



**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – (FIFTH SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**SUPPLEMENTARY**

**TUESDAY, FEBRUARY 14, 2017 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\*. PROCEDURAL MOTION - THE PRIVATIZATION (AMENDMENT) BILL  
(NATIONAL ASSEMBLY BILL NO 27 OF 2016)  
(The Leader of the Majority Party)**

**THAT**, Pursuant to the provisions of Standing Order 49 (2) (a), this House resolves to rescind the decision made by the House on Thursday, February 09, 2017 regarding the Question that “this House do agree with the Report of the Committee of the whole House on the Privatization (Amendment) Bill (National Assembly Bill No. 27 of 2016)” and further pursuant to the provisions of Standing Order 136 resolves to agree with the Committee of the whole House on the said report subject to re-committal of Clause 3 of the Bill.

**9\*. THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2017)**

(Chairperson, Budget and Appropriations Committee)

Third Reading

*(Question to be put)*

**10\*. THE MOVABLE PROPERTY SECURITY RIGHTS BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2016)**

(The Leader of the Majority Party)

Second Reading

*(Question to be put)*

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

The Privatization (Amendment) Bill (National Assembly Bill No. 27 of 2016)

(The Chairperson, Departmental Committee on Finance, Planning and Trade)

*(Re-committal of Clauses 3)*

**12\*. COMMITTEE OF THE WHOLE HOUSE**

(i) The Public Appointments (County Assemblies Approval) Bill (Senate Bill No. 20 of 2014)

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

(ii) The County Early Childhood Education Bill (Senate Bill No. 23 of 2014)

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

(iii) The Public Finance Management (Amendment) Bill (National Assembly Bill No. 4 of 2015)

(The Leader of the Majority Party)

**13\*. MOTION –THE REPORT OF THE PUBLIC INVESTMENTS COMMITTEE ON THE PROCUREMENT AND FINANCING OF THE NSSF TASSIA II PROJECT**

(Chairperson, Public Investments Committee)

**THAT**, this House adopts the Special Report of the Public Investments Committee on the Procurement and Financing of the National Social Security Fund Tassia II Infrastructure Development Project, laid on the Table of the House on Wednesday, 30 April, 2014.

*(Resumption of debate interrupted on Thursday, February 09, 2017)*

**14\*. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2016)**

(The Leader of the Majority Party)

Second Reading

**15\*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS)(NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 48 OF 2016)**

(The Leader of the Majority Party)

Second Reading

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**\* Denotes Orders of the Day**

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...../Notices

# **NOTICES**

## **I. THE PRIVATIZATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 27 OF 2016)**

Notice is given that the Leader of the Majority Party, intends to move the following further amendments to the Privatization (Amendment) Bill, 2016 at the Committee Stage subject to recommitment of clause 3—  
*(Recommitment of clause 3)*

### **CLAUSE 3**

**THAT** the Bill be further amended by—

- (a) numbering the words appearing after the expression “section 5(1)(d)” as paragraph (a); and
- (b) inserting the following new paragraph after the proposed paragraph (a) —  
“ (b) by deleting the words “relevant committee of Parliament” and substituting therefor the word “National Assembly”.

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

Notice is given that the Chairperson of the Departmental Committee on Education, Research and Technology, intends to move the following amendments to the County Early Childhood Education Bill, 2014 at the Committee Stage—

### **CLAUSE 2**

**THAT** clause 2 of the Bill be amended—

- (a) in the definition of the term “children with special needs” by deleting the word “special needs” and substituting therefor the word “disabilities”;
- (b) in the definition of the term “principal” by deleting the term “principal” and substituting therefor the term “head teacher”
- (c) by deleting the definition of the word “child” and substituting therefor the following new definition—  
“child” has the meaning assigned to it under the “Childrens Act”

(d) by deleting the definition of the word “teacher” and substituting therefor the following new definition—

“teacher” has the meaning assigned to it under the Teachers Service Commission Act”

(e) by inserting the following new definitions in proper alphabetical sequence—

“Board of Management” means the Board of management of an education centre.

