



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT - (THIRD SESSION)

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, DECEMBER 02, 2015

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **PRESIDING** – the Speaker
4. **MESSAGE ON THE NOMINATION OF CABINET SECRETARIES AND PRINCIPAL SECRETARIES**

The Speaker conveyed the following Message–

“Honourable Members,

Pursuant to Standing Order 42 of the National Assembly Standing Orders, I wish to convey a Message from His Excellency the President. The Message was submitted by way of a letter which was delivered to my office yesterday, the 1<sup>st</sup> of December, 2015 for presentation to the House in accordance with Article 152(2) and 155(3) of the Constitution.

Article 152(2) requires that, and I quote;

***“(2) The President shall nominate and, with the approval of the National Assembly, appoint Cabinet Secretaries.”***

Article 155(3) on the other hand states;

***“(3) The President shall—***

***(a) nominate a person for appointment as Principal Secretary from among persons recommended by the Public Service Commission; and***

***(b) with the approval of the National Assembly, appoint Principal Secretaries.”***

In the Message, His Excellency the President has nominated the following to serve as Cabinet Secretaries:-

<u>S/No</u>	<u>Name</u>	<u>Ministry</u>
(i)	Daniel KazunguMuzee	Mining
(ii)	Festus Mwangi Kiunjuri	Devolution and Planning
(iii)	Willy Kipkorir Bett	Agriculture
(iv)	Sicily Kanini Kariuki	Public Service, Youth and Gender Affairs
(v)	Charles Cheruiyot Keter	Energy and Petroleum
(vi)	Dr. Cleopa Kilonzo Mailu	Health
(vii)	Joseph Mucheru	Information, Communication and Technology

Hon. Members,

H.E. the President has further nominated the following as Principal Secretaries:-

<u>S/No.</u>	<u>Name</u>	<u>State Department</u>
(1)	Joe Okudo	Arts, Culture
(2)	Sammy Itemere	Broadcasting & Telecommunications
(3)	Micah Powon	Correctional Services
(4)	Amb. Peter K Kaberia	Defence
(5)	Betty Chemutai Maina	EAC Integration
(6)	Charles Sunkuli	Environment
(7)	Lilian Omollo	Youth and Public Service
(8)	Dr. Nicholas Muraguri	Health
(9)	Aidah Munano	Housing & Urban Development
(10)	Eng. Victor Kyalo	ICT & Innovation
(11)	Julius Korir	Industry & Enterprise Development
(12)	Dr. Chris Kiptoo	International Trade
(13)	Patrick Nduati Mwangi	Irrigation
(14)	Dr. Andrew K. Tuimur	Livestock
(15)	Nancy Karigithu	Maritime Commerce
(16)	Dr. Margaret Mwakima	Natural Resources
(17)	Andrew Kamau Nganga	Petroleum
(18)	Saitoti Torome	Planning & Statistics
(19)	Dr. Paul Maringa Mwangi	Public Works
(20)	Susan Mochache	Social Security & Services
(21)	Fatuma Hersi	Tourism
(22)	Wilson Nyakera Irungu	Transport
(23)	Dr. Dinah Jerotich Mwinzi	Vocational & Technical Training
(24)	Zeinab W Hussein	Gender Affairs

Hon. Members,

H.E. the President now seeks the approval of the National Assembly on the nominees for appointment to as Cabinet Secretaries. At the same time, Standing Order 45 requires that upon receipt of notification of nomination for appointments, such nominations shall stand committed to the relevant Departmental Committees for consideration. Consequently, the nominations for appointment to the positions of Principal Secretaries are hereby referred to the respective Departmental Committees as follows: -

