



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

TUESDAY, AUGUST 02, 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*. THE KENYA DEFENCE FORCES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 41 OF 2015)

(The Leader of the Majority Party)

Second Reading
(*Question to be put*)

9*. MOTION – THE FOREST CONSERVATION AND MANAGEMENT BILL (NATIONAL ASSEMBLY BILL NO. 49 OF 2015)

(The Leader of Majority Party)

THAT, the Senate Amendments to the the Forest Conservation and Management Bill (National Assembly Bill No. 49 of 2015) be now considered.

10*. MOTION – THE NATURAL RESOURCES (CLASSES OF TRANSACTIONS SUBJECT TO RATIFICATION) BILL (NATIONAL ASSEMBLY BILL NO. 54 OF 2015)

(The Leader of Majority Party)

THAT, the Senate Amendments to the Natural Resources (Classes of Transactions Subject to Ratification) Bill (National Assembly Bill No. 54 of 2015) be now considered.

11*. COMMITTEE OF THE WHOLE HOUSE**IN THE COMMITTEE**

- (i) Consideration of the **Senate Amendments to the Forest Conservation and Management Bill** (National Assembly Bill No. 49 of 2015).
(The Leader of the Majority Party)
- (ii) Consideration of the **Senate Amendments to the Natural Resources (Classes of Transactions Subject to Ratification) Bill** (National Assembly Bill No. 54 of 2015).
(The Leader of the Majority Party)

12*. MOTION – RATIFICATION OF BILATERAL AIR SERVICES AGREEMENTS BETWEEN KENYA, AND VIETNAM AND LIBERIA

(The Chairperson, Departmental Committee on Transport, Public Works & Housing)

THAT, this House **adopts** the Report of the Departmental Committee on Transport, Public Works & Housing on its consideration of the Bilateral Air Services Agreements between the Government of the Republic of Kenya and the Governments of the Socialist Republic of Vietnam and the Republic of Liberia respectively, laid on the Table of the House on Wednesday, 27th July, 2016, and pursuant to the provisions of Section 8 of the Treaty Making and Ratification Act, 2012, **approves** the ratification of the Bilateral Air Services Agreements between the Government of the Republic of Kenya and the Governments of the Socialist Republic of Vietnam and the Republic of Liberia.

13*. THE PROCEEDS OF CRIME AND ANTI-MONEY LAUNDERING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 64 OF 2015)

(The Leader of the Majority Party)

Second Reading

14*. THE KENYA REGIMENT (TERRITORIAL FORCE) (REPEAL) BILL (NATIONAL ASSEMBLY BILL NO. 39 OF 2015)

(The Leader of the Majority Party)

Second Reading

...../15*.

15*. THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (SENATE BILL NO. 24 OF 2014)

(The Chairperson, Departmental Committee on Labour and Social Welfare)

Second Reading

16*. THE NATIONAL YOUTH SERVICE BILL (SENATE BILL NO. 26 OF 2014)

(The Chairperson, Departmental Committee on Labour and Social Welfare)

Second Reading

17*. THE COUNTY EARLY CHILDHOOD EDUCATION BILL (SENATE BILL NO. 23 OF 2014)

(The Chairperson, Departmental Committee on Education, Research and Technology)

Second Reading

*** Denotes Orders of the Day**

...../Notices

NOTICES

I. SENATE AMENDMENTS TO THE FOREST CONSERVATION AND MANAGEMENT BILL (NATIONAL ASSEMBLY BILL NO. 49 OF 2015)

CLAUSE 2

Senate Amendment

THAT, clause 2 of the Bill be amended by deleting the definition of the word “forest owner” and substituting therefore the new definition-
“forest owner” means-

- (a) in the case of a public forest, the government as defined in article 62(1)(g) of the Constitution;
- (b) in the case of a community forest, the community as defined in article 63 of the Constitution; and
- (c) in the case of a private forest, the registered owner of the land as defined in article 64 of the Constitution.

CLAUSE 5

Senate Amendment

THAT, clause 5 be amended-

- (a) by deleting the marginal note and substituting therefor the following new marginal note-

Public Forest Policy

- (b) in sub-clause (1) by inserting the words “county government and” appearing immediately after the words “in consultation with the”; and
- (c) in sub-clause (2) by inserting the words “in consultation with the county government” immediately after the words “forest policy to be reviewed”.
- (d) in sub-clause (2) by deleting the word “national” appearing immediately after the words “the Cabinet Secretary shall cause”.

