



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – THIRD SESSION

NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, MARCH 03, 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 FROM H.E. THE PRESIDENT

The Speaker conveyed the following message from H.E. the President-

"Honourable Members, pursuant to Standing Order No. 42, I wish to convey the following Message from His Excellency the President-

The Message was submitted by way of a letter dated February 23, 2015, addressed to my office for submission to the House. In the Message, H.E. the President conveys that, in exercise of powers conferred on him by Article 132(2) (e) of the Constitution of Kenya, he nominates **Maj. Gen. Lucas K. Tumbo for appointment as Ambassador to Somalia.**

Article 132 (2) (e) of the Constitution of Kenya 2010 provides that-

"The President shall nominate and, with the approval of the National Assembly, appoint and may dismiss....(e) high commissioners, ambassadors and diplomatic and consular representatives"

His Excellency the President therefore seeks the approval of this House on the nominee for appointment to the aforementioned position.

Standing Order 45 requires that, upon receipt of notification of nomination for appointments, such nomination shall stand committed to the relevant Departmental Committee of the House for consideration. Pursuant to the provisions of the said Standing Order therefore, I hereby refer this Message, including the *curriculum vitae* (CV) of the nominee to the Departmental Committee on Defence and Foreign Relations to undertake the necessary approval hearings. The Committee should submit its report to the House **on or before Tuesday, 17th March 2015.**

I thank you".

5. MESSAGE FROM THE SENATE

The Speaker conveyed the following message from the Senate -

Honourable Members,

Standing Order 41 relating to Messages requires the Speaker to expeditiously report to the House any Messages received from the Senate. In this regard, Honourable Members, I wish to report that on Wednesday 25th February, 2014, in accordance with Article 110 (4) of the Constitution, I received two (2) Messages from the Senate regarding the passage of the following two National Assembly Bills.-

- (i) The Fertilizers and Animal Foodstuffs (Amendment) Bill (National Assembly Bill No 36 of 2013); and
- (ii) The Statute Law (Miscellaneous Amendments) (No.2) Bill (National Assembly Bill No. 33 of 2013).

These Bills were referred to the Senate after passage by this House on 19th June 2014 and 23rd July 2014 respectively.

The Fertilizers and Animal Foodstuffs (Amendment) Bill (National Assembly Bill No 36 of 2013), and the Statute Law (Miscellaneous Amendments) (No.2) Bill (National Assembly Bill No. 33 of 2013) were passed with amendments by the Senate on **Tuesday, 17th February, 2015**. The Senate now seeks the concurrence of the National Assembly to the amendments made to the two Bills.

I am aware that the Clerk has since circulated these amendments to all Members in accordance with Standing Order 145. In this regard, the Senate amendments to the **Fertilizers and Animal Foodstuffs (Amendment) Bill (National Assembly Bill No 36 of 2013)** will now stand committed to the Departmental Committee on Agriculture, Livestock and Cooperatives while the amendments to the **Statute Law (Miscellaneous Amendments) (No.2) Bill (National Assembly Bill No. 33 of 2013)** are committed to the Departmental Committee on Justice and Legal Affairs for consideration. The Committees are expected to submit their respective reports to the House within 21 days, to enable the House Business Committee to prioritize their consideration.

Honourable Members, I wish to remind you that the National Assembly will only consider the amendments made by the Senate to the two Bills, and not any other parts of the Bills. I will guide you further on the procedure to be followed during the debate when the House Business Committee prioritizes these Bills for consideration.

I thank you".

6. PETITION - PRIVATISATION OF MUHORONI SUGAR COMPANY LIMITED

Pursuant to Standing Order 219, the Member for Sigowet Constituency (The Hon. Justice Kemei) presented a Petition on privatization of Muhoroni Sugar Company on behalf of the people of Sigowet/Soin Constituency.