S/No	Departmental Committee	Nominee
(1)	Finance, Planning & Trade	(i) Saitoti Torome
		(ii) Julius Korir
		(iii) Fatuma Hersi
		(iv) Dr. Chris Kiptoo
(2)	Energy, Information & Communication	(i) Sammy Itemere
		(ii) Eng. Victor Kyalo
		(iii) Andrew Kamau Ng'ang'a
(3)	Administration & National Security	Micah Powon
(4)	Environment & Natural Resources	(i) Charles Sunkuli
		(ii) Dr. Margaret Mwakima
(5)	Transport, Public Works & Housing	(i) Aidah Munano
		(ii) Dr. Paul Maringa Nganga
		(iii) Wilson Nakeralungu
		(iv) Nancy Karigithu
(6)	Defence & Foreign Relations	Amb. Peter K. Kaberia
(7)	Agriculture, Livestock & Cooperatives	(i) Dr. Andrew K. Tuimur
		(ii) Patrick Nduati Mwangi
(8)	Health	Dr. Nicholas Muraguri
(9)	Education Research Technology	Dr. Dinah Jerotich Mwinzi
(10)	Labour and Social Welfare	(i) Betty Chemutai Maina
		(i) Susan Muchache
		(ii) Joseph Okudo
		(iii) Zeinab W. Hussein

The Departmental Committees Administration & National Security and that on Labour and Social Welfare will jointly vet the proposed appointment of Ms. Lilian Omollo, as the state department on Youth and Public Service, for which she is nominated to, falls within the mandate of the two Committees.

Further, and pursuant to the provisions of Standing Order 204(4), the nomination on the seven (7) Cabinet Secretaries is hereby referred to the *Committee on Appointment*.

I have also directed the Clerk to publish and circulate, tomorrow, the list of the nominees, showing clearly the respective Committees which will vet each one of the nominees

Hon. Members, section 8 of the Public Appointments (Parliamentary Approval) Act requires that unless otherwise provide in law, a Committee shall consider a nomination and table a report for debate and decision in the House within fourteen (14) days from the date of notification. It is therefore imperative that each of the aforementioned Committees immediately seizes itself of the matter to enable speedy conclusion within the set timelines. For the avoidance of doubt, the Committees are expected to have concluded their deliberation and table the necessary reports by **December 14, 2015**. You will note that this is the time that the House ought to consider and make a decision on the nominees for appointment to the Ethics and Anti-Corruption Commission, being the 21<sup>st</sup> and last day following the conveyance of the names in the House.

Hon. Members,

From the foregoing, and aware that the House is scheduled to break for long recess tomorrow in accordance with the House Calendar, it is only prudent that the House be recalled from the recess for Special Sittings on or around December 16<sup>th</sup> to 18<sup>th</sup>, 2015. Notably, about 12 Committees will be involved in the vetting exercise. It therefore follows that, the approval process will also be considered by the House by way of various separate motions. To this end, it may not be possible to conclude with all the separate motions within the required timelines. I have therefore requested the Leader of the Majority Party to move a motion tomorrow for the extension of the time for consideration of the nominations pursuant to the provisions of section 13 of the Public Appointments (Parliamentary Approval) Act. This will allow the conclusion of the approval motions after the tabling of the reports when the House is recalled for the special sitting on or around December 16, 2015. For avoidance of doubt, the said section states:-

***“13(1) Despite the provisions of this Act or any other written law, where a time is prescribed for doing an act or taking a proceeding by the National Assembly relating to a public appointment, the National Assembly may, by resolution, extend that time by a period not exceeding fourteen days.”***

Hon. Members,

In this regard, I wish to guide the Committees and the House as follows:-

- (i) The Committees should immediately notify the nominees and the general public of the time and place of holding approval hearings in good time to ensure commencement of the necessary hearings in good time; and
- (ii) The Committees are expected to have concluded their reports to the House on or before December 15, 2015 to enable the House to consider the respective reports and the nominees immediately thereafter.

Finally Hon. Members, let me take this early opportunity to correct the impression made by the print and electronic media with regard to the vetting of the nominees for the position of Cabinet Secretaries and Principal Secretaries. Articles 152(5)(a) and 155(4) allows the President to re-assign a Cabinet Secretary or a Principal Secretary respectively. The interpretation of these provisions is that a person vetted and approved for appointment to the position of Cabinet Secretary or Principal Secretary may be reassigned within the same position by the President. Indeed, any appointment approved by the National Assembly would not require subsequent vetting if the reassignment is of the same nature and responsibility. Consequently, serving Cabinet and Principal Secretaries who have been moved to other Ministries or State Departments will be **NOT** require further approval of the House.