CLAUSE 6

Senate Amendment

THAT, clause 6 be amended-

- (a) by deleting the marginal note and substituting therefor the following new marginal note-

Public Forest Strategy

- (b) in sub-clause (1) by deleting the word “national” appearing immediately after the words “formulate a” and substituting therefor the word “public”.

CLAUSE 8

Senate Amendment

THAT, clause 8 of the Bill be amended in paragraph (f) by deleting the word “national” appearing immediately after the words “ceremonial use of” and substituting therefor the word “public”.

CLAUSE 9

Senate Amendment

THAT, clause 9 (1) of the Bill be amended-

- (a) in paragraph (f) by deleting the words “Director-General” appearing at the beginning of the paragraph and substituting therefor the words “Chief Conservator of Forests”;
- (b) by deleting sub-paragraph (iv) of paragraph (g) and substituting therefor the following new paragraph “one person nominated by the Council of Governors”; and
- (c) by inserting the following new sub-clause immediately after sub-clause (3)-

(3A) A person shall not be appointed to the Board if the person—

- (a) is convicted of a criminal offence and sentenced to imprisonment by a court of competent jurisdiction for a period exceeding six months without the option of a fine;
- (b) is a member of a governing body of a political party;
- (c) is disqualified under any written law to hold office of director in a public company, corporation or similar organization;
- (d) has previously been removed from public office for contravention of the provisions of the Constitution or any other written law;
- (e) is adjudged bankrupt or enters into a composition or arrangement with his creditors;

- (f) was previously involved in the management or administration of a scheme which was deregistered for any failure on the part of the management or the administration thereof;
- (g) is disqualified under any other written law, or his holding office as such is deemed by the Authority as being, in any way, detrimental to the scheme; and
- (h) is disqualified under Chapters Six and Thirteen of the Constitution or any other provisions thereof or any written law.

CLAUSE 14

Senate Amendment

THAT, clause 14 of the Bill be amended in-

- (a) sub-clause (1) by deleting the words “Director-General” appearing immediately after the words “shall be a” and substituting therefor the words “Chief Conservator of Forests”;
- (b) sub-clause (3) by deleting the words “Director-General” appearing at the beginning of the sub-clause and substituting therefor the words “Chief Conservator of Forests”.
- (c) sub-clause (4) by deleting the words “Director-General” appearing at the beginning of the sub-clause and substituting therefor the words “Chief Conservator of Forests”.
- (d) sub-clause (5) by deleting the words “Director-General” appearing at the beginning of the sub-clause and substituting therefor the words “Chief Conservator of Forests”.

CLAUSE 20

Senate Amendment

THAT, clause 20 of the Bill be amended in sub-clause (4) paragraph (a) by deleting the words “a chairman” and substituting therefor the words “a chairperson”.

CLAUSE 25

Senate Amendment

THAT, clause 25(2) of the Bill be amended in paragraph (c) by deleting the word “national” appearing immediately after the words “tourism in” and substituting therefor the word “public”.

CLAUSE 26**Senate Amendment**

THAT, clause 26 of the Bill be amended at subsection (2) by deleting the words “controller and” appearing immediately after the words “Board shall submit to the”.

CLAUSE 36**Senate Amendment**

THAT, clause 36 of the Bill be amended at sub-clause (2) by deleting the word “national” appearing immediately after the words “declared a” and substituting therefor the word “public”.

CLAUSE 39**Senate Amendment**

THAT, clause 39 of the Bill be amended at sub-clause (7) by deleting the word “Director-General” appearing immediately after the words “reserve, the” and substituting therefor the words “Chief Conservator of Forests”.

CLAUSE 43**Senate Amendment**

THAT, clause 43 the Bill be amended by inserting the following new sub-clause immediately after sub-clause (5)-

- (6) The Service shall consider the interests of the local communities in the management of public forests.

CLAUSE 45**Senate Amendment**

THAT, clause 45 of the Bill be amended-

- (a) by deleting sub-clause (1) and substituting therefore the sub-clause-

- (1) The Service may advertise, receive applications from any person, institution or organization and through a competitive process, approve and enter into an appropriate management agreement for all or part of a public forest.

- (b) in sub-clause 2 by inserting the following new paragraph immediately after paragraph (e)-

- (e) the benefits which the applicant shall extend to the local community.

