



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, AUGUST 03, 2016 AT 9.30 A.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 – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE FOREST CONSERVATION AND MANAGEMENT BILL (NATIONAL ASSEMBLY BILL NO. 49 OF 2015)

(The Leader of Majority Party)

THAT, the House do agree with the Report of the Committee of the Whole House on its consideration of Senate amendments to the Forest Conservation and Management Bill (National Assembly Bill No. 49 of 2015).

(Question to be put)

9*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE NATURAL RESOURCES (CLASSES OF TRANSACTIONS SUBJECT TO RATIFICATION) BILL (NATIONAL ASSEMBLY BILL NO. 54 OF 2015).

(The Leader of Majority Party)

THAT, the House do agree with the Report of the Committee of the Whole House on its consideration of Senate amendments to the Natural Resources (Classes of Transactions Subject to Ratification) Bill (National Assembly Bill No. 54 of 2015).

(Question to be put)

10*. 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.

(Question to be put)

11*. 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.)

12*. MOTION – PROVISION OF WATER TO PUBLIC FACILITIES

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

THAT, aware that water is one of the most basic human needs; concerned about children in primary schools, especially, those that do not have access to clean tapped water; also aware that the Government is already providing electricity and food to these schools; deeply concerned that lack of water leads to a host of hygiene-related problems including jigger infestation, cholera and others, this House **resolves** that the Government formulates a financial framework for and provides tapped water to all public facilities, especially primary schools, as water is life.

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

13*. MOTION – DEPLOYMENT OF CHAPLAINS TO LEARNING INSTITUTIONS

(The Hon. Geoffrey Odanga, M.P.)

THAT, aware that cases of unbecoming conduct among young people has been on the rise as exemplified by runaway drug abuse and addiction, drunkenness, sexual orgies and general irresponsibility; and deeply concerned that these incidents of loose morals have been worsened in the recent past by emerging radicalization of the youth leading to

...../13*. (cont'd)

inclination towards terrorism and lawlessness, this House **urges** the National Government to consider deploying chaplains to all secondary schools and tertiary institutions in order to instill desired morals, social virtues, national values and a sense of responsibility, to address and root out moral decadence at an early age, and to supplement the work of guidance and counseling departments operating in these institutions.

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

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

THAT, aware that the Kenya Police Medical Examination (P3) form is a legal document that is produced in a court of law as evidence in cases which involve body injury; noting that victims are required to have the P3 form completed by a certified public medical officer; further aware that the victims are charged a fee for this service by the hospitals attending to this particular service; concerned that most citizens are financially challenged hence the medical fee charged by the hospitals, is in contravention of Article 48 of the Constitution on access to justice; deeply concerned that if the situation is left unchecked, it may lead to continued abuse of the poor, delayed justice and possible incidents of unrest; this House **urges** the Government to ensure that completion of P3 forms is offered free of charge at all public healthcare facilities.

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

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

Second Reading

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

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

Second Reading

*** Denotes Orders of the Day**

...../Notices

N O T I C E S

I. THE KENYA NATIONAL EXAMINATION COUNCIL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2016)

Notice is given that the Chairperson of the Departmental Committee on Education, Research and Technology, Hon. Sabina Chege, M.P., intends to move the following amendments to the Kenya National Examinations Council (Amendment) Bill, 2015 at the Committee Stage—

CLAUSE 2

THAT the Bill be amended by deleting clause 2 and substituting therefor the following new clause—

(2) The Kenya National Examinations Council Act is amended by inserting the following new section immediately after section 10—

Ranking
of
institutions of basic
education.

10A. (1) The Cabinet Secretary shall, in every academic year, rank institutions of basic education that offer primary education or secondary education based on—

- (a) academic performance in national examinations; and
- (b) performance in co-curricular activities.

(2) For purposes of ranking under subsection (1) —

- (a) the Kenya National Examinations Council shall submit to the Cabinet Secretary, data regarding the academic performance, in national examinations, of institutions of basic education that offer primary or secondary education; and
- (b) every County Director of Education shall submit the data regarding the performance, in co-curricular activities, of institutions of basic education that offer primary or secondary education to the Director-General for transmission to the Cabinet Secretary.

No. 12 of 2013

(3) The Cabinet Secretary shall, as soon as practicable after the receipt of the data referred under subsection (2), announce and publish the results and ranks of institutions as prescribed in subsection(1).