Thank you”.

## 5. PAPERS LAID

The following Papers were laid on the Table –

- (i) The Reports of the Committee on Regional Integration on its consideration of the -
  - a) Report of the Committee on General Purpose of the EALA on the EAC Estimates of Revenue and Expenditure for the Year 2015/2016;
  - b) The Report of the Committee on Accounts of the EALA on the On-Spot Assessment of the Internal Audit Systems of the Lake Victoria Basin Commission, Projects and Programmes;

- c) The Report of the Committee on Agriculture, Tourism and Natural Resources of the East African Legislative Assembly (EALA) on the On-Spot Assessment of the Lake Victoria Water Supply and Sanitation Programme in the Republics of Burundi, Rwanda and the United Republic of Tanzania;
- d) The Report of the Committee on General Purpose of the EALA on the EAC Annual Report for the 2012/2013 financial year;
- e) The Report of the Committee on Communication, Trade and Investments on the On-Spot Assessment on the EAC Single Customs Territory;
- f) The Report of the Committee on Legal, Rules and Privileges on Rules of Procedure of Committees of the Assembly and Code of Conduct for the Members of the Assembly;
- g) The Report of the Committee on Accounts of the audited accounts of the East Africa Community; and
- h) Bills passed by the EALA.

*(Chairperson, Committee on Regional Integration)*

- (ii) The Reports of the Departmental Committee on Labour and Social Welfare on the -
  - a) Petition by Mr. Caston Kamaru Kithinji on the delay in the payment of his retirement benefits;
  - b) Study visit to India on Administration of Foreign Employment and Management of Labour Migration; and
  - c) Study visit to Saudi Arabia on Administration of Foreign Employment and Management of Labour Migration.

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

#### 6. STATUS OF BUSINESS BEFORE COMMITTEES-

In accordance with the Speaker's Communication of October 14, 2015, the Chairpersons/Vice Chairpersons of the following Committees appraised the House on the status of the Business pending before their respective Committees -

- (i) Departmental Committee on Transport, Public Works & Housing –Vice-Chairperson;
- (ii) Budget and Appropriations Committee – Chairperson; and
- (iii) Catering and Health Club Services Committee – Vice-Chairperson.

#### 7. COMMITTEE OF THE WHOLE HOUSE

Order for Committee read;

#### IN THE COMMITTEE

The Fourth Chairperson in the Chair

#### The National Government Constituencies Development Fund Bill (National Assembly Bill No. 59 of 2015)

Clause 3 - amendment proposed -

**THAT**, Clause 3 of the Bill be amended—

(a) in paragraph (h) by deleting the words “deliberate on and resolve issues of concern to the people as provided for under Article 95(2) of the Constitution” and substituting therefor the words “exercise oversight over the performance of specified national

government functions at the constituency level as provided for under Article 95 of the Constitution.”

(b) by deleting paragraph (k);

(c) by inserting the following new paragraphs immediately after paragraph (l) —

“(m) provide a framework for citizens led development to assist the national government in planning and prioritizing the use of its resources;

(n) create a harmonious relationship between citizens and the national government and its officers in local development;

(o) provide a platform for citizen’s participation in service delivery; and

(p) build local accountability and transparency in the use of resources.”

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 3 - as amended agreed to

Clauses 4 & 5 - agreed to

Clause 6 - amendment proposed -

**THAT**, Clause 6 of the Bill be amended in sub clause (1) by deleting the words “with the concurrence of” and substituting therefor the words “with the approval of”

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 6 - as amended agreed to

Clause 7 - agreed to

Clause 8 - amendment proposed -

**THAT**, Clause 8 of the Bill be amended —

- (a) by deleting the words "and administration expenses" appearing in the marginal note;
- (b) by deleting sub clause (4);
- (c) by deleting sub clause (5);
- (d) by inserting the following new clauses immediately after clause 8—

Administration expenses.