CLAUSE 47**Senate Amendment**

THAT, sub-clause (6) of clause 47 of the Bill be amended by deleting the word “Director-General” where it appears and substituting therefor the word “Chief Conservator of Forests”.

CLAUSE 48**Senate Amendment**

THAT, clause 48(3) of the Bill be amended in paragraph (f) by deleting the words “Director-General” and substituting therefor the words “Chief Conservator of Forests”.

CLAUSE 49**Senate Amendment**

THAT, clause 49 (3) be amended in paragraph (b) by deleting the words “Director-General” and substituting therefor the words “Chief Conservator of Forests”.

CLAUSE 50**Senate Amendment**

THAT, clause 50 (2) of the Bill be amended by deleting the words “Director-General” appearing at the beginning of the sub-clause and substituting therefor the words “Chief Conservator of Forests”.

CLAUSE 51**Senate Amendment**

THAT, clause 51 of the Bill be amended-

- (a) in sub-clause (1) by-
 - (i) deleting the words “Director-General” appearing at the beginning of the sub-clause and substituting therefor the words “Chief Conservator of Forests”;
 - (ii) deleting the word “Director-General” appearing immediately after the words “ask the” in paragraph (c) and substituting therefor the word “Chief Conservator of Forests”;
- (b) in sub-clause (2) by deleting the words “Director-General” wherever they appear and substituting therefor the words “Chief Conservator of Forests”;
- (c) in sub-clause (3) by deleting the words “Director-General” wherever they appear and substituting therefor the words “Chief Conservator of Forests”.

CLAUSE 53**Senate Amendment**

THAT, clause 53 of the Bill be amended by inserting the word “employment” immediately after the word “education”.

CLAUSE 62**Senate Amendment**

THAT, clause 62 of the Bill be amended in-

- (a) sub-clause (1) by deleting the words “Director-General” at the beginning of the sub-clause and substituting therefor the words “Chief Conservator of Forests”;
- (b) sub-clause (2) by deleting the word “Director-General” at the beginning of the sub-clause and substituting therefor the word “Chief Conservator of Forests”.

CLAUSE 63**Senate Amendment**

THAT, clause 63 of the Bill be amended in sub-clause (2) by deleting the words “Director-General” appearing at the beginning of the sub-clause and substituting therefor the words “Chief Conservator of Forests”.

CLAUSE 64**Senate Amendment**

THAT, clause 64 of the Bill be amended in sub-section (3) by deleting the words “section 39(2)” appearing immediately before the words “provisions of” and substituting therefor the words “section 61”.

CLAUSE 72**Senate Amendment**

THAT, clause 72 of the Bill be amended-

- (a) in sub-clause (1) by-
 - (i) deleting the words “Director-General” appearing immediately after the word “the” and substituting therefor the words “Chief Conservator of Forests”;
 - (ii) deleting paragraph (b) and substituting therefor the following new paragraph-
 - (b) public forests;

(b) inserting the following new sub-clause immediately after sub-clause (1)-

(1A) The relevant counties will at all times be furnished with pertinent copies of all the relevant documents maintained in the Chief Conservator of Forests register.

(c) in sub-clause (2) by deleting the words “Director-General” appearing immediately after the words “office of the” and substituting therefor the word “Chief Conservator of Forests”.

CLAUSE 75

Senate Amendment

THAT, clause 75 be amended by deleting the words “Environmental Management and Co-ordination Act, 1999” appearing in sub-clause (1) immediately after the words “provisions of the” and substituting therefor the words “Environmental Management and Co-ordination Act, 2015”.

CLAUSE 77

Senate Amendment

THAT, clause 77 of the Bill be amended by inserting the following new paragraph immediately after paragraph (a)-

(aa) The land in section (a) shall not include government settlement schemes already registered before the commencement of this Act;

The Third Schedule

Senate Amendment

THAT, the Third Schedule to the Bill be amended by-

- (a) deleting item 5;
- (b) deleting item 9;
- (c) deleting item 131;
- (d) deleting item 106;
- (e) deleting item 107;
- (f) deleting item 115;
- (g) deleting item 119;
- (h) deleting item 200;
- (i) deleting item 236;
- (j) deleting item 292;
- (k) deleting item 278;
- (l) deleting item 282;
- (m) deleting item 286; and
- (n) deleting item 290

**II. SENATE AMENDMENTS TO NATURAL RESOURCES
(CLASSES OF TRANSACTIONS SUBJECT TO
RATIFICATION) BILL (NATIONAL ASSEMBLY BILL NO.
54 OF 2015)**

New Clause 9A
Senate Amendment

THAT, the Bill be amended by inserting the following new clause immediately after clause 9 —

Procedure for
approval by
Parliament.