“Education Appeals Tribunal” means the Appeals Tribunal established under section 92 of the Basic Education Act;

“pupil” means a person who is at least three years of age and not more than six years of age or who meets such other criteria for admission as the Cabinet Secretary may, in consultation with the County Education Board, prescribe;

#### **CLAUSE 4**

**THAT** clause 4 of the Bill be amended in paragraph (a) by inserting the word “basic” immediately after the word “compulsory”

#### **CLAUSE 8**

**THAT** clause 8 of the Bill be amended-

(a) in subsection (1) by deleting the words “child fails to attend an education centre, the principal” and substituting therefor the words “pupil admitted in an education centre fails to attend the education centre, the head teacher”

(b) by deleting the word “child” wherever it appears and substituting therefor the word “pupil”.

#### **CLAUSE 9**

**THAT** clause 9 of the Bill be amended —

(a) in sub-clause (1) by deleting the words “establish a mechanism for the identification of children with special needs and”;

(b) by deleting sub-clause 2 and substituting therefor the following new sub-clause—

(2) In performing the functions under subsection (1) the county executive committee member shall—

(a) ensure that there are adequate learning institutions and facilities for children with disabilities; and

(b) put in place necessary facilities to assist children with disabilities to access to affordable assistive aids and devices.

(c) by deleting sub-clause 3.

**CLAUSE 10**

**THAT** clause 10 of the Bill be amended—

- (a) by deleting the words “including education centers for children with special needs”; and
- (b) by inserting the words “of the Constitution” immediately after the words “Article 53”.

**CLAUSE 11**

**THAT** clause 11 of the Bill be amended—

- (a) in sub-clause (1) by—
  - (i) deleting the word “persons” appearing in paragraph (a) and substituting therefor the words “education centre”;
  - (ii) deleting paragraph(b);
- (b) in subclause (2) by deleting the words “upon payment of such a fee as the Registrar shall determine” .

**CLAUSE 12**

**THAT** clause 12 of the Bill be amended by—

- (a) deleting the word “Part “ and substituting therefor the word “Act”; and
- (b) renumbering the existing provision as subclause (1) and inserting the following new subclause immediately after the proposed new subclause (1) —

“(2) A person who fails to comply with subsection (1) commits an offence and shall be liable, on conviction, to a fine not exceeding one million shillings or to imprisonment for a term not exceeding two years, or to both.”

**CLAUSE 13**

**THAT** clause 13 of the Bill be amended in sub-clause (2)—

- (a) by deleting the word “institution” appearing in paragraph (b) and substituting therefor the word “education centre”;
- (b) by deleting the word “institution” appearing in paragraph (c) and substituting therefor the word “education centre”; and
- (c) by deleting the word “institution” appearing in paragraph (d) and substituting therefor the word “education centre”.

**CLAUSE 14**

**THAT** clause 14 of the Bill be amended by deleting the expression “71” and substituting therefor the expression “70”

**CLAUSE 15**

**THAT** clause 15 of the Bill be amended in subclause (3) by deleting the word “a private” appearing in paragraph (b) and substituting therefor the word “an”.

**CLAUSE 16**

**THAT** clause 16 of the Bill be amended —

- (a) in sub-clause (2) by deleting the words “ with the consent of the principal” appearing in paragraph (b) and substituting therefor the words” in the opinion of the department, a shorter time is necessary”;
- (b) in sub-clause (4) by deleting the word “principal” and substituting therefor the word “head teacher” ;and
- (c) in sub-clause (5) by deleting the word “a private” appearing in paragraph (a)and substituting therefor the word “an”.

**CLAUSE 17**

**THAT** clause 17 of the Bill be amended —

- (a) in the opening statement by deleting the word “centre” appearing immediately after the word “such” and substituting therefor the word “institution”;
- (b) in paragraph (e) by deleting the word “education” ;and
- (c) in paragraph (f) by deleting the word “principal” and substituting therefor the word “head teacher”

**CLAUSE 19**

**THAT** clause 19 of the Bill be deleted and substituted.

**NEW CLAUSE**

**THAT** the following new clause be inserted immediately after clause 20—

Change of  
premises.

**20A.** (1) The head teacher of an education centre shall not change the location of the centre nor acquire additional premises for the purpose of running the education centre unless he or she has applied to, and obtained the approval of the County Education Board.

(2) In determining whether to grant approval of premises under subsection (1), the Board shall take into account the criteria specified under section 17.

(3) The head teacher of an education centre shall notify the County Education Board of any change in the location of the education centre including -

- (a) the acquisition of premises that are in addition to its current premises; or
- (b) the relocation of the education centre to a different premises from that currently occupied by the education centre.

