word "Ten".</p> <p>(b) For the qualification of the members as provided on clause (2) (b) to delete the word "ten" and substitute with the word "Five".</p> <p>(c) Insert the following new sub-clause immediately after clause (5)</p> <p>(6) In the appointment of members under 7(1)(e), the Cabinet Secretary shall ensure that the appointment affords equal opportunity to men, women, youth, persons with disability and marginalised groups.</p>	<p>The proposed amendment is to review downwards the years' experience in leadership and management required for the chair and the members in order not to lock out pool of potential talent.</p> <p>The proposed clause seeks to provide certainly on the need for a diversity on the composition of the board.</p>
6	8-Vacation of office.	<p>On subclause (1) and subclause (2), insert the words "The Chairperson and a" at the beginning of the subclause.</p>	<p>➤ The proposed insertion cures the omission of the chairperson criteria in the vacation of office</p>
PART III - ESTABLISHMENT OF A TECHNOPOLIS			
7	17 – Features of a Technopolis	<p>Insert the following new paragraphs as follows:</p> <p>A Technopolis shall—</p> <p>(e) Host enterprises that address national and global challenges by utilizing research, science, technology and innovation.</p>	<p>➤ The proposed paragraph provides the globally acceptable standards of a Technopolis. This will distinguish a Technopolis from other smart and urban areas/cities.</p>
PART IV -TECHNOPOLIS DEVELOPMENT CONTROL.			
8	24-Application and approval of a development permit.	<p>Insert the following new sub-clause immediately after subclause (5)</p> <p>(6) The Authority shall notify the applicant of its decision to refuse the application.</p>	<p>➤ The proposed sub clause is to enhance the substantive and procedure due process requirement by requiring the Authority to notify an applicant of any refusal to give the license.</p>
PART V— LICENSING PROVISIONS			
9	34-Variation of conditions of a licence.	<p>Amend subclause (3) by deleting paragraph (d) that states "set out such further information as the authority may consider necessary."</p>	<p>➤ The paragraph offers the Authority undue flexibility and may be subject for abuse.</p>



10	35-Review (a) Amend the marginal note to read "Review and Appeal" (b) Delete subclauses (1) and (2) and substitute therefore the following new consolidated subclause “(1) Any party aggrieved by the decision of the Authority under this Part, may seek a review by the Authority or appeal to the Tribunal in accordance with this Act.”	<ul style="list-style-type: none"> ➤ The clause provides for an internal dispute resolution mechanism in the first instance in an amicable manner. ➤ This ensures the Authority’s decisions are reviewed in a timely and transparent manner avoiding unnecessary time consuming and costly litigation.
PART VI—ENFORCEMENT PROVISIONS		
11.	38-Enforcement sanctions In clause, insert the following new paragraph (a) as follows (2) A sanction issued may include— (a) restricting a licensee from engaging in a specified activity;	<ul style="list-style-type: none"> ➤ This proposed amendment provides a useful sanction of restricting an activity as an enforcement measure for a violation, which may have been inadvertently omitted in the published bill.
PART VII —FINANCIAL PROVISIONS		
12.	41-Funds of the Authority. Amend subclause (1) by deleting the word parliament and substituting therefor the word National Assembly. Delete subclause (2)	<ul style="list-style-type: none"> ➤ The proposed amendments seek to align the provision with the Public Finance Management Act by recognising the National Assembly role in appropriate funds and deleting clause (2) which is in conflict with the PFMA.
PART X—GENERAL PROVISIONS		
13.	62-Incentives. Amend subclause (2) by deleting the words “addition to the incentives under subsection (1),” appearing at the beginning of the subclause	<ul style="list-style-type: none"> ➤ The proposed amendment seeks to clarify that the subclause (1) and (2) are distinct and severable in terms of providing for the incentives that extend to the Technopolises.
14.	65-General Penalty. Delete the clause on general penalty in entirety	<ul style="list-style-type: none"> ➤ This clause is not necessary because all the penalties have been provided for in the specific provisions where an offence has been created.