9A. (1) The process of approval of an agreement shall
commence in the National Assembly.

(2) The National Assembly shall consider an agreement
within sixty days of its submission to the National Assembly and shall
forward its resolution to the Senate for consideration.

(3) If both Houses —
(a) approve the ratification of an agreement; or
(b) do not approve the ratification of an agreement;

the Speaker of the National Assembly shall, within seven days of the
decision, notify the relevant Cabinet Secretary.

(4) Where either the National Assembly or the Senate
votes to reject an agreement, the agreement shall be deemed to have
been rejected by Parliament and the Speaker of the National
Assembly shall, within seven days of the rejection, notify the relevant
Cabinet Secretary.

- (5) If within sixty days of submission of an agreement to the National Assembly, the National Assembly has not forwarded its resolution on the agreement to the Senate under subsection (2), the National Assembly shall be deemed to have approved the agreement and the Senate shall commence its consideration of the agreement.
- (6) Where the Senate considers an agreement under subsection (5), the Speaker of the Senate shall, within seven days of the decision, notify the relevant Cabinet Secretary.

The Schedule
Senate Amendment

THAT, the Bill be amended in the Schedule by-

- a) Deleting the tenth row that provides for “Genetic material”; and
- b) Deleting the eleventh row that provides for “Genetic resources”.

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 **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.
- II. **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, 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.
- III. **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.

NOTICE PAPER I

Tentative business for

Wednesday (Morning), August 03, 2016

(Published pursuant to Standing Order 38(1))

It is notified that the House Business Committee, at their last meeting, approved the following ***tentative*** business to appear in the Order Paper for Wednesday (Morning), August 03, 2016:-

A. COMMITTEE OF THE WHOLE HOUSE

The Kenya National Examination Council (Amendment) Bill (National Assembly Bill No. 1 of 2016)

(The Hon. Chrisantus Wamalwa, M.P.)

B. MOTION – PROVISION OF WATER TO PUBLIC FACILITIES

(The Hon. Andrew Mwadime, M.P.)

*(Resumption of debate interrupted on Wednesday, July 27, 2016 – Morning Sitting)
(Balance of time – 1hour 35 minutes)*

C. MOTION – ESTABLISHMENT OF A SELECT COMMITTEE TO INQUIRE INTO YOUTH VULNERABILITY TO RADICALIZATION

(The Hon. Kanini Kega, M.P.)

D. MOTION – DEPLOYMENT OF CHAPLAINS TO LEARNING INSTITUTIONS

(The Hon. Geoffrey Odanga, MP)

E. MOTION – FREE ISSUANCE OF KENYA POLICE MEDICAL EXAMINATION (P3) FORMS

(The Hon. Omar Mwinyi, M.P.)

F. THE CONSTITUTION OF KENYA (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 7 OF 2016)

(The Hon. Mithika Linturi, M.P.)

Second Reading

G. THE KENYA UWEZO FUND BILL (NATIONAL ASSEMBLY BILL NO. 65 OF 2015)

(The Hon. David Kangogo, M.P.)

Second Reading

NOTICE PAPER II

Tentative business for

Wednesday (Afternoon), August 03, 2016

(Published pursuant to Standing Order 38(1))

It is notified that the House Business Committee, at their last meeting, approved the following **tentative** business to appear in the Order Paper for Wednesday (Afternoon), August 03, 2016:-

- A. **Motion - Approval of the Mediated Version of the Land Laws (Amendment) Bill (National Assembly Bill No. 55 of 2015)**
(The Chairperson, Mediation Committee)
- B. **Motion - Approval of the Mediated Version of the Community Land Bill (National Assembly No. 45 of 2015)**
(The Chairperson, Mediation Committee)
- C. **Motion - Approval of the Mediated Version of the Water Bill (National Assembly Bill No.8 of 2014)**
(The Chairperson, Mediation Committee)
- D. **THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (SENATE BILL NO. 24 OF 2014)**
(The Chairperson, Departmental Committee on Labour and Social Welfare)

Second Reading

(If not concluded on Wednesday, August 03, 2016 - Afternoon Sitting)