### **NEW CLAUSE**

**THAT** the following new clause be inserted immediately after clause 21—

Obligations of a private  
education centre

**21A.** A private early childhood education provider registered under this Act shall—

- (a) establish the structures necessary for the management and administration of education within the centre;
- (b) recruit persons who are qualified and registered by the Teachers Service Commission to teach the early childhood education curriculum in the education centre;
- (c) administer a curriculum that adheres to the early childhood education policy and this Act;
- (d) maintain premises in a manner that ensures that it meets the requirements of the occupational health, safety regulations and building standards;
- (e) maintain necessary teaching and learning materials and equipment;
- (f) maintain a data bank on pupils admitted in the education centre and submit to the county executive committee member; and



- (g) met such other requirements as the committee executive committee member, in consultation with the County Education Board, may consider necessary for the delivery of quality early childhood education services within the county.

### **CLAUSE 23**

**THAT** clause 23 of the Bill be amended—

- (a) in sub-clause (1) by inserting the word “County Education” immediately before the word “Board”;
- (b) in sub-clause (2) by—
  - (i) inserting the word “County Education” immediately before the word “Board”;
  - (ii) deleting the word “ principal” appearing in paragraph (a) and substituting therefor the word “head teacher”;
  - (iii) deleting the word “ principal” appearing in paragraph (b) and substituting therefor the word “head teacher”;
  - (iv) deleting the word “children” appearing in paragraph(b) and substituting therefor the term “pupils”
- (c) in sub-clause (3) by inserting the word “County Education” immediately before the word “Board”;

### **CLAUSE 24**

**THAT** clause 24 of the Bill be amended—

- (a) in the marginal note by deleting the word “children” and substituting therefor the word “pupils”
- (b) in the opening statement by deleting the word “children” and substituting therefor the word “pupils”
- (c) in subclause (2) by—
  - (i) inserting the word “County Education” immediately before the word “Board”;
  - (ii) deleting the word “principal of the centre” appearing in paragraph (a) and substituting therefor the word “head teacher”;
- (d) in subclause (3) by-
  - (i) inserting the word “County Education” immediately before the word “Board”;
  - (ii) by deleting the word “children” appearing in paragraph (a) and substituting therefor the word “pupils”
  - (iii) deleting the word “principal” appearing in paragraph (b) and substituting therefor the word “head teacher”;

**CLAUSE 25**

**THAT** clause 25 of the Bill be amended—

- (a) in sub-clause (1) by—
  - (i) deleting the words “by it”
  - (ii) inserting the word “County Education” immediately before the word “Board” appearing in subparagraph (a) (ii);
  - (iii) by deleting the word “ principal” appearing in paragraph (b) and substituting therefor the word “head teacher”;
- (b) in subclause (2) by—
  - (i) inserting the word “County Education” immediately before the word “Board” wherever it appears”;
  - (ii) deleting the word “officer” appearing in paragraph (a) and substituting therefor the word “committee”
  - (iii) deleting the word “ principal” appearing in paragraph (b) and substituting therefor the word “head teacher”;

**CLAUSE 27**

**THAT** clause 27 of the Bill be amended in subclause (2) by deleting the words “or to any other private status unless the county executive committee member has consulted with the county Education Board and has approved such conversion”.

**CLAUSE 28**

**THAT** clause 28 of the Bill be amended—

- (a) in sub-clause (1) by deleting the word “or” and substituting therefor the word “including a”;
- (b) in sub-clause (5) by deleting the words “secular” and substituting therefor the word “as set and approved by the Kenya Institute of Curriculum Development”.

**CLAUSE 29**

**THAT** clause 29 of the Bill be amended by deleting subclause (3).

**CLAUSE 30**

**THAT** clause 30 of the Bill be amended—

- (a) in subclause (1) by—
  - (i) deleting the word “children” appearing in paragraph (a) and substituting therefor the word “pupils”;

- (ii) deleting paragraph (c) and substituting therefor the following new paragraph—
  - (c) two persons with experience in matters of nutrition and social work relating to early childhood development and education nominated by the County Governor on the recommendation of the County Education Board;
- (iii) inserting the following new paragraph immediately after paragraph (d) —
  - (da) one person to represent children with disabilities
  - (db) the head teacher of the education centre, who shall be an *ex officio* member.
- (b) in subclause (3) by deleting the word “principal” and substituting therefor the word “head teacher”
- (c) in subclause (4) by inserting the word “of Management” immediately after the word “Board” where it appears at the first instance and third instance”;
- (d) in subclause (5) by inserting the word “of the Board” immediately after the word “committee”;