Tiara Office Park, along Mugumo Drive, next to Lavington Mall, off James Gichuru Road, P.O Box 66430 – 00800, Nairobi, Kenya



HUAWEI

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Website: <http://www.huawei.com>

Huawei Technologies (Kenya) Company Limited

Clerk of the National Assembly
Main Assembly Buildings
P.O Box 41842-00100
Nairobi

30th April, 2024

Dear Sir

RE: THE TECHNOLIS BILL (NATIONAL ASSEMBLY BILL NO.6 OF 2024)

Having reviewed the above named Bill, we would like to express our support for this Bill. We believe it is important to establish a Technopolis Development Authority that can develop Konza Technopolis as well as other Technopolis in the future.

Such Technopolis or Science Parks will help the country develop and use emerging technologies to drive the Digital Economy forward. It is important for the Technopolis Development Authority to be established and to have the powers stated in this Bill, including the ability to administer a one-stop shop for provision of government services.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'Kevin Wen'.

Kevin Wen
Managing Director, Enterprise Business
Huawei Technologies (Kenya) Company Limited

CC:

Mr John Paul Okwiri
CEO, Konza Technopolis



To The Committee of National Assembly
Attention Mr. Peter K. Chemweno
Clark of The National Assembly

RE: WRITTEN SUBMISSION TO THE TECHNOLIS BILL, 2024

SPECIAL ISSUE: KENYA GAZETTE SUPPLEMENT No 30

COMMENTS BY: PETER OTIENO, CEO GS1 KENYA LIMITED.

DATE: 6th May 2024

PART I: PRELIMINARY

My understanding is that the Technopolis Development Authority will be there to regulate any other Technopolis that will be developed in future. I am in agreement and I view it as a move in the right direction.

PART II: SECTION 7

- A) As a new concept in the country my recommendation to Part ii section 7: 1e of the bill is to allow CS appoint two or three of the five appointees be local investors (provided they meet the requirement expressed in part 7: 3a-c).
- B) I propose the bill to include creation of smart city council by PS in charge of the TDA and TDA Board. The role of smart city council to include but NOT limited to supervision and development of the city culture. (The council should be composed of selected TDA staff and investor's representative of that city, provided they meet requirement in part 7: 3a-c.
- C) The Smart city council to be chaired by a TDA board member)

PART XI: SECTION 67

My understanding has always been that there is Konza Smart City managed by KoTDA, but with establishment of Technopolis Development Authority (TDA) and revoking of KoTDA. Does that mean Konza Smart City will cease to be and if so, what is the new name of the city.

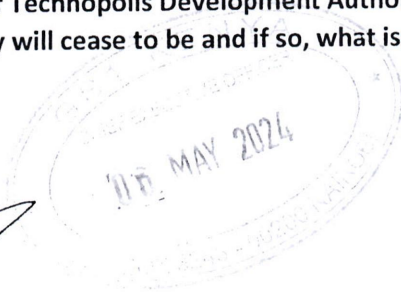
Yours sincerely

A handwritten signature in black ink, appearing to be 'Peter Otieno', written over a circular stamp.

Peter Otieno

C.E.O

GS1 Kenya limited



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P.O Box 30-90151, Konza City, Kenya

Email: principal@kenya-aist.ac.ke, Cellphone No. +254-741-491563

REF: Kenya-AIST/PRI/12/Vol.1/1

6th May, 2024

The National Assembly,
Clerk Assistant
Communication, Information and Innovation Committee & Liaison Committee,
P. O Box 41842-00100
Nairobi
Email: sakana.saoli@parliament.go.ke

Dear Sakana Saoli,

RE: MEMORANDA ON THE TECHNOPOLIS BILL, 2024

Reference is made to the above-mentioned matter.

