



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

SUPPLEMENTARY

THURSDAY, DECEMBER 01, 2016 AT 2.30 P.M.

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statements

8*. MOTION – RATIFICATION OF THE PARIS CLIMATE CHANGE AGREEMENT

(Chairperson, Departmental Committee on Environment and Natural Resources)

THAT, this House adopts the Report of the Departmental Committee on Environment and Natural Resources on the **Ratification of the Paris Climate Change Agreement** laid on the Table of the House on Wednesday, 30th November 2016, and pursuant to the provisions of Section 8 of the Treaty Making and Ratification Act, 2012, **approves** the Ratification of the Paris Climate Change Agreement.

(Question to be put)

9*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE LAND VALUE INDEX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY NO. 40 OF 2016)

THAT, this House do agree with the Report of Committee of the Whole House on its consideration of the Land Value Index Laws (Amendment) Bill (National Assembly Bill No. 40 of 2016).

(Question to be put)

10*. THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 4 OF 2016)

(The Leader of the Majority Party)

Second Reading

(Mover to reply)

11*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 48 OF 2016)

(The Leader of the Majority Party)

First Reading

12*. THE BETTING, LOTTERIES AND GAMING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 49 OF 2016)

(The Hon. Jakoyo Midiwo, M.P.)

First Reading

13*. THE MOVABLE PROPERTY SECURITY RIGHTS BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2016)

(The Leader of the Majority Party)

First Reading

14*. CONSOLIDATED PROCEDURAL MOTIONS: EXTENSION OF TIME ON SPECIFIC BUSINESS AND EXEMPTION OF CERTAIN BUSINESS FROM THE PROVISIONS OF STANDING ORDERS

(The Leader of the Majority Party)

(i) **THAT**, notwithstanding the provisions of Standing Order 232, this House resolves to extend the period for consideration of the Budget Policy Statement by a further period of not more than fourteen (14) days from 8th December 2016;

(ii) **THAT**, pursuant to the provisions of Section 13 of the Public Appointments (Parliamentary Approval) Act, 2011, this House resolves to extend the period for consideration of approval for appointment of nominees to the National Climate Change Council, notified to the House on 1st December, 2016, by a further period of not more than fourteen (14) days from 14th December, 2016;and,

- (iii) **THAT**, notwithstanding the provisions of Standing Order 42 relating to reading and laying of Messages from the President, and in furtherance to the provisions of the First Schedule to the Elections Act (No.9 of 2011) (as amended), this House **resolves** that, during the period before commencement of the Fifth Session, upon receipt of names of persons nominated for appointment to the
- (iv) offices of **Chairperson or Commissioner to the Independent Electoral and Boundaries Commission (IEBC)** from the President, the Speaker shall **forthwith** refer the Message containing the names to the relevant Committee for consideration; and,
- (v) **THAT**, notwithstanding the provisions of Standing Order 42(3) relating to reading and laying of Messages in the House, and in furtherance to the provisions of Article 215(1)(a),(b) and (c) of the Constitution, this House **resolves** that, during the period before commencement of the Fifth Session, upon receipt of names of persons nominated for appointment to the offices of **Chairperson and Member of the Commission for Revenue Allocation**, from the President and Leadership of Political Parties in Parliament, respectively, the Speaker shall **forthwith** refer the Message and the list containing the names to the relevant Committee for consideration.

15*. MOTION APPOINTMENT OF A JOINT COMMITTEE
(The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Orders 211(3)(b), 213 and paragraph 9 of the Houses of Parliament (*Joint Sittings*) Rules, this House resolves to establish a Joint Committee for the purposes of referral and reconsideration of the Parliamentary Service (Senate Monitoring and Evaluation) (Procedure for Management of Funds) Regulations, 2016, comprising the following Members of the National Assembly:

- (i) The Hon. William Cheptumo, MP;- Joint Chairperson
- (ii) The Hon. Joseph Gitari, MP;
- (iii) The Hon. Kabando wa Kabando, MP;
- (iv) The Hon. Tom J. Kajwang', MP;
- (v) The Hon. Michael Kisoi Manthi, MP;
- (vi) The Hon. Simba Arati, MP;
- (vii) The Hon. Rachael Ameso, MP;

- (viii) The Hon. Mohamed Aden Huka, MP;
- (ix) The Hon. John Waiganjo, MP;
- (x) The Hon. Jakoyo Midiwo, MP;
- (xi) The Hon. Samuel Chepkonga, MP;
- (xii) The Hon. Mutava Musyimi, MP;
- (xiii) The Hon. Peter Kaluma, MP;
- (xiv) The Hon. Kimani Ichung'wah, MP;
- (xv) The Hon. Mary Emase, MP.