(4) The Cabinet Secretary may make rules for the purpose of ranking of institutions of basic education that offer primary or secondary education.

(5) Without prejudice to the generality of subsection (4) the Cabinet Secretary may provide for—

- (a) the form and method of categorization of institutions of basic education that offer primary or secondary education for ranking purposes;
- (b) the announcement and publication, of the results in national examinations and co-curricular activities, of institutions of basic education that offer primary or secondary education and their ranking;
- (c) the criteria to be used in ranking;
- (d) submission and management of data under subsection (3); and
- (e) any other matter that requires to be prescribed under this section.

(6) In this section, the words—

- (a) “County Director of Education”; and
- (b) “Director General”

have the respective meanings assigned to them under the Basic Education Act;

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

- II. THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on **Bills NOT sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** be limited as follows:- A maximum of three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of 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; 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 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.
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...../Notice Paper

NOTICE PAPER

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. COMMITTEE OF THE WHOLE HOUSE

- (i) The Controller of Budget Bill (National Assembly Bill No.21 of 2015)
(The Leader of the Majority Party)
- (ii) The Miscellaneous Fees and Levies Bill (National Assembly Bill No. 30 of 2015)
(The Leader of the Majority Party)

**B. MOTION -APPROVAL OF THE MEDIATED VERSION OF THE
LAND LAWS (AMENDMENT) BILL, 2015**
(The Vice-Chairperson, Mediation Committee)

**C. MOTION - APPROVAL OF THE MEDIATED VERSION OF THE
COMMUNITY LAND BILL, 2015**
(The Vice-Chairperson, Mediation Committee)

**D. 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
(Resumption of debate interrupted on Tuesday, August 02, 2016)

E. THE BRIBERY BILL (NATIONAL ASSEMBLY BILL NO. 16 OF 2016)
(The Leader of the Majority Party)

Second Reading

**F. THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (SENATE
BILL NO. 24 OF 2014)**
(The Chairperson, Departmental Committee on Labour and Social Welfare)

Second Reading

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

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

Second Reading

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

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

Second Reading



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, AUGUST 03, 2016 AT 2.30 P.M

ORDER OF BUSINESS

PRAYERS

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

8*. COMMITTEE OF THE WHOLE HOUSE

- (i) The Controller of Budget Bill (National Assembly Bill No.21 of 2015)
(The Leader of the Majority Party)
- (ii) The Miscellaneous Fees and Levies Bill (National Assembly Bill No. 30 of 2015)
(The Leader of the Majority Party)

9*. MOTION - APPROVAL OF THE MEDIATED VERSION OF THE LAND LAWS (AMENDMENT) BILL, 2015
(The Vice-Chairperson, Mediation Committee)

THAT, pursuant to the provisions of Article 113 (2) of the Constitution and Standing Order 150, this House adopts the Report of the Mediation Committee on the Consideration of the Land Laws (Amendment) Bill (National Assembly Bill No. 55 of 2015), laid on the Table of the House on Thursday, 28th July 2016, and **approves** the Mediated Version of the Land Laws (Amendment) Bill (National Assembly Bill No. 55 of 2015).

10*. MOTION - APPROVAL OF THE MEDIATED VERSION OF THE COMMUNITY LAND BILL, 2015
(The Vice-Chairperson, Mediation Committee)

THAT, pursuant to the provisions of Article 113 (2) of the Constitution and Standing Order 150, this House adopts the Report of the Mediation Committee on the

Consideration of the Community Land Bill (National Assembly Bill No. 45 of 2015), laid on the Table of the House on Thursday, 28th July 2016, and **approves** the Mediated Version of the Community Land Bill (National Assembly Bill No. 45 of 2015).