Kenya Advanced Institute of Science and Technology, as an anchor tenant in the Konza Technopolis, appreciates the effort being done by the Nationally Assembly in the enactment of a law to regulate the activities of Technopolis in Kenya. Our comments on the Technopolis Bill, 2024 are as follows:

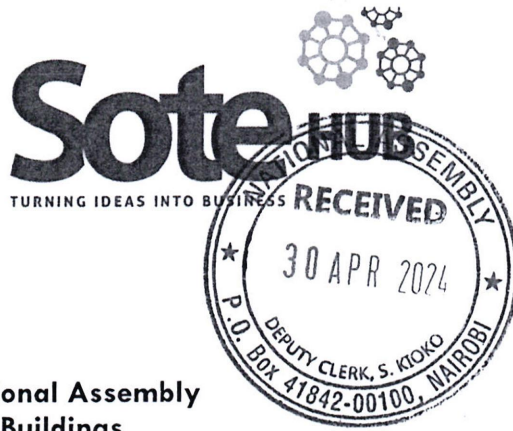
- i. Introduction of a new clause 7(A) providing that, *the Board may co-opt any other person(s) with necessary expertise and on temporary basis as it considers necessary to assist the Board in discharging its duties and responsibilities; provided that the persons so co-opted shall have no voting rights.* This will ensure that the Board has the necessary skills and expertise to deliver on her responsibilities.
- ii. Introduction at the end clause 12(1)(b) of the following words; *who shall not have voting rights.* It is prudent that the role of the CEO in Board meetings is defined.

Yours sincerely,

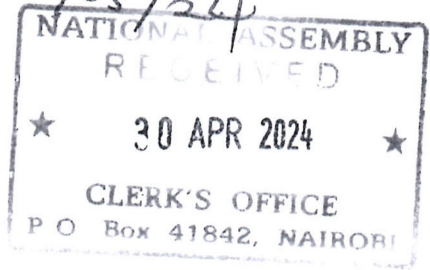
A handwritten signature in black ink, appearing to be 'Jennifer W. Khamasi'.

Prof. Jennifer W. Khamasi, EBS
Ag. Principal, Kenya-AIST

A handwritten signature in black ink, appearing to be 'Jennifer W. Khamasi'.



D/DC
Please del.
02/05/24



29 April 2024

Clerk of the National Assembly
Main Assembly Buildings
P.O Box 41842-00100

Dear Sir/Madam

Comments on the Technopolis Bill (National Assembly Bill No.6 Of 2024)

Please find my contribution below.

1) **Clause 19** provides for **Development of high technology innovation ecosystem in a Technopolis**. In developing the high technology innovation ecosystem, the Authority shall—

- a. identify strategic areas of innovation;
- b. cause the creation of specialized institutions in high technology in a Technopolis;
- c. establish a database of innovations in high technology in a Technopolis;
- d. adopt international best practices on high technology innovation standards; and
- e. facilitate the commercialization of innovations in a Technopolis.
- f. Galvanise and mobilise innovation hubs in Kenya via their associations and to strengthen their operations and activities and create national platform to showcase Kenya's innovation agenda

The above will allow a Technopolis to create synergies for co-creation, collaboration and innovation within a Technopolis. This is an intentional strategy towards the achievement of Kenya's vision to be a globally competitive knowledge-based economy.

2) A New Recommendation for the setting up of Startup Fund

The most pressing challenge to start-ups in Kenya today is the inadequate funding. Most of the Government initiatives have not been able to achieve set targets due to inherent structural challenges. Konza's own study undertaken with UNDP funding titled- Mapping the Innovation Ecosystem in Kenya (2022) found out that there are some potential sources of funding, which have not been adequately exploited by the Kenyan innovators. These include the Ajira Youth Innovation Fund; Youth Enterprise Development Fund.