16*. MOTION - APPOINTMENT OF MEMBERS TO VARIOUS COMMITTEES
(The Chairperson, Committee on Selection)

THAT, pursuant to the provisions of Standing Orders 175, and further to the resolutions of the House of October 08, 2013 and April 28, 2016 on appointment of Members to respective Committees, this House further approves the appointment of the following Members to the Committees specified hereunder:-

- (i) The Hon. Edick Omondi Anyanga, M.P., to be appointed a Member of the Departmental Committee on Transport, Public Works and Housing;
- (ii) The Hon. Opiyo Wandayi, M.P. be appointed a Member of the Departmental Committee on Administration and National Security;
- (iii) The Hon. Peter Kaluma, M.P., to be appointed a Member of the Departmental Committee on Administration and National Security
- (iv) The Hon. Zuleikha Hassan, M.P., to be appointed a Member of the Departmental Committee Environment and Natural Resources Committee;
- (v) The Hon. Charles Nyamai, M.P. be appointed a Member of the Departmental Committee on Lands;
- (vi) The Hon. Suleiman Kasuti Murunga, M.P., to be appointed a Member of the Budget and Appropriations Committee;
- (vii) The Hon. Andrew Mwadime, M.P., to be appointed a Member of the Departmental Committee on Education, Research and Technology;
- (viii) The Hon. Mishi Juma, M.P., to be appointed a Member of the Departmental Committee on Energy, Communication and Information;
- (ix) The Hon. Hezron Awiti Bollo, M.P. be appointed a Member of the Departmental Committee on Finance, Planning and Trade;

- (x) The Hon William Kamoti Mwamkale, M.P., to be appointed a Member of the Committee on Delegated Legislation;
- (xi) The Hon. Chachu Ganya, M.P. to move from the Departmental Committee on Transport, Public Works and Housing to the Joint Committee on National Cohesion and Equal Opportunity;
- (xii) The Hon. Abdikadir Ore Ahmed, M.P., to move from the Departmental Committee on Finance, Planning and Trade to the Departmental Committee on Energy, Communication and Information.

17*. COMMITTEE OF THE WHOLE HOUSE

- (i) The County Governments (Amendment) Bill (Senate Bill No. 4 of 2016)
(The Leader of the Majority Party)
(By leave of the House)
- (ii) The Election Laws (Amendment) (No.3) Bill (National Assembly No. Bill No. 63 of 2015)
(Chairperson of the Departmental Committee on Justice and Legal Affairs)

18*. MOTION – ADOPTION OF THE REPORT ON INVESTIGATION INTO THE OWNERSHIP OF MOMBASA CEMENT LIMITED LAND IN KILIFI COUNTY
(The Chairperson, Departmental Committee on Lands)

THAT, this House adopts the Report of the Departmental Committee on Lands on its the Investigation into the ownership of Mombasa Cement Limited Land in Kilifi County, laid on the Table of the House on Tuesday, 24th November 2015.

19*. THE CONSTITUTION OF KENYA (AMENDMENT) (NO. 6) BILL (NATIONAL ASSEMBLY BILL NO. 65 OF 2015)
(The Leader of the Majority Party)

Second Reading

*** Denotes Orders of the Day**

N O T I C E S

THE ELECTION LAWS (AMENDMENT) (NO.3) BILL (NATIONAL ASSEMBLY NO. BILL NO. 63 OF 2015)

Notice is given that Chairperson of the Departmental Committee on Justice and Legal Affairs, Hon. Samuel Chepkong'a intends to move the following amendments to the Election Laws (Amendment) (No.3) Bill, 2015 at the Committee Stage—

CLAUSE 2

THAT, clause 2 of the Bill be amended by deleting paragraph (b).

CLAUSE 3

THAT, clause 3 of the Bill be amended by—

- (a) deleting paragraph (b);and
- (b) deleting paragraph (c).

CLAUSE 4

THAT, clause 4 (a) of the Bill be amended in the proposed new subsection (2) by deleting the word "Principal".