**8A.**The project management committee shall set aside a sum not exceeding five per centum of the total allocation for the project to cater for the administration expenses of the project.

Books of accounts to be kept.

**8B.** The sums set aside under sections 8 and 9 shall be properly accounted for and proper books of accounts shall be kept and returns made to the Constituency Committee for that constituency on how the sum has been used.

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 8 - as amended agreed to

Clause 9 - agreed to

Clause 10 - amendment proposed -

**THAT**, Clause 10 of the Bill be amended—

- (a) in sub clause (1) by deleting the word "Board" and substituting therefor the word "National Treasury";
- (b) in sub clause (6) by deleting the words "Board Fund " and substituting therefor the word "Constituency";
- (c) in sub clause (7) by deleting the words " Fund " and substituting therefor the word "Constituency"

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 10 - as amended agreed to

Clause 11 - amendment proposed -

**THAT**, Clause 11 of the Bill be amended—

- (a) in sub clause(2) by deleting the word “three” and substituting therefor the word “two”;
- (b) in sub clause(3) by deleting the words “plus any two of the other three signatories” and substituting therefor the words “and any one of the other two signatories”.

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Amendment withdrawn.

Question put and agreed to;

Clause11 - agreed to

Clause 12 - agreed to

Clause 13 - amendment proposed -

**THAT**, Clause 13 of the Bill be amended in sub clause (1) —

- (a) by inserting the following new paragraphs immediately after paragraph (b) —
  - “(bb) the Attorney-General or a designated alternate not being below the level of Senior State Counsel;”
  - “(bc) the principal secretary in the Ministry responsible for matters relating to education or a designated alternate not being below the level of Director.”
- (b) by deleting paragraph (c) and substituting therefor the following new paragraph;
  - “ (c) seven other persons, three of whom shall be of the opposite gender and at least one shall be a person with disability, qualified in matters relating to finance, accounting, engineering, economics, community development, public affairs, project management, education, security or law appointed by the Cabinet Secretary with the approval of the National Assembly; and”

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising; Question put and agreed to;

Clause 13 - as amended agreed to



Clause 14 - amendment proposed -

**THAT**, Clause 14 of the Bill be amended by inserting the following new paragraphs immediately after paragraph (d) —

“(da) receive and address complaints that may arise from the implementation of the Act;

(db) encourage best practices in the implementation of projects”.

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 14 - as amended agreed to

Clauses 15 & 16 - agreed to

Clause 17 - amendment proposed -

**THAT**, Clause 17 of the Bill be amended—

(a) in sub clause (1)—

(i) by deleting the words “including a contravention of Chapter Six” appearing immediately after the word “law” in paragraph (a);

(ii) by inserting the following new paragraph immediately after paragraph “e” —

“(f) engaging in active politics”.

(b) by deleting sub clause (4) and substituting therefor the following new sub clause—

“(4) The National Assembly Committee shall, upon receiving a petition under subsection (2), consider the petition and may recommend that the member be suspended pending the outcome of the complaint”

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 17 - as amended agreed to

Clause 18 - amendment proposed -

**THAT**, Clause 18 of the Bill be amended—

(a) in sub clause (2) —

(i) by deleting the word “five” appearing in paragraph (b) and substituting therefor the word “ten”;

(ii) by inserting the following new paragraph immediately after paragraph (b) —

“(c) has served in a senior management position for a minimum period of five years”

(b) in sub clause (4) by deleting the words “on such terms and conditions of service as shall be specified in the instrument of appointment” and substituting therefor the words “ for a period of three years renewable once.”

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 18 - as amended agreed to

Clause 19 - agreed to

Clause 20 - amendment proposed -

**THAT**, Clause 20 of the Bill be amended by inserting the following new sub clause immediately after sub clause (2) —

(2A) The Constituency Committee shall participate in the annual appraisal of the officer of the Board seconded to the constituency based on criteria developed by the Board”.

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 20 - as amended agreed to

Clause 21 - amendment proposed -

**THAT**, Clause 21 of the Bill be amended in sub clause (1) by inserting the words “the Cabinet Secretary with the concurrence of” immediately after the words “approved by”.