### **CLAUSE 31**

**THAT** clause 31 of the Bill be amended—

- (a) by inserting the word “of management” immediately after the word “Board” in the opening statement;
- (b) in paragraph (a) by deleting the word “the said” and substituting therefore the word “these”;
- (c) in paragraph (d) by deleting the word “ to” appearing immediately after the word “equip”; and
- (d) in paragraph (h) by inserting the word “of” immediately after the word “implementation”.

### **CLAUSE 32**

**THAT** clause 32 of the Bill be amended by inserting the word “of management” immediately after the word “Board”.

### **CLAUSE 33**

**THAT** clause 33 of the Bill be amended—

- (a) by deleting in sub-clause (1) and substituting therefor the following new sub-clause—
  - “(1) There shall be a Parents Teachers Association for every public and private school consisting of—
    - (a) every parent with a child in the education centre; and
    - (b) a representative of the teachers in the education centre

- (b) inserting the following new sub clauses immediately after the sub-clause (1) —
  - (1A) There shall be an Executive Committee of the Parents Teachers Association consisting of representatives of parents with children in each level within the education centre and a teacher.
  - (1B) The members of the Executive Committee of Parents Teachers Association shall be elected during an annual general meeting of parents and teachers.
  - (1C) The Parents Teachers Association shall, at its first meeting, elect a Chairperson from amongst the persons elected under subsection (3).
  - (1D) The Chairperson of the Parents Teachers Association shall be co-opted to the Board of Management.
  - (1E) The head teacher shall be the Secretary to the Parents Teachers Association.
- (c) in sub-clause (2) by—
  - (i) deleting the word “children” wherever it appears and substituting therefor the word “pupils”;
  - (ii) deleting the word “recommend” in paragraph (e) and substituting therefor the word “approve”

### **CLAUSE 35**

**THAT** clause 35 of the Bill be amended—

- (a) in the opening statement by deleting the words “committee or”;
- (b) deleting the word “child” wherever it appears and substituting therefor the word “pupil”;
- (c) deleting the word “children” wherever it appears and substituting therefor the word “pupils”;
- (d) by deleting paragraph (f).

### **CLAUSE 36**

**THAT** clause 36 of the Bill be amended—

- (a) in sub-clause (1) —
  - (i) by deleting the words “or caregiver” the opening statement;
  - (ii) in paragraph (d) by deleting the words “ and a medical certificate evidencing soundness of mind”;
  - (iii) by inserting the following new paragraph immediately after paragraph (d) —
    - (e) a medical certificate evidencing soundness of mind;
- (b) in sub-clause (2)—
  - (i) by deleting the words “principal or” the opening statement;
  - (ii) by inserting the words “and has at least two years’ experience in matters of early childhood education” immediately after the word “development” in paragraph (a)

- (c) in sub-clause (3) by deleting the words “Each County Government” and substituting therefor the words “The Teachers Service Commission”.
- (d) in sub-clause (4) by deleting the words “County Government” and substituting therefor the words “Teachers Service Commission”.

**CLAUSE 38**

**THAT** clause 38 of the Bill be amended by deleting the words “in consultation with the Council of Governors” in the opening statement

**CLAUSE 39**

**THAT** clause 39 of the Bill be amended in sub-clause (2) by deleting paragraphs (b) and (c)

**CLAUSE 41**

**THAT** clause 41 of the Bill be amended—

- (a) in sub-clause (2) by deleting the word “principal” wherever it appears and substituting therefor the word “head teacher”
- (b) in sub-clause (3) by—
  - (i) deleting the word “principal” and substituting therefor the word “head teacher”;
  - (ii) inserting the words “passport or any other recognised identification document” immediately after the words “birth certificate”;
- (c) by deleting sub-clause (4).

**CLAUSE 43**

**THAT** clause 43 of the Bill be deleted.

**CLAUSE 44**

**THAT** clause 44 of the Bill be amended—

- (a) by deleting sub-clause (1);
- (b) in sub-clause (2) by deleting the word “child” and substituting therefor the word “pupil”.