The main reason however is the nature of these funds which are targeting SMEs and not startups. Even for SMEs, the Youth Fund still require collaterals like Title Deeds, Logbooks, and healthy bank statements which innovators may not have. The funding ceiling is also too low at Kes 100,000 Kes to Kes 1 million. This includes the recently Hustler fund minimum loan is Kes 500. These funds appeals to the so called Mama Mboga and the micro enterprises but no startup ever think about them as a funding option.

Ms. Nuri Kitei Naban
Pls TNA. DM 03/05/24

03 MAY 2024

While restructuring of these old funds remains keys, there is logic to establish another fund under Konza targeting startups. In this proposal, Hustler Fund, Youth Fund, Ajira can continue to focus on MSMEs while a start up fund can be domiciled either under Kenia or Konza, two entities that are more aligned to the needs of start-ups in the country.

Sincerely,

David Ogiga
Co-founder/Director, Sote Hub
Mombasa

Board member- Afrilabs
Board member- AfBAN

29th April 2024

To

Clerk of the National Assembly

Main Assembly Buildings

P.O Box 41842-00100

Nairobi

Dear Sir/ Madam

D/O C
Please deal
02/05/24



RE: TECHNOLIS BILL (NATIONAL ASSEMBLY BILL NO.6 OF 2024)

We write to express our support for the Technopolis bill for the reasons below.

1. The bill will institutionalize the aspirations of Smart cities in Kenya with Konza being the first one. In turn this will enhance the establishment of other smart cities in Kenya resulting in smart management of urbanization.
2. The bill will ensure that Konza City establishment overcomes the drawback of government changes. By enacting a law to protect it, it becomes part our constitution hence something that must be observed by all Kenyans.

And based on the above we hereby suggest the following for incorporation in the bill.

1. That KOTDA takes lead on matters smart cities in Kenya, meaning the establishment of any other smart city or transforming existing cities into smart cities should be led by KOTDA.
2. That Konza city and any other smart city should be established with African/Kenyan heritage in consideration. This will help uphold our culture as well as provide opportunities for Kenyans.

We are willing to participate in any discussion related to this bill.

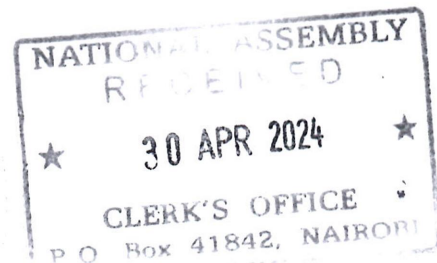
Yours Sincerely,



Eng. David Mulongo

Managing Director

03 MAY 2024



Ms. Nuri Kite/Nabian
Pls TNA DM
3/5/24



ASSOCIATION OF COUNTRYWIDE
INNOVATION HUBS

ASSOCIATION OF COUNTRYWIDE HUBS
Supporting Entrepreneurship and Innovation Countrywide

SAVIO WAMBUGU

Chairperson, Association of Countrywide Hubs

Date: 23rd April, 2024

TO: CLERK OF THE NATIONAL ASSEMBLY

Main Assembly Buildings
P.O Box 41842-00100
Nairobi

Dear Clerk of the National Assembly,

RE: Support for the Technopolis Bill, 2024

We are writing to express our enthusiastic support for the Technopolis Bill, 2024, currently under consideration by the National Assembly. As stakeholders deeply invested in fostering innovation and entrepreneurship in Kenya, we believe that this legislation presents a significant opportunity to harness the potential of high technology innovation ecosystems and propel our country towards becoming a globally competitive knowledge-based economy.

Our association, the Association of Countrywide Innovation Hubs, represents a network of grassroots innovation hubs across Kenya, totaling 123 hubs. We are committed to fostering innovation, entrepreneurship, and economic development at the grassroots level. We firmly believe that the provisions outlined in the Technopolis Bill, particularly those pertaining to the establishment of a high technology innovation ecosystem within Technopolis, are essential for driving collaboration, co-creation, and innovation.