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 21 - as amended agreed to

Clause 22 - amendment proposed -

**THAT** clause 22 of the Bill be amended by inserting the following new paragraph immediately after paragraph (b)—

“(c) include any other project undertaken pursuant to Article 187 of the Constitution.”

*(Hon. Irungu Kang’ata)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 22 - as amended agreed to

Clause 23 - amendment proposed -

**THAT** clause 23 of the Bill be amended by inserting the following new sub clause immediately after sub clause (10)—

“(10A) At least five per centum of the Total annual allocation for the constituency shall be allocated for projects for the benefit of persons with disabilities.”

*(Hon. Isaac Mwaura)*

Question of the amendment proposed;

Debate arising;

Question put and negatived;

Clause 23 - agreed to

Clause 24 - amendment proposed -

**THAT** clause 24 of the Bill be amended by deleting sub clause (1)—

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 24 - as amended agreed to

Clause 25 - amendment proposed -

**THAT**, Clause 25 of the Bill be amended in sub clause (3) by deleting the words “the chairman of the Constituency Committee to the Board after approval by the Constituency Committee for that constituency” and substituting therefor the words “Constituency Committee to the Board”.

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 25 - as amended agreed to

Clause 26 - amendment proposed -

**THAT**, Clause 26 of the Bill be amended in sub clause (2) by deleting the words “the chairman of the Constituency Development Fund” and substituting therefor the word “Constituency”

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 26 - as amended agreed to

Clauses 27, 28, 29, 30, 31,32 & 33 - agreed to

Clause 34 - amendment proposed -

**THAT**, Clause 34 of the Bill be amended in sub clause (1) by deleting the words “in each case” and sub substituting therefor the words “appointed in accordance with the regulations made under section 53.”

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed –

**THAT** clause 34 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (1)—

“(1A) No project shall commence without public presentation of the project’s cheque to the project management committee by any member of the Constituency Committee in the presence of the member representing the constituency in the National Assembly”.

“(1B) The tenure of members of the project management committees shall terminate at the end of every project”.

*(Hon. Irungu Kang’ata)*

Question of the amendment proposed;

Debate arising;

Question put and negatived;

Clause 34 - as amended agreed to

Clauses 35, 36, 37, 38, 39 and 40 - agreed to

Clause 41 - amendment proposed –

**THAT**, Clause 41 of the Bill be amended-

- (a) in sub clause (2) by deleting the words “at the constituency as may be designated by the Cabinet Secretary or an alternate;” appearing in paragraph (a) and substituting therefor the words “responsible for coordination of national government functions.”;

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

- (b) by inserting the following new sub clause immediately after sub clause (6).

(6A) The members of the Constituency Committee shall at the first meeting elect a chairperson from among the persons appointed under paragraphs (b), (c), (d), (e) and (g).

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Proposed amendment withdrawn;

(c) in sub clause (8) by deleting the words “irrespective of a term of Parliament”

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 41 - as amended agreed to

Clause 42 - amendment proposed -

**THAT**, Clause 42 of the Bill be amended in sub clause (1) by —

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

“Dissolution of Constituency Committee”

(b) deleting paragraph (c);

(c) deleting paragraph (d)

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed -

**THAT** clause 42 of the Bill be amended by deleting the word “Board” wherever it appears and substituting therefor the words “National Assembly”;

*(Hon. Irungu Kang'ata)*

Question of the amendment proposed;

Debate arising;

Question put and negatived;

Clause 42 - as amended agreed to

Clauses 43 and 44 - agreed to

Clause 45 - amendment proposed -

**THAT**, Clause 45 of the Bill be amended —

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

“Projects involving personal awards to be excluded”

(b) by deleting sub clause (2);

(c) by inserting the following new clause immediately after clause 45.