11*. 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

(Resumption of debate interrupted on Tuesday, August 02, 2016)

12*. THE BRIBERY BILL (NATIONAL ASSEMBLY BILL NO. 16 OF 2016)

(The Leader of the Majority Party)

Second Reading

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

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

Second Reading

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

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

Second Reading

15*. 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

I. THE CONTROLLER OF BUDGET BILL (NATIONAL ASSEMBLY BILL NO.21 OF 2015)

Notice is given that Hon. Benjamin Langat, Chairperson of the Departmental Committee on Finance, Planning and Trade intends to move the following amendments to the Controller of Budget Bill, 2015 at the Committee Stage-

CLAUSE 3

THAT the Bill be amended by deleting clause 3 and substituting therefor with the following new clause 3 –

- | | | |
|--|-----------------|--|
| Qualification
appointment
Controller
Budget | for
as
of | 3 (1) A person shall be qualified for appointment as the Controller of Budget if such person- <ul style="list-style-type: none"> (a) is a citizen of Kenya; (b) holds the qualification for the office specified in Article 228 of the Constitution; (c) holds a degree in finance, accounting or economics from a university recognized in Kenya; and (d) meets the requirements of Chapter Six of the Constitution. |
| | | (2) A person shall not be qualified for appointment under subsection (1) if the person – <ul style="list-style-type: none"> (a) is a member of Parliament; (b) is a member of a county assembly; (c) has not met his or her tax obligations; (d) has been removed from office for contravening the Constitution or any other law; or (e) is an undischarged bankrupt. |

NEW CLAUSE

THAT the following new clause be inserted immediately after clause 3 –

- | | | |
|--|----------------------------|--|
| Vacancy
procedure
appointment
Controller
Budget. | and
for
of the
of | 3A. (1) The office of the Controller of Budget shall become vacant if the Controller of Budget – <ul style="list-style-type: none"> (a) resigns in writing by a notice addressed to the President; (b) is removed from office under the provisions of Article 251 or Chapter six of the Constitution; or (c) dies. |
|--|----------------------------|--|

(2) Where a vacancy occurs under subsection (1), the Public Service Commission shall within seven days by notice in the *Gazette*, at least two newspapers of national circulation and at least two television and radio stations declare the office vacant and invite applications.

(3) An application under subsection (2) shall be forwarded to the Public Service Commission within fourteen days by a qualified person.

(4) The names of all applicants under subsection (3) shall be published in the *Gazette*.

(5) The Public Service Commission shall within seven days of expiry of the period prescribed under subsection (3) convene a committee for the purpose of considering the applications and shortlisting three persons for appointment as Controller of Budget.

(6) The Committee under subsection (5) shall consist of the following persons –

- (a) a representative from the Office of the President;
- (b) a representative from the Ministry for the time being responsible for matters relating to finance;
- (c) a representative from the Office of the Attorney-General; and
- (d) a representative from the Ministry for the time being responsible for matters relating to the public service.

(7) The Committee shall hold its proceedings in public and submit to Parliament a report of the interview proceedings including the scores awarded to each candidate by each member of the committee and the criteria used in selecting the three shortlisted candidates.

(8) The Public Service Commission shall within seven days of the shortlisting of candidates under subsection (5), forward the names to the President.

(9) The President shall within seven days of receipt of the names under subsection (8), nominate one candidate for appointment as the Controller of Budget and forward the name to the National Assembly.

(10) Where the National Assembly –

- (a) approves the nominee, the Speaker of the National Assembly shall within three days of the approval, forward the name of the nominee to the President for approval.
- (b) rejects the nominee, the Speaker of the National Assembly shall within three days of the rejection, communicate the decision to the President who shall submit a fresh nominee from amongst the candidates forwarded by the Public Service Commission.

(11) If the National Assembly rejects all or any subsequent nominee under subsection (10), the provision of subsection (1) to (9) shall apply with the necessary modifications.

(12) The President shall within seven days of receipt of the name under subsection (10) (a), by notice in the *Gazette* appoint the Controller of Budget.

(13) For the avoidance of doubt, the Public Service Commission shall only provide secretariat services for the committee convened under subsection (5).

(14) Despite the foregoing provisions, the President may by notice in the *Gazette* extend the period specified in respect of any matter under this section by a period not exceeding twenty one days.

NEW CLAUSES

THAT the following new clauses be inserted immediately after clause 4 –

Deputy- Controller
of Budget.

4A. (1) Pursuant to Article 252(1)(c) of the Constitution, there shall be a Deputy Controller of Budget who shall be recruited through a competitive process and appointed by the Controller of Budget.

(2) A person shall be qualified for appointment as the Deputy-Controller of Budget if such person-

- (a) is a citizen of Kenya;
- (b) holds the qualification for the office specified in Article 228 of the Constitution;
- (c) holds a degree in finance, accounting or economics from a university recognized in Kenya; and
- (d) meets the requirements of Chapter Six of the Constitution.