- E. **THE NATIONAL YOUTH SERVICE BILL (SENATE BILL NO. 26 OF 2014)**
(The Chairperson, Departmental Committee on Labour and Social Welfare)

Second Reading

(If not concluded on Wednesday, August 03, 2016 - Afternoon Sitting)

- F. **THE COUNTY EARLY CHILDHOOD EDUCATION BILL (SENATE BILL NO. 23 OF 2014)**
(The Chairperson, Departmental Committee on Education, Research and Technology)

Second Reading

(If not concluded on Wednesday, August 03, 2016 - Afternoon Sitting)

**G. THE PROCEEDS OF CRIME AND ANTI-MONEY LAUNDERING
(AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 64 OF 2015)**

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, August 03, 2016 - Afternoon Sitting)

**H. THE KENYA REGIMENT (TERRITORIAL FORCE) (REPEAL) BILL
(NATIONAL ASSEMBLY BILL NO. 39 OF 2015)**

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, August 03, 2016 - Afternoon Sitting)

APPENDIX I

PETITIONS to be presented on

Tuesday, August 02, 2016

It is notified that, pursuant to Standing Orders 225, the following Petitions will be presented to the House **today Tuesday, August 02, 2016:-**

NO.	PETITION TO BE PRESENTED BY	SUBJECT	PETITIONER(S)
001	Nominated Member (The Hon. Birdi Sunjeev, M.P.) <i>Pursuant to Standing Order 225(2)(b).</i>	Delays in the issuance of citizenship by registration to immigrants residing in Kenya	Concerned immigrants residing in Kenya
002	The Member for Mwatate (The Hon. Andrew Mwadime, M.P.), <i>Pursuant to Standing Order 225(2)(a)</i>	Illegal grazing in Tsavo West National Park	Residents of Mwatate Constituency

APPENDIX II

THE NATIONAL ASSEMBLY

SCHEDULE of Questions for

Tuesday, August 02, 2016

It is notified that, pursuant to Standing Orders 191 and 216, the Cabinet Secretaries *for Health; and Public Service, Youth and Gender Affairs* will appear before the following Departmental Committees on Tuesday, August 02, 2016 at the times hereunder:-

<u>Departmental Committee</u>	<u>Cabinet Secretary</u>	<u>Time</u>	<u>Venue</u>
(i) Committee on Health	<i>Cabinet Secretary for Health</i>	10.00 - 11.30 am	<i>The National Assembly Chamber</i>
(ii) Committee on Administration and National Security	<i>Cabinet Secretary for Public Service, Youth and Gender Affairs</i>	11.30 am – 12.30 pm	<i>The Mini Chamber, County Hall</i>

The Committees' Agenda has been determined as follows-

AGENDA

(Published pursuant to Standing Order 170E (2))

1. Prayers
 2. Communication from the Chairperson(s)
-

I. Questions under the Departmental Committee on Health

Questions to the Cabinet Secretary for Health

- (i) **Question No. 036/2016 by the Member for Matungulu (The Hon. Stephen Mule, M.P.):**

Could the Cabinet Secretary inform the Committee whether the Ministry is aware that the Global Vaccine Alliance Organization (GAVI) has frozen its cash-based support to Kenya for purchase of vaccines since 2010 due to unanswered audit queries on funds previously disbursed; why the Ministry has not been preparing the audit reports and financial statements for Kenya's Immunization Support Services (ISS) grant and Health System

Strengthening 1(HSS1) grant programmes; why the Ministry has not been providing financial statements to GAVI responding to the audit queries raised on the grants; what remedies has the Ministry made after the loss of the \$34 million funding from GAVI for these two programmes, including providing the timelines and reports on the proposed remedies; and provide information on the status of the funds still unaccounted for under the ISS and HSS1 programmes?

(ii) Question No. 038/2016 by the Member for Mukurweini (The Hon. Kabando wa Kabando, M.P.):

Considering that Article 43 of the Constitution provides that “*every person has the right to the highest attainable standard of health, which includes the right to health care services, including reproductive health care; a person shall not be denied emergency medical treatment; and that the State shall provide appropriate social security to persons who are unable to support themselves and their dependents*”, could the Cabinet Secretary inform the Committee, what measures are being taken to increase accessibility and affordability to quality healthcare to all Kenyans through the National Health Insurance Fund?