Sections (1) and (2) of the Bill outline the establishment of this ecosystem, comprising innovators, institutions, and innovation hubs. By identifying strategic areas of innovation, creating specialized institutions, establishing a database of innovations, and adopting international best practices, the Bill lays the foundation for Kenya to leverage its technological prowess and drive economic growth.

Furthermore, Clause 21 of the Bill addresses the establishment of Technopolis small enterprise support centers. These centers will play a crucial role in supporting small enterprises by providing business support, technical assistance, shared spaces, equipment, and cloud services. This provision aligns with our association's mission to support the incubation and growth of small enterprises utilizing high-tech and emerging technologies.

We commend the efforts of the Ministry of Information, Communications, and The Digital Economy in drafting legislation that aligns with Kenya's vision for economic transformation. **We urge the Committee on Communication, Information and Innovation to consider our memorandum in support of the Technopolis Bill, 2024.** We are confident that this legislation will serve as a catalyst for innovation-driven economic growth and position Kenya as a leader in the global digital economy.





ASSOCIATION OF COUNTRYWIDE
INNOVATION HUBS

ASSOCIATION OF COUNTRYWIDE HUBS
Supporting Entrepreneurship and Innovation Countrywide

Date: 23rd April, 2024

Thank you for considering our input. We look forward to the opportunity to contribute further to the development and implementation of policies that promote innovation and prosperity in Kenya.

Yours sincerely,

Savio Wambugu
Chairperson, Association of Countrywide Hubs





**THE NATIONAL ASSEMBLY
OFFICE OF THE CLERK**

P. O. Box 41842-00100
Nairobi, Kenya
Main Parliament Buildings

Telephone: +254202848000 ext. 3300
Email: cna@parliament.go.ke
www.parliament.go.ke/the-national-assembly

When replying, please quote

Ref: NA/DDC/CII/2024/016

2nd May, 2024

Prof. Tom Ogada
Executive Director
Africa center for Technology studies
t.ogada@acts-net.org

Peter Otieno
Chief Executive Officer
GSI Kenya
p.otieno@gslkenya.org

Dr. Franklin Keter
Chief Executive Officer
Apifa Biopark
fketer@apiforafrica.org

Eng. Amos Siwoi
Chief Executive Officer
Universal Access Solutions Limited
amos@uas.co.ke

John Kamara
Chief Executive Officer
Adanian labs
jk@adianianlabs.io

Dear *Prof. Ogada,*

RE: STAKEHOLDER ENGAGEMENT ON THE TECHNOPOLIS BILL, 2024

The Departmental Committee on Communication, Information and Innovation is established under Standing Order 216 and is mandated *inter alia* “to study and review all legislation referred to it”.

Pursuant to the cited mandate, the Committee is in the process of considering the **Technopolis Bill, (National Assembly Bill No. 6 of 2024)** (*copy attached*). The Bill seeks to provide for a comprehensive framework for the establishment of a Technopolis in Kenya to create the Technopolis Development Authority which will be responsible for the development, planning, management, improvement and maintenance of every Technopolis established.

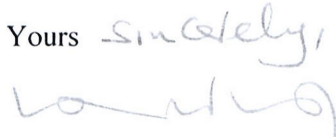
In compliance with the provisions of Article 118 (1) (b) of the Constitution, the Committee invites you for a public hearing to discuss the said Bill. The hearing will be held on

Wednesday, 9th May 2024 in the Mini Chamber, County Hall, Parliament Buildings at 9.00 am.

You are requested to submit electronic copies of your submission to the Committee through the email address cna@parliament.go.ke provided in this letter by **Tuesday, 7th May 2024** and appear before the Committee with twenty (20) hard copies.

The liaison officers for this meeting are **Ms. Nuri Kitel Nataan** who may be contacted on tel. no. **0727 371 890** or email: nuri.kitel@parliament.go.ke and **Mr. Saoli Sakana** who may be contacted on Tel. No. **0719-646-697** and email address sakana.saoli@parliament.go.ke.