CLAUSE 5

THAT, clause 5 of the Bill be amended—

- (a) in paragraph (a) by deleting the word "forty-five" and substituting therefor the word "sixty"; and
- (b) in paragraph (b) of the proposed new subsection (2A) by deleting the word "forty" and substituting therefor the word "thirty".

CLAUSE 13

THAT, clause 13 of the Bill be amended in the proposed new section 38A by deleting the words "or such other number as the Commission may determine."

CLAUSE 14

THAT, the Bill be amended by deleting clause 14 and substituting therefor the following new clause—

Amendment
section 43 of No. 24
of 2011.

14. Section 43 of the Elections Act, 2011 is amended by inserting the following new subsection immediately after subsection (5)—

“(5A) A public officer who intends to contest in a by-election under this Act shall resign from public office within seven days of the declaration of a vacancy.”

CLAUSE 20

THAT, the Bill be amended by deleting clause 20.

CLAUSE 21

THAT, the Bill be amended by deleting clause 21.

CLAUSE 23

THAT, the Bill be amended by deleting clause 23.

CLAUSE 32

THAT, clause 32 of the Bill be amended by deleting the expression “8(3)” and substituting therefor the expression “9(3)”.

NEW CLAUSE 10A

THAT, the Bill be amended by inserting the following new clause immediately after clause 10—

Amendment
section 31 of No. 24
of 2011.

10 A. Section 31 of the Elections Act, 2011 is amended by inserting the following new subsections immediately after subsection (2D)—

“(2F) Where the Commission receives multiple requests under subsection 2, the Commission shall conduct and supervise the nomination of candidates for presidential, parliamentary or county elections for all the requesting political parties—

- (a) on the same day;
- (b) in the same polling centres; and
- (c) in different polling streams for each participating political party.”

(2E) Parliament shall appropriate monies for the effective implementation of this section.”

I. **ADJOURNMENT OF THE HOUSE IN ACCORDANCE WITH THE CALENDAR OF THE NATIONAL ASSEMBLY(2016)**

The Speaker will today call upon the Leader of the Majority Party to move a Motion for Adjournment of the House to a day other than the next normal Sitting Day, in accordance with the Calendar of the Assembly (Regular Sessions).

(Thereafter, the House to adjourn without question put)

MOTION – **(The Leader of the Majority Party)**

THAT, pursuant to the provisions of Standing Order 28 on the Calendar of the Assembly (Regular Sessions), this House adjourns until Tuesday, February 7, 2017.

The House resolved on Wednesday, February 10, 2016 as follows:-

- I. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on any **Motion**, including a Special motion be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each, and that ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that Order.
- II. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on **Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** be limited as follows:- A maximum of forty five (45) minutes for the Mover, in moving and fifteen minutes (15) in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee), and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each (if the Bill is not sponsored by either of them); and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that Order.

- III. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on a **Report of a Committee**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House, shall be limited as follows: - A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that Order.
- IV. **THAT**, notwithstanding the provisions of Standing Order 97(4), the debate on any Motion for the **Adjournment** of the House to a day other than the next normal Sitting Day in accordance with the Calendar of the Assembly, shall be limited to a maximum of three (3) hours with not more than five (5) minutes for each Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of ten (10) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.
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APPENDIX I

PETITIONS to be presented on

Thursday (Afternoon), December 01, 2016

It is notified that, pursuant to Standing Orders 225, the following Petition will be presented to the House **today, Thursday (Afternoon), December 01, 2016:-**

NO.	<u>PETITION TO BE PRESENTED BY</u>	<u>SUBJECT</u>	<u>PETITIONER(S)</u>
001	The Hon. Speaker,), <i>Pursuant to Standing Order 225(2)(a)</i>	Irregularities at the Council for Legal Education	Mr. Arunda Marendi and Mr. Vincent Yegon
002	The Member for Gem (The Hon. Jakoyo Midiwo, M.P.) <i>Pursuant to Standing Order 225(2)(a)</i>	Irregular handling of financial transactions by Family Bank	Concerned citizens

APPENDIX II

PETITIONS to be reported on

Thursday, December 1, 2016

It is notified that, pursuant to the provisions of Standing Order 227, the following Petition will be reported on **today, Thursday, December 1, 2016:-**

NO.	PETITION TO BE REPORTED BY	SUBJECT	PETITIONER(S)
001	Chairperson, Departmental Committee on Finance, Planning and Trade	Waiver of VAT levied on textbooks, journals and periodicals.	Mr. Njoroge Waweru.