(3) A person shall not be qualified for appointment under subsection (1) if the person –

- (a) is a member of Parliament;
- (b) is a member of a county assembly;
- (c) has not met his or her tax obligations;
- (d) has been removed from office for contravening the Constitution or any other law; or
- (e) is an undischarged bankrupt.

(4) The Deputy-Controller of Budget shall deputize the Controller of Budget and perform such duties and exercise such other powers as the Controller of Budget may delegate to him or her.

(5) In the performance of his or her duties, the Deputy Controller of Budget shall report to the Controller of Budget.

4B.(1) Where –

- (a) the office of the Controller of Budget becomes vacant;
- (b) the Controller of Budget has been suspended in accordance with the Constitution;
- (c) the appointment of a person as Controller of Budget is pending; or
- (d) the Controller of Budget is, for any reason unable to perform the functions of his or her office,

then, until a person is appointed to and has assumed the functions of that office in accordance with section 3, or until the Controller of Budget has resumed the performance of those functions, the Public Service Commission shall recommend the most senior officer in the office of the Controller of Budget to the President for designation as the acting Controller of Budget.

(2) A person designated under subsection (1) shall meet the minimum qualifications for appointment to the office of the Controller of Budget and shall serve for a period of not more than ninety days.

(3) When acting in terms of subsection (1), the acting Controller of Budget shall have all the powers of the Controller of Budget.

CLAUSE 6

THAT clause 6 of the Bill be amended –

- (a) by inserting the following new subclause immediately after subclause (1) –
“(1A) The reports submitted under subsection (1) shall provide information relating to-
 - (a) the approved budget;
 - (b) the total funds released by programmes;
 - (c) the absorptive capacity of funds by projects; and
 - (d) reasons of the decline if any”;
- (b) by inserting the following new subclause after subclause (2) –
“(3) For the avoidance of doubt, the reports submitted under subsection (1) shall not include reports on recent economic developments and outlook, including revenue, grants and loans forecasts and receipts”.

CLAUSE 9

THAT clause 9 of the Bill be amended -

- (a) in subclause (1) by deleting the words “in consultation with the Public Service Commission”; and
- (b) by deleting subclause (3);
- (c) inserting the following new clause immediately after clause 9 –

NEW CLAUSE

THAT the following new clause be inserted immediately after clause 9 -

Secondment.

9A. (1) In addition to the staff recruited by the Controller of Budget under Article 252 (1)(c) of the Constitution and section 9 of this Act, any public entity may, upon request by the Controller of Budget, second to his or her office such number of public officers as may be necessary for the purposes of carrying out the functions of this office.

(2) A public officer seconded under subsection (1) shall, during the period of secondment, be deemed to be an officer of the Controller of Budget and shall be subject only to the direction and control of the Controller of Budget.

(3) For purposes of this Act, a public officer who is seconded to the Office of the Controller of Budget under this section, shall be deemed to be an employee of the Controller of Budget and shall enjoy the same benefits as an employee recruited directly by the Controller of Budget under this Act.

(4) The Controller of Budget may upon request by a public entity second an officer for an agreed period, for purposes of capacity building of the institution.

(5) A public officer seconded by the Controller of Budget under subsection (4) above, shall be deemed to be an officer of that institution and shall be subject only to the direction and control of that institution”.

CLAUSE 16

THAT clause 16 of the Bill be amended in subclause (2) by inserting the word “audited” immediately before the word “financial” in paragraph (a).

NEW CLAUSES

THAT the following new clauses be inserted immediately after clause 19 –

Offences by
officers of the
office of the
Controller of
Budget.

19A. (1) Any officer of the Office of the Controller of Budget commits an offence if that officer—

- (a) engages in a corrupt act;
- (b) knowingly and willfully conceals information on the Controller of Budget’s findings for whatever reason, including in order to obtain a financial benefit for the officer or an accomplice or another person;
- (c) knowingly and willfully fails to disclose information on fraud or corrupt practice by a State Organ or public entity;
- (d) fails to disclose any conflict of interest in any matter under consideration in the course of discharging any functions under this Act; or
- (e) knowingly and willfully discloses, publishes or publicizes the Controller of Budgets’ report or its contents to third parties including the media before the report is finalized and formally submitted to Parliament or a county assembly and copied to the entity that is subject of the report.

(2) Any officer of the Office of the Controller of Budget who commits an offence under subsection (1) shall be liable on conviction to a fine not exceeding ten million shillings or to imprisonment for a term not exceeding five years, or to both.