Yours



PETER K CHEMWENO

For: CLERK OF THE NATIONAL ASSEMBLY



**THE NATIONAL ASSEMBLY
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When replying, please quote

Ref: NA/DDC/CII/2024/017

2nd May, 2024

Adam Lane
CEO of Government Affairs
Huawei Kenya
adam.lane@huawei.com

David Bunei
Managing Director
Oracle Kenya
david.bunei@oracle.com

Phyllis Migwi
Country General Manager
Microsoft
phyllis.migwi@outlook.com

Joel Onditi
Chief Executive Officer
Pathways Technologies
jonditi@pathwaysinternational.com

Dear *Mr. Lane,*

RE: STAKEHOLDER ENGAGEMENT ON THE TECHNOLIS BILL, 2024

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In compliance with the provisions of Article 118 (1) (b) of the Constitution, the Committee invites you for a public hearing to discuss the said Bill. The hearing will be held on **Wednesday, 9th May 2024** in the **Mini Chamber, County Hall, Parliament Buildings** at **11.00 am**.

You are requested to submit electronic copies of your submission to the Committee through the email address cna@parliament.go.ke by **Tuesday, 7th May 2024** and appear before the Committee with twenty (20) hard copies.

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Yours

Sincerely,

Peter K Chemweno

PETER K CHEMWENO

For: CLERK OF THE NATIONAL ASSEMBLY



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Ref: NA/DDC/CII/2024/018

2nd May, 2024

Savio Wambugu

Association of Countrywide Innovation Hubs
savio@mtkenyahub.com

Mercy Kimalat

Chief Executive Officer
Association of Startups and
SME Enablers of Kenya (ASSEK)
mercy.kimalat@assek.ke

Dear *Savio,*

RE: STAKEHOLDER ENGAGEMENT ON THE TECHNOPOLIS BILL, 2024

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In compliance with the provisions of Article 118 (1) (b) of the Constitution, the Committee invites you for a public hearing to discuss the said Bill. The hearing will be held on **Wednesday, 9th May 2024** in the **Mini Chamber, County Hall, Parliament Buildings at 12.30 pm.**

You are requested to submit electronic copies of your submission to the Committee through the email address cna@parliament.go.ke by **Tuesday, 7th May 2024** and appear before the Committee with twenty (20) hard copies.

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Yours *sincerely,*

[Handwritten signature]
PETER K CHEMWENO

For: CLERK OF THE NATIONAL ASSEMBLY



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Ref: NA/DDC/CII/2024/019

2nd May, 2024

Anthony Ngororano
UNDP
caroline.kiarie@undp.org

Country Director
UK Kenya Tech Hub
enos.weswa@fcdo.gov.uk

Nana Wanjau
Commonwealth Women in Business
mvnana26@gmail.com

Dr. Kamau Gachigi
Gearbox
info@gearbox.co.ke

Dan Njiriri
Managing Director
Lish AI
njiris2000@gmail.com

Dear *Anthony,*

RE: STAKEHOLDER ENGAGEMENT ON THE TECHNOPOLIS BILL, 2024

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Yours *sincerely,*



PETER K CHEMWENO

For: CLERK OF THE NATIONAL ASSEMBLY



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When replying, please quote

Ref: NA/DDC/CII/2024/020

2nd May, 2024

Prof. Stephen Kiama
Vice Chancellor
University of Nairobi
vc@uonbi.ac.ke

Prof. J.W Khamasi, EBS
Vice Chancellor
Kenya AIST
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Prof. Elijah Omwenga
Vice Chancellor
Open University of Kenya
vc@ouk.ac.ke

Phillip Thigo
Executive Director of Africa
Thunderbird School of Global Management
philip.thigo@thunderbird.asu.edu

Dear

Prof. Kiama

RE: STAKEHOLDER ENGAGEMENT ON THE TECHNOPOLIS BILL, 2024

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Yours *Sincerely,*



PETER K CHEMWENO
For: CLERK OF THE NATIONAL ASSEMBLY