**CLAUSE 46**

**THAT** clause 46 of the Bill be amended—

- (a) in subsection (2) by deleting the words “county executive committee member” and substituting therefor the word “relevant stakeholders including the national and county quality assurance bodies”;

- (b) in subsection (4) by deleting the words “county executive committee member” and substituting therefor the words “Kenya Institute of Curriculum Development”;
- (c) by deleting sub-clause (5);
- (d) in sub-clause (6) by deleting the words “county executive committee member” and substituting therefor the word “Kenya Institute of Curriculum Development”

**CLAUSE 47**

**THAT** clause 47 of the Bill be deleted.

**CLAUSE 48**

**THAT** clause 48 of the Bill be amended—

- (a) by inserting the following new sub clauses immediately after sub-clause (2) —

(2A) A head teacher of a public education centre who—

- (a) imposes a charge without the approval of the county executive member in consultation with the County Education Board and the respective Parents Teachers Association as specified under subsection 2(b) commits an offence and shall be liable on conviction to a fine not exceeding one hundred thousand shillings or to imprisonment for a term not exceeding six months or both.
- (b) refuses a child admitted in an education centre to attend the education centre because of failure by the parent or guardian to pay charges imposed on the child, commits an offence and shall be liable on conviction to a fine not exceeding two hundred thousand shillings or to imprisonment for a term not exceeding twelve months or both.

- (b) in subsection(4) by inserting the word “education” immediately before the word “centre”.

**CLAUSE 49**

**THAT** clause 49 of the Bill be amended—

- (a) in sub-clause (1) by—
  - (i) deleting the word “and” appearing after the word “materials” in paragraph (a);
  - (ii) inserting the word “and” immediately after the word “materials” in paragraph (b);
- (b) deleting sub-clause (2);
- (c) deleting sub-clause (3); and
- (d) deleting sub-clause (4).

**CLAUSE 50**

**THAT** clause 50 of the Bill be amended by—

- (a) renumbering the existing provision as sub-clause(1);
- (b) inserting the following new sub-clause immediately after the proposed sub-clause (1) —
  - (2) A head teacher of a public education centre who offers early childhood education services or offers tuition in an education centre during school holidays, a day declared to be a public holiday or weekends contrary to subsection (1) commits an offence and shall be liable on conviction to a fine not exceeding five hundred thousand shillings or to imprisonment for a term not exceeding twelve months or both.

**CLAUSE 51**

**THAT** clause 51 of the Bill be deleted.

**CLAUSE 52**

**THAT** clause 52 of the Bill be amended by deleting the words “County Education Board” and substituting therefor the words “Teachers Service Commission”.

**CLAUSE 55**

**THAT** clause 55 of the Bill be amended—

- (a) in sub-clause (1) by inserting the words “County Education” immediately before the word “Board.
- (b) deleting sub-clause (3)
- (c) deleting sub-clause (4)
- (d) deleting sub-clause (5)
- (e) deleting sub-clause (6)

**CLAUSE 56**

**THAT** clause 56 of the Bill be deleted.

**CLAUSE 59**

**THAT** clause 59 of the Bill be deleted and substituted with the following new clause—

Interim accreditation

**59.** (1) The County Education Board may, in consultation with the County executive member grant to an applicant a certificate of interim accreditation where the County Education Board is not satisfied that that the education centre complies with the prescribed accreditation standards.

(2) An education centre to which a certificate of interim accreditation is issued under subsection (2) shall address areas of non-compliance within such a period as may be specified by the County Education Board not exceeding twelve months from the date on which the certificate is issued and on compliance, resubmit an application to the County Education Board for full accreditation.

(3) The certificate of interim accreditation shall be deemed to have expired if an education centre fails to meet the accreditation standards within the period specified by the County Education Board.

Grant of accreditation. **59A.**(1)The County Education Board in consultation with the County executive member, may —

- (a) grant to an applicant a certificate of accreditation upon satisfaction that the education centre complies with the prescribed accreditation standards and meets the requirements under this Act;
- (b) reject the application.

(2) The certificate of accreditation shall be valid for a period of five years and renewable subject to the education centre meeting the prescribed conditions.

(3)The County Education Board may defer its decision on an application for accreditation and require the applicant to submit to it such additional information or take such measures as it may consider necessary.