General penalty.

19B. Except as otherwise provided for under this Act, a person who is convicted of an offence under this Act for which no other punishment is provided, such person shall be liable to a fine not exceeding two million shillings or to a term of imprisonment not exceeding one year or, to both.

CLAUSE 22

THAT clause 22 of the Bill be deleted and substituted with the following new clause -.

Repeal of No. 8 of 2011. **22.** The Independent Offices (Appointment) Act is repealed.

Notice is given that the Member for Makadara (Hon. Benson Mutura), intends to move the following amendments to the Controller of Budget Bill, 2015 at the Committee Stage—

CLAUSE 4

THAT, clause 4 of the Bill be amended in subclause (1) by inserting the following paragraph immediately after paragraph (c)—

“(ca) by enforcing budgetary ceilings prescribed by Parliament on national and county government expenditure;”

CLAUSE 6

THAT, the clause 6 of the Bill be amended in subclause (2) by—

(a) inserting the following paragraphs immediately after paragraph (c)—

“(d) information on—

- (i) unauthorised withdrawals made from the Consolidated Fund, a county Revenue Fund or the Equalization Fund; and
- (ii) the level of compliance by the national and county governments in submitting copies of budget estimates or the County Fiscal Strategy paper within the required timelines.”

(b) deleting subclause (5) and substituting therefor the following new subclause—

“(5) The Controller of Budget shall—

- (a) publish and publicise the reports referred to in this section not later than fourteen days after the reports are submitted to Parliament; and
- (b) make the information in the reports available on a website.”

CLAUSE 7

THAT, clause 7 of the Bill be deleted and replaced with the following new clause—

Special reports.

7. (1) The Controller of Budget shall prepare and submit the following special reports as provided for in the Constitution—

- (a) in accordance with Article 225 (7), a report to Parliament on funds withheld by the Cabinet Secretary giving a detailed account as to why the withholding should be continued or withdrawn;
- (b) pursuant to any investigations conducted under Article 252 (1) (a), a report to Parliament, the national executive, county assemblies or county executives, or any other state agency as may be appropriate, on any matters that have come to the attention of the Controller of Budget relating to the performance of his or her functions;
- (c) pursuant to Article 254 (2), and upon request by the President, National Assembly or the Senate, a report on a particular issue;
- (d) a report on any issue as may be requested by a Governor or a county assembly.

(2) A report submitted by the Controller of Budget under subsection (1) shall, where appropriate, include in its recommendations the criminal prosecution of persons responsible for violation of the law relating to public finance management.

II. THE MISCELLANEOUS FEES AND LEVIES BILL **(NATIONAL ASSEMBLY BILL NO. 30 OF 2015)**

1. Notice is given that the Chairperson of the Committee on Finance, Planning and Trade intends to move the following amendments to the Miscellaneous Fees and Levies Bill, 2015 at the Committee Stage—

CLAUSE 7

THAT clause 7 of the Bill be amended –

- (a) in sub-clause (3) by deleting the word “duty” and substituting therefor the words “declaration fee” in paragraph (a); and
- (b) by inserting the following new sub-clauses immediately after sub-clause (5) –

“(6) Out of the fee collected under subsection (2), ten percent shall be paid into a Fund established and managed in accordance with the Public Finance Management Act, 2012.

(7) The monies in the Fund under subsection (6) shall be used for the payment of Kenya’s contributions to the African Union and to any other international organisation to which Kenya has a financial obligation”.

FIRST SCHEDULE

That the first schedule be amended by deleting Tariff Numbers 4105.10.00, 4105.30.00, 4106.21.00, 4106.22.00, 4106.31.00, 4106.32.00, 4106.40.00, 4106.91.00, 4104.11.00, 4104.41.00, 4104.49.00, 4106.92.00, 7404.00.00, 7503.00.00 and 7602.00.00 and their corresponding descriptions and export levy rates.