(iii) Question No. 039/2016 by the Member for Kirinyaga Central (The Hon. Joseph Gitari, M.P.):

Could the Cabinet Secretary inform the Committee on the amount of funds set aside for the construction of an ultra-modern teaching, research and referral hospital at the Kenya Medical Research Institute (KEMRI)’s precincts in Kirinyaga County; state the grounds by which KEMRI’s Assistant Director for Human Resources at Kirinyaga, Ms. Anne Wang’ombe of Personal No. 22045, was dismissed from her post, clarify whether the matter has been investigated, and further enlighten Members on measures, if any, that have been put in place to ensure that her Constitutional rights have not been violated nor have labour laws been flouted?

(iv) Question No. 040/2016 by the Member for Nyeri Town (The Hon. Esther M. Mathenge, EGH, M.P.):

Considering that the National Infection Prevention and Control for Health Care Services in Kenya was developed in December 2010 to assist in the effective management of health care–associated infections, commonly referred to as HALS, could the Cabinet Secretary inform the Committee the effectiveness of these Rules and Guidelines since their inception to-date; state the frequency of inspection by the Ministry in both public and private health facilities to ensure adherence to these Guidelines; and further expound on the measures the Ministry is implementing to ensure that patients and patients’ visitors who contract any of these infections are duly compensated by the said hospitals and other health facilities?

(v) Question No.075/2016 by the Member for Molo (The Hon. Jacob Macharia, M.P.):

Could the Cabinet Secretary explain to the Committee the reason why the Ministry has not taken over the management of the Mkolombozi and Mchorwe Dispensaries including the doctors' quarters in both dispensaries despite completion of construction by the Molo Constituencies Development Fund; why the Ministry has not made the Children's ward and Maternity wings of the Molo Level 4 Hospital since its construction 4 years ago; and why the mortuary's cold room is not functional?

(vi) Question No.076/2016 by the Member for Homa Bay Town (The Hon. Peter Kaluma, M.P.):

Considering that the population of Homa Bay County has increased exponentially to over one million people traversing an area of 3,154.7 km²; and further in view of the fact that this development continues to put great strain on the few medical facilities in the region thereby compromising the quality of healthcare, could the Cabinet Secretary inform Honourable Members on the timelines for elevating Homa Bay County Referral Hospital into a Level 5 Hospital?

II. Questions under the Departmental Committee on Administration and National Security

Questions to the Cabinet Secretary for Public Service, Youth and Gender Affairs

(i) Question No. 012/2016 by the Member for Ikolomani (The Hon. Bernard Shinali, M.P.):

Considering that rising incidences of insecurity in various parts of the country could be attributed to diminishing morale among Chiefs and Assistant Chiefs who have attained the requisite qualifications for promotion to the next job groups but have not been promoted following a circular by the Public Service Commission of Kenya (PSC) banning promotions. Could the Cabinet Secretary apprise Members on the reasons that precipitated the ban on promotions by the Public Service; confirm whether the ban on promotion of Clerks, drivers and support staff has been lifted yet Chiefs and Assistant Chiefs were excluded; and finally inform the Committee when Government intends to lift the ban on the promotion of Chiefs and Assistant Chiefs.

(ii) Question No. 013/2016 by the Member for Ugenya (The Hon. David Ochieng, M.P.):

Could the Cabinet Secretary provide the Committee with a list of the current Ministries and State Departments; stipulate the roles and functions of each State Department; provide the Executive Order(s) creating the State Departments with specific reference to the State Departments under the Ministry of Foreign Affairs and the Ministry of Labour & East

African Affairs; and give clarity on the relationship between the Head of Public Service on the one hand and the Cabinet Secretaries and the Principal Secretaries on the other?

(iii) Question No. 023/2016 by the Member for Rarieda (The Hon. (Eng.) Nicolas Gumbo, M.P.):

Considering that Article 232(1)(h) of the Constitution on Values And Principles of Public Service envisages a public service that has representation of Kenya's diverse communities and respect gender parity, could the Cabinet Secretary provide to the Committee a list of the names of all holders of the following offices who were appointed before and after March 2013; namely, all Chief Executive Officers (CEOs) and Members of the Boards of the respective parastatals, persons ranked Heads of Directorates and above in all Ministries, Departments and Agencies (MDAs), and Principal Secretaries; with the list indicating their respective gender, Counties of origin, dates on which they were appointed, together with information on when their terms of service are set to expire and clarify whether these appointments meets the requirement of the aforementioned Article of the Constitution?