Renewal of accreditation **59B.** (1) An education centre may make an application for renewal of its accreditation to the County Education Board in the prescribed form.

(2) An application for renewal of accreditation shall be submitted at least ninety days before the expiry of the certificate of accreditation.

(3) The County Education Board in consultation with the County executive member shall consider an application for renewal of accreditation

## **CLAUSE 60**

**THAT** clause 60 of the Bill be amended in—

- (a) the opening statement by deleting the words “under section 60”;
- (b) paragraph (a) by deleting the words “throughout the period of accreditation”;
- (c) paragraph (b) by deleting the words “section 48 and such further standards as may be determined by the Kenya Institute of Curriculum Development in consultation with the County Education Board” and substituting therefore the words “under section 47 and such further standards as may be determined under this Act”



**CLAUSE 61**

**THAT** clause 61 of the Bill be deleted.

**NEW CLAUSE**

**THAT** the following new clause be inserted immediately after clause 61—

Suspension of a  
certificate of  
accreditation

**61A.** (1) The County Education Board may, in consultation with the County executive committee member suspend a certificate of accreditation issued to an education centre for a specified period where the centre fails to comply with the standards of accreditation until the standards are met.

(2) The County Education Board shall communicate a decision made under subsection (1) to the education centre specifying the reasons for the decision, the non-compliance noted and the action required to be taken by the education centre.

**CLAUSE 62**

**THAT** clause 62 of the Bill be amended by deleting sub-clause (2).

**CLAUSE 64**

**THAT** clause 64 of the Bill be deleted and substituted with the following new Clause—

Register of accredited  
education centres.

**64** (1) The County Education Board shall establish maintain a register of accredited education centers.

(2) The register established and maintained under subsection (1) shall be open to the public for inspection.

**CLAUSE 65**

**THAT** clause 65 of the Bill be amended —

- (a) in the opening statement by inserting the words “in consultation with the Education Standards and Quality Assurance Council” immediately after the word “committee”; and
- (b) in sub clause (2) by deleting the words “in consultation with the Education Standards and Quality Assurance Council” in paragraph (d)

**CLAUSE 66**

**THAT** clause 66 of the Bill be deleted

**CLAUSE 67**

**THAT** clause 67 of the Bill be deleted.

**CLAUSE 68**

**THAT** clause 68 of the Bill be amended in—

- (a) sub-clause (1) by deleting—
  - (i) paragraph (d); and
  - (ii) paragraph (e)
- (b) sub-clause (4) by deleting the words “county executive committee member” and substituting therefor the words “Cabinet Secretary”.

**CLAUSE 71**

**THAT** clause 71 of the Bill be deleted.

**CLAUSE 72**

**THAT** clause 72 of the Bill be amended—

- (a) in sub-clause (2) by deleting the words “county executive committee member may, taking into account any policies, standards or regulations applying to all education centres prescribed by the Cabinet Secretary” and substituting therefor the words “Cabinet Secretary may”
- (b) by inserting the following new paragraph immediately after paragraph (f) —
  - (fa) prescribe fees required to be paid under this Act;

**CLAUSE 74**

**THAT** clause 74 of the Bill be amended—

- (a) in paragraph (a) by—
  - (i) by deleting subparagraph (i) and substituting therefor the following new subparagraph—
    - “(i) deleting the words “pre-primary education institutions and” and substituting therefor the word “early childhood education” in the definition of the word “basic education”
- (b) inserting the following new paragraph immediately after paragraph (a)—
  - (aa) in section 4(g) by deleting the word “pre-primary” and substituting therefor the words “early childhood”.
- (c) deleting paragraph (b) and substituting therefor the following new paragraph—
  - “in section 18(1) by deleting the word “pre-primary” and substituting therefor the words “early childhood”.

- (d) inserting the following new paragraphs immediately after paragraph (b)—
  - (ba) in section 26(1) by deleting the word “preprimary” and substituting therefor the words “early childhood”.
- (e) in paragraph (c) by inserting the words “ and substituting therefor the words “early childhood”” after the expression “Section (28)(2)(a)”.
- (f) by inserting the following new paragraphs immediately after paragraph (c)—
  - (ca) in section 41 by deleting the word “pre-primary” appearing in paragraph (a) and substituting therefor the words “early childhood”.
- (g) in paragraph (d) by inserting the words “ and substituting therefor the words “early childhood”” after the expression “Section 44(2)”.