2. **Notice is given that Hon. Jude Jomo, MP, Kiambu Town Constituency intends to move the following amendment to the Miscellaneous Fees and Levies Bill 2015 (National Assembly Bills No. 30) at the Committee Stage—**

SECOND SCHEDULE

THAT the Second Schedule be amended—

- (a) in Part A by inserting the following new sub-paragraph immediately after sub-paragraph (xx) —
- (xi) raw materials for direct and exclusive use in construction by developers or investors in industrial parks of one hundred acres or more located outside the municipalities of Nairobi and Mombasa as approved by the Cabinet Secretary for the National Treasury upon recommendation by the Cabinet Secretary responsible for matters relating to industrialization.
- (b) in Part B by inserting the following new sub-paragraph immediately after sub-paragraph (iv) —
- (v) for use in construction by developers or investors.

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

- 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, 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), each speech in a debate on **Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** shall 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.
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...../ *Notice Paper I*

NOTICE PAPER I

Tentative business for

Thursday, August 04, 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 Thursday, August 04, 2016:-

- A. **MOTION –FORMATION OF SELECT COMMITTEE TO INQUIRE INTO THE BETTING AND GAMBLING INDUSTRY IN KENYA**
(The Deputy Leader of Minority Party)
- B. **MOTION – CONSIDERATION OF THE SENATE AMENDMENTS TO THE FISHERIES MANAGEMENT AND DEVELOPMENT BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2014)**
(The Chairperson, Departmental Committee on Agriculture, Livestock and Cooperatives)
- C. **MOTION – CONSIDERATION OF THE SENATE AMENDMENTS TO PETROLEUM (EXPLORATION, DEVELOPMENT AND PRODUCTION) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2015)**
(The Chairperson, Departmental Committee on Energy, Communication and Information)
- D. **COMMITTEE OF THE WHOLE HOUSE**
- (i) Consideration of the Senate amendments to the Fisheries Management and Development Bill (National Assembly Bill No. 20 of 2014)
(The Leader of the Majority Party)
- (ii) Consideration of the Senate amendments to Petroleum (Exploration, Development and Production) Bill (National Assembly Bill No. 44 of 2015)
(The Leader of the Majority Party)
- E. **MOTION - THE REPORT OF THE PUBLIC INVESTMENTS COMMITTEE ON THE INQUIRY INTO ALLEGATIONS OF FRAUD AND FINANCIAL MISMANAGEMENT AT THE DEVELOPMENT FUND LAID ON THE TABLE OF THE HOUSE ON WEDNESDAY, MAY 4, 2016.**
(The Chairperson, Public Investment Committee)
- F. **THE CIVIL AVIATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2016)**
(The Leader of the Majority Party)

Second Reading

G. THE UNIVERSITIES (AMENDMENT) BILL (SENATE BILL NO. 31 OF 2014).

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

Second Reading

H. MOTION - THE TWENTIETH REPORT OF THE PUBLIC INVESTMENTS COMMITTEE ON THE ACCOUNTS OF STATE CORPORATIONS, LAID ON THE TABLE OF THE HOUSE ON THURSDAY DECEMBER 3, 2015.

(The Chairperson, Public Investment Committee)

I. MOTION -APPROVAL OF THE MEDIATED VERSION OF THE WATER BILL, 2015

(The Vice-Chairperson, Mediation Committee)

J. 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)

K. 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)

L. 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)

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

(The Leader of the Majority Party)

Second Reading

NOTICE PAPER II

Status of Business before Committees

Thursday August 04, 2016

In accordance with the Speaker's Communication of Wednesday, October 14, 2015, it is notified that, during the Sitting of *Thursday, August 04, 2016*, the Chairpersons of the following Departmental Committees will be called upon to apprise the House on the Status of the Business pending before their respective Committees:-

A. Departmental Committee on Energy, Communication and Information

B. Departmental Committee on Environment and Natural Resources

.....*Appendix*

APPENDIX

PETITIONS to be presented on

Wednesday (Afternoon), August 03, 2016

It is notified that, pursuant to Standing Orders 225, the following Petitions will be presented to the House **today, Wednesday (Afternoon), August 03, 2016:-**

NO.	PETITION TO BE PRESENTED BY	SUBJECT	PETITIONER(S)
001	The Member for Ikolomani (The Hon. Bernard Shinali, M.P.), <i>Pursuant to Standing Order 225(2)(a)</i>	Delayed rehabilitation of Kakamega Airstrip	Residents of Kakamega County
002	The Hon. Speaker of the National Assembly, <i>Pursuant to Standing Order 225(2)(a)</i>	Enactment of legislation to confine the National and County Treasuries in Kenya to exclusive use of financial instruments that do not engage in usury	Mr. David Gesicho