Petition referred to the relevant Departmental Committee pursuant to Standing Order 227(2)

7. PAPERS LAID

The following Papers were laid of the Table

- (i) The Second Progress Report of the Office of the Director of Public Prosecutions (ODPP) *(in accordance with Articles 10 (2) (c), 35, 232 (1) (f) and 254 of the Constitution and section 7 of the Office of the Director of Public Prosecutions Act, 2013).*
- (ii) The Performance Audit Report of the Auditor-General on the Administration of Civil Servants Group Accident Claims, Estates and Trusts by the Public Trustee, December, 2014 *(in accordance with Article 229 (7) of the Constitution and section 31 (2) of the Public Audit Act, 2003)*
- (iii) The Report of the Auditor-General on the Financial Statements of the Kenya Copyright Board for the year ended 30th June 2014, and the certificate of the Auditor-General therein.
- (iv) The Report of the Auditor-General on the Financial Statements of the National Crime Research Centre for the year ended 30th June 2014, and the certificate of the Auditor-General therein.
- (v) The Report of the Auditor-General on the Financial Statements of the Nursing Council of Kenya for the year ended 30th June 2014, and the certificate of the Auditor-General therein.
- (vi) The Annual Report and Financial Statements of the Central Bank of Kenya for the year ended 30th June, 2014 and the certificate of the Auditor-General therein.
(The Leader of the Majority Party)
- (vii) Report of the Departmental Committee on Lands on the Petition for the recognition of land title deeds and removal of caveat on land title deeds in Narok South.

(The Chairperson, Departmental Committee on Lands)
- (viii) The Joint Report of the Departmental Committee on Administration and National Security of the National Assembly and the Standing Committee on National Security and Foreign Relations of the Senate on the vetting of the nominee for the position of Inspector General of Police.-

(The Chairperson, Departmental Committee on Administration and National Security)

8. NOTICE OF MOTION*(The Chairperson Committee on Administration and National Security)*

Motion made and Question proposed -

THAT, this House adopts the Joint Report of the Departmental Committee on Administration and National Security of the National Assembly and the Standing Committee on National Security and Foreign Relations of the Senate on the vetting of the nominee for the position of Inspector General of Police, Laid of the Table of the House on Tuesday March 3, 2015.

9. **MOTION - REPORT ON THE PRIVATIZATION OF THE PUBLIC SECTOR OWNED/CONTROLLED SUGAR COMPANIES**

Motion made and Question proposed -

THAT, this House adopts the Report of the Departmental Committee on Finance, Planning and Trade on the Privatization of the Public Sector Owned/Controlled Sugar Companies (Nzoia Sugar Company, South Nyanza Sugar Company, Chemilil Sugar Company, Muhoroni Sugar Company and Miwani Sugar Company), laid on the Table of the House on Tuesday, December 2, 2014

(Chairperson, Departmental Committee on Finance, Planning & Trade – 26.02.15)

Debate interrupted on Thursday, February 26, 2015 resumed;

Debate arising;

Rising in his place on a Point or Order, the Member for Subukia (Hon. Nelson Gaichuhie) claimed to move that "debate on the Motion be adjourned";

And the Speaker acceding to the claim;

Question put and agreed to.

10. **MOTION - ADOPTION OF THREE REPORTS OF THE PUBLIC ACCOUNTS COMMITTEE**

Motion made and Question proposed;

THAT, this House adopts the Reports of the Public Accounts Committee on:-

- (i) The Appropriations Account, Other Public Accounts and the Accounts for the Funds of the Government of Kenya for the Financial Year 2010/2011;
- (ii) the Appropriations Account, Other Public Accounts and the Accounts for the Funds of the Government of Kenya for the Financial Year 2011/2012; and
- (iii) the Appropriations Account, Other Public Accounts and the Accounts for the Funds of the Government of Kenya for the Financial Year 2012/2013, laid on the Table of the House on Tuesday, December 2, 2014.

(The Chairperson, Public Accounts Committee)

Debate arising

Mover replied;

Question of the Motion deferred to another day.

11. **THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 1 OF 2014)**

Order of the Second Reading read;

Order deferred to another day

12. THE COUNTY GOVERNMENTS (AMENDMENT) (No.2) BILL (SENATEBILL NO.2 OF 2014)

Order of the Second Reading read;

Order deferred to another day

13. THE NATIONAL HONOURS (AMENDMENT)BILL (SENATE BILL NO.16 OF 2014)

Order for Second Reading read;

Order deferred to another day

14. THE PRIVATE SECURITY REGULATION BILL (NAATIONAL ASSEMBLY BILL NO.4 OF 2014)

Order for Second Reading read;

Order deferred to another day

And the time being six minutes past six O'clock, the Fourth Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

15. HOUSE ROSE - at six minutes past six O'clock.

M E M O R A N D U M

The Speaker will take the Chair on.
Wednesday, March 04, 2015 at 9.30 a.m.

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