### **III. THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2015)**

- 1) Notice is given that the Chairperson of the Departmental Committee on Finance, Planning and Trade intends to move the following amendments to the Public Finance Management (Amendment) Bill, 2015 at the Committee Stage—

#### **CLAUSE 13**

**THAT** clause 13 of the Bill be deleted

#### **CLAUSE 14**

**THAT** clause 14 of the Bill be deleted

#### **CLAUSE 37**

**THAT** clause 37 of the Bill be deleted

#### **INSERTION OF NEW CLAUSE**

**THAT** the following new clause be inserted immediately after clause 40—

Amendment of section  
128 of No.16 of 2012

**40A.** Section 128 of the principal Act is amended in subsection (2) by deleting the expression “30<sup>th</sup> August” and substituting therefor the expression “15<sup>th</sup> September”.

**CLAUSE 42**

**THAT** clause 42 be amended by deleting sub-clause (b).

**CLAUSE 43**

**THAT**, clause 43 be deleted.

**CLAUSE 67**

**THAT** clause 67 be amended by inserting the following new paragraph immediately after paragraph (a) –

- (aa) deleting subsection (4) and substituting therefor with the following new subsection –
- “(4) Members of the Board except *ex officio* members shall be appointed by the Cabinet Secretary and serve for a term of three years, renewable once for a further term of three years”.

2) **Notice is given that the Leader of the Majority Party (Hon. Aden Duale), intends to move the following amendments to the Public Finance Management (Amendment) Bill, 2015 at the Committee Stage—**

**CLAUSE 2**

**THAT**, clause 2 be amended by inserting the following new paragraph immediately after paragraph (a)—

“(aa) in the definition of “short term borrowing” by—

- (i) deleting the phrase “bank-overdraft” appearing immediately after the phrase “Treasury Bills” and substituting therefor the phrase “Central Bank of Kenya-overdraft”;
- (ii) inserting the phrase “Central Bank of Kenya” before the word “instrument”.

**CLAUSE 8**

**THAT**, clause 8 be amended by inserting the following new paragraph immediately after paragraph (b)—

“(c) by inserting the following new subsection immediately after subsection (7)—

“(8) Six months prior to a general election, no procurement shall be carried out by the national and county governments, or their respective entities, in respect of their respective development votes.”

**CLAUSE 36**

**THAT**, clause 36 be deleted and replaced with the following new clause—

Amendment of  
section 119 of  
No. 18 of 2012.

**36.** Section 119 of the principal Act is amended—

- (a) in subsection (2), by—
  - (i) deleting the phrase “As soon as practicable” appearing at the beginning of the subsection;
  - (ii) deleting the phrase “or a bank approved by the County Treasury”;
- (b) in subsection (4), by inserting the phrase “and by 5<sup>th</sup> of every month, the National Treasury shall publish and publicize a report on the website on levels of overdraft by county governments” immediately after the phrase “if any”.

**NEW CLAUSE**

**THAT**, the following new clause be inserted immediately after clause 36—

Criteria for  
approval to  
open bank  
account.

**119A.** (1) Subject to the provisions of section 119, the following criteria shall be considered by the County Treasury in granting approval to a county government entity to open and operate a county government bank account—

- (a) all county exchequer accounts shall be opened at the Central Bank of Kenya;
- (b) for avoidance of doubt, all county government bank accounts shall be opened at the Central Bank of Kenya except for imprest bank accounts for petty cash which shall be opened at a bank designated by the County Treasury.

(2) Except with the prior authority of the County Treasury, no accounting officer may open a bank account for the deposit, custody or withdrawal of public moneys or other moneys for which he or she is responsible in his or her official capacity or for the transaction of official banking business.

(3) The authority of County Treasury shall be conveyed in writing to the responsible accounting officer with a copy to the Controller of Budget and the Auditor-General.

(4) The County Treasury may prescribe the banking rules and the maximum balance which may be held in any official County Treasury Single Account sub-account or other bank accounts, and if at any time this balance seems likely to be exceeded, the officer operating the accounts shall consult the County Treasury on the action to be taken.

(5) No official county government bank account shall be overdrawn, nor shall any advance or loan be obtained from a bank account for official purposes beyond the limit authorized by the County Treasury in line with section 119(4) of this Act, and the authority shall be conveyed in writing.

