



**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – FOURTH SESSION**

**NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, AUGUST 10, 2016**

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Hon. Speaker

4. **PETITIONS**

The following Members presented Petitions -

- (i) the Member for Kiharu (Hon. Irungu Kang'ata) on behalf of twenty (20) students of Meru University regarding suspension of five (5) students from the University; and,
- (ii) the Member for Ikolomani (Hon. Bernard Shinali) on behalf of residents of Kakamega County regarding delayed rehabilitation of Kakamega Airstrip.

Petitions referred to the relevant Departmental Committees pursuant to Standing Order 227(1)

5. **PAPERS LAID**

The following Papers were laid on the Table -

- (i) The Reports of the Departmental Committee on Justice and Legal Affairs on the its consideration of:-
  - (i) The Bribery Bill (National Assembly Bill No. 16 of 2016); and
  - (ii) The Public Appointments (County Assemblies Approval) Bill (Senate Bill No. 20 of 2014).

*(Chairperson, Departmental Committee on Justice and Legal Affairs)*

- (ii) The Report of the Departmental Committee on Agriculture, Livestock and Cooperatives on its consideration of the Senate Amendments to the Fisheries Management and Development Bill, 2014.

*(Chairperson, Departmental Committee on Agriculture, Livestock and Cooperatives)*

**6. STATEMENT ON STATUS OF BUSINESS BEFORE COMMITTEES**

In accordance with the Speaker's Communication of October 14, 2015, the Chairpersons of the Departmental Committee on Environment and Natural Resources and Vice-Chairperson of the Departmental Committee on Energy, Communication and Information apprised the House on the status of the Business pending before their respective Committees.

**7. PROCEDURAL MOTION – RESOLUTION TO HOLD SITTINGS ON SPECIFIED THURSDAY MORNINGS**

Motion made and Question proposed -

**THAT**, pursuant to the provisions of Standing Order 30(3)(b), this House resolves to hold Morning Sittings on Thursdays commencing from 9.30 a.m. to 1.00 p.m. for purposes of considering urgent Business before the House, as follows:-

- (i) Thursday, 18<sup>th</sup> August, 2016; and
- (ii) Thursday, 25<sup>th</sup> August, 2016.

*(The Leader of the Minority Party)*

There being no debate arising;

Question put and agreed to.

**8. MOTION – THE ENERGY BILL (NATIONAL ASSEMBLY BILL NO.50 OF 2015)**

Motion made and Question proposed -

**THAT**, the Senate Amendments to the Energy Bill (National Assembly Bill No. 50 of 2015) be now considered.

*(The Deputy Majority Whip)*

Debate arising;

Mover replied;

Question put and agreed to.

**9. COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read;

**IN THE COMMITTEE**

The First Chairperson in the Chair

**Consideration of the Senate amendments to the Energy Bill (National Assembly Bill No. 50 of 2015)****CLAUSE 2****Senate Amendment proposed -**

**THAT**, clause 2 of the Bill be amended by –

- (a) deleting the definition of the term “customer”;

- (b) deleting the definition of the word “local community” and substituting therefor the following new definition –

“local community” means a people living in a sub-county within which an energy resource under this Act is situated and are affected by the exploitation of that energy resource;

*(Vice-Chairperson, Departmental Committee on Energy, Communication and Information)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Senate amendment to Clause 2 - agreed to

**CLAUSE 53**

**Senate Amendment proposed -**

**THAT**, clause 53 of the Bill be amended in sub-clause (1) by deleting the words “Energy and Petroleum” appearing immediately after the words “Nuclear Power” and substituting therefor the words “and Energy”.

*(Vice-Chairperson, Departmental Committee on Energy, Communication and Information)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Senate amendment to Clause 53 - agreed to

**CLAUSE 57**

**Senate Amendment proposed -**

**THAT**, clause 57 of the Bill be amended by deleting paragraph (e) and substituting therefor the following new paragraph –

- (e) not more than four other members nominated as follows and appointed by the Cabinet Secretary –
- (i) two persons nominated by the organization representing the largest number of persons carrying out operations in the energy sector;
  - (ii) one person nominated by the Kenya Private Sector Alliance; and
  - (iii) one person from an institution of higher education.

*(Vice-Chairperson, Departmental Committee on Energy, Communication and Information)*

Question of the amendment proposed;

Debate arising;

Further amendment proposed

THAT, Part (e) (i) be deleted

*(Vice-Chairperson, Departmental Committee on Energy, Communication and Information)*

Question of the further amendment put and agreed to;

Senate amendment to Clause 57 as further amended - agreed to

**CLAUSE 249****Senate Amendment proposed –**

**THAT**, clause 249 of the Bill be amended by deleting the words “not exceeding” appearing immediately after the words “liable to a fine” and substituting therefor the words “not less than”.

*(Vice-Chairperson, Departmental Committee on Energy, Communication and Information)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Senate amendment to Clause 249 -agreed to

Considerations to be reported with amendments;

10. **HOUSE RESUMED** – the First Chairperson in the Chair

**Consideration of the Senate amendments to the Energy Bill (National Assembly Bill No. 50 of 2015)**

Considerations reported with amendments;

Motion made and Question proposed –

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

*(Vice-Chairperson, Departmental Committee on Energy, Communication and Information)*

Question put and agreed to;

Motion made and Question proposed –

THAT, the Senate Amendments to the Energy Bill (National Assembly Bill No. 50 of 2015) be agreed to with amendments.

Question of the Motion deferred to another day.

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

Order for Second Reading read;

Motion made and Question proposed -

THAT, the Bribery Bill (National Assembly Bill No.16 of 2016) be now read a Second Time

*(Leader of the Majority Party - 09.08.2016)*

Debate interrupted on Tuesday, August 09, 2016 resumed;

Mover to reply;

12. **THE BETTING, LOTTERIES AND GAMING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 30 OF 2015)**

THAT, the Bribery Bill (National Assembly Bill No.16 of 2016) be now read a Second Time

*(Leader of the Majority Party)*

Order deferred to another day.

13. **MOTION – ADOPTION OF THE REPORT OF THE PUBLIC ACCOUNTS COMMITTEE ON THE GOVERNMENT OF KENYA ACCOUNTS FOR THE YEAR 2013/2014**

Motion made;

**THAT**, this House **adopts** the Report of the Public Accounts Committee on the Government of Kenya Accounts (Volume I and Volume II) for the year 2013/2014, laid on the Table of the House on Wednesday, June 22, 2016.

*(Chairperson, Public Accounts Committee)*

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

14. **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, August 11, 2016 at 2.30 p.m.

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