Social security programmes etc to be considered as development projects.	45A. The funding of social security programmes, education bursary schemes, mock examinations and continuous assessment tests shall be considered as development projects for the purposes of the Act provided that such projects shall not be allocated more than thirty five per centum of the total funds allocated for the constituency in any financial year.
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*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 45 - as amended agreed to

Clauses 46, 47, 48, 49, 50 and 51 - agreed to

Clause 52 - amendment proposed -

**THAT**, Clause 52 of the Bill be amended in sub clause (4) by deleting the words “the Cabinet secretary may appoint an arbitrator whose costs shall be jointly borne by the parties” and substituting therefor the words “any of the parties may apply to the Cabinet Secretary to reconsider the Board’s decision and determine the matter”.

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 52 - as amended agreed to

Clause 53 - amendment proposed -

**THAT**, Clause 53 of the Bill be amended in sub clause (3) by inserting the following new paragraph immediately after paragraph (a) —

“(aa) the procedure for appointment and removal of members of the project management committees”.

*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed -

**THAT** clause 53 of the Bill be amended in sub-clause (3) by inserting the following new paragraph immediately after paragraph (a)—

“(aa) the manner of appointment, qualification and grounds for dismissal of members of the project management committees.”

*(Chairperson, Constituencies Development Committee)*

Question of the further amendment proposed;

Debate arising;

Proposed amendments withdrawn.

Clause 53 - as amended agreed to

Clause 54 - agreed to

NEW CLAUSE

New Clause 49A - amendment proposed -

**THAT**, the Bill be amended by inserting the following new clause immediately after clause 49.

Citizens  
Projects  
Oversight  
Committees

**49A.** (1) There is established a constituency Oversight Committee for projects undertaken under this Act.

(2) The constituency Oversight Committee shall be comprised of the constituency member of the National Assembly and not more than four other members, appointed by the Member of National Assembly for the constituency in consultation with other stakeholders.

(3) The constituency Member of National Assembly shall, in consultation with the constituency oversight committee at least twice in every financial year, and upon giving notice of at least fourteen days, convene public forums for purposes of—



- (a) mobilizing and sensitizing the respective target groups on any matter related to the Fund; and
  - (b) soliciting views, opinions and proposals from the public in regard to the Fund and presenting the views and opinions to the National Assembly;
- (4) The public may in the public forums above -
- (a) make recommendations to the Constituency Committee for the better implementation of projects undertaken under the Act;
  - (b) witness the commissioning of projects and issuance of cheques and other disbursements by the Constituency Committee; and
  - (c) express their views on the implementation of the Fund;
- (5) A member of the constituency oversight committee may attend meetings of constituency committee or its sub-committees, to ensure fair distribution of the fund.  
*(Chairperson, Constituencies Development Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

New Clause 49A - as amended agreed to

Clause 2 - amendment proposed -

**THAT** clause 2 of the Bill be amended by deleting the definition of "project management committee" and substituting therefor the following new definition—

"project management committee" means a committee appointed by the Constituency Committee to implement a project;

*(Hon. Irungu Kang'ata)*

Question of the amendment proposed;

Debate arising;

Question put and negatived;

Clause 2 - agreed to

First Schedule - agreed to

Second Schedule - agreed to

Third Schedule - agreed to

Fourth Schedule - agreed to

Title - agreed to

Bill to be reported with amendments;

8. **HOUSE RESUMED** - the Fourth Chairperson in the Chair

**The National Government Constituencies Development Fund Bill (National Assembly Bill No. 59 of 2015)**

Bill reported with amendments;

Motion made and Question proposed-

THAT, the House do agree with the Committee in the said report

*(Chairperson, Constituencies Development Committee)*

Question put and agreed to;

Motion made and Question proposed –

THAT, the National Government Constituencies Development Fund Bill (National Assembly Bill No. 59 of 2015) be now read a Third Time

*(Chairperson, Constituencies Development Committee)*

Question put and agreed to

Bill read a Third Time and **passed.**

And the time being thirty minutes past Six O'clock, the Fourth Chairperson adjourned the House without Question put pursuant to the Standing Orders.

9. **HOUSE ROSE** - at thirty minutes past Six O'clock

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**M E M O R A N D U M**

The Speaker will take the Chair on  
Thursday, December 03, 2015 at 9.30 a.m.

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