3) Notice is given that the Member for Alego Usonga (Hon. George Omondi) intends to move the following amendments to the Public Finance Management (Amendment) Bill, 2015 at the Committee Stage—

**CLAUSE 5**

**THAT**, clause 5 be amended by deleting the proposed new paragraph (i) and substituting therefor the following new paragraph—

“(i) upon request by county assemblies, assist in the establishment of budget offices in the county assemblies”.

**CLAUSE 13**

**THAT**, clause 13 be amended by deleting paragraph (b) of the proposed new section 39A(1).

**CLAUSE 43**

**THAT**, clause 43 be amended by deleting paragraph (b) of the proposed new section 131A(1).

## **N O T I C E S**

The House resolved on Wednesday, January 25, 2017 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), this House orders that, 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.

# **NOTICE PAPER I**

## **Tentative business for**

**Wednesday (Morning), February 15, 2017**

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*(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), February 15, 2017:-

**A. THE SEXUAL OFFENCES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 33 OF 2016)**

(The Hon. Florence Mutua, M.P.)

Second Reading

*(Question to be put)*

**B. COMMITTEE OF THE WHOLE HOUSE**

The Institute of Directors of Kenya Bill (National Assembly Bill No. 26 of 2015)

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

**C. THE LIVESTOCK AND LIVESTOCK PRODUCTS DEVELOPMENT AND MARKETING BILL (NATIONAL ASSEMBLY BILL NO.44 OF 2016)**

(The Hon. Abdinoor Mohamed Ali, M.P.)

Second Reading

*(Resumption of debate interrupted on Wednesday, February 8, 2017– Morning Sitting)  
(Balance of time - 1hr 30min)*

**D. THE CLINICAL OFFICERS (TRAINING, REGISTRATION AND LICENSING) BILL (NATIONAL ASSEMBLY BILL NO. 27 OF 2016)**

(The Hon. Leonard Sang, M.P.)

Second Reading

**E. THE NATIONAL AUTHORITY FOR THE CAMPAIGN AGAINST ALCOHOL AND DRUG ABUSE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2016)**

(The Hon. Ferdinand Waititu, M.P.)

Second Reading



**F. KENYA NATIONAL EXAMINATIONS COUNCIL (AMENDMENT) BILL**  
**(NATIONAL ASSEMBLY BILL NO. 42 OF 2016)**

(The Hon. Alfred Agoi Masadia, M.P.)

Second Reading

**G. THE NATIONAL POLICE SERVICE (AMENDMENT) BILL**  
**(NATIONAL ASSEMBLY BILL NO. 43 OF 2016)**

(The Hon. Abdullswamad Sheriff Nassir, M.P.)

Second Reading

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# **NOTICE PAPER II**

## **Tentative business for**

**Wednesday (Afternoon), February 15, 2017**

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*(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), February 15, 2017:-

**A. COMMITTEE OF THE WHOLE HOUSE**

- (i) The Hydrologists Bill (National Assembly Bill No. 10 of 2016)  
(The Leader of the Majority Party)
- (ii) The Public Private Partnerships (Amendment) Bill (National Assembly Bill No. 25 of 2016)  
(The Leader of the Majority Party)

**B. MOTION –THE REPORT OF THE PUBLIC INVESTMENTS COMMITTEE  
ON THE PROCUREMENT AND FINANCING OF THE NSSF  
TASSIA II PROJECT**

(Chairperson, Public Investments Committee)

*(If not concluded on Tuesday, February 14, 2017)*

**C. THE BETTING, LOTTERIES AND GAMING (AMENDMENT) BILL  
(NATIONAL ASSEMBLY BILL NO. 49 OF 2016)**

(The Hon. Jakoyo Midiwo, M.P.)

Second Reading

**D. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY  
BILL NO. 26 OF 2016)**

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Tuesday, February 14, 2017)*

**E. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS)(NO.2) BILL  
(NATIONAL ASSEMBLY BILL NO. 48 OF 2016)**

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Tuesday, February 14, 2017)*

**F. MOTION -APPROVAL OF SESSIONAL PAPER ON THE NATIONAL BUILDING MAINTENANCE POLICY**

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

**G. MOTION -APPROVAL OF SESSIONAL PAPER ON THE NATIONAL SLUM UPGRADING AND PREVENTION POLICY**

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

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