



**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – (THIRD SESSION)**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**SPECIAL SITTING**

**WEDNESDAY, DECEMBER 16, 2015**

1. The House assembled at thirty minutes past Nine O'clock
2. The Proceedings were opened with Prayer
3. **PRESIDING** – the Deputy Speaker
4. **COMMUNICATION FROM THE CHAIR ON THE SPECIAL SITTING OF THE NATIONAL ASSEMBLY**

The Speaker conveyed the following Communication -

“Honourable Members,

Allow me to welcome you to this Special Sitting convened pursuant to the provisions of Standing Order 29 (3) the purpose of which is to consider various Business as indicated in the *Kenya Gazette* Notice No.9116 of December 4, 2015. During the Special Sitzings, we shall be considering Special Motions on-

- (i) Appointment of persons to the offices of chairperson and members of the Ethics and Anti-Corruption Commission;
- (ii) Appointment of persons as Cabinet Secretaries; and
- (iii) Appointment of persons as Principal Secretaries.

Honourable Members, the House will also be considering part of the Bills to implement various Articles of the Constitution with an enactment deadline of 27<sup>th</sup> August 2016 as follows-

- (i) Third Reading of the Physical Planning Bill (National Assembly Bill No. 46 of 2015);
- (ii) Second Reading of the Forest Conservation and Management Bill (National Assembly Bill No. 49 of 2015); and,
- (iii) Second Reading of the Natural Resources (Classes of Transactions Subject to Ratification) Bill (National Assembly Bill No. 54 of 2015). Debate on these two Bills had commenced before the recess.

I have also been requested by the Leader of the Majority Party to allow the First Reading of the Proceeds of Crime and Anti-Money Laundering (Amendment) Bill (National Assembly Bill No. 64 of 2015 so that the Bill can be committed to relevant Committee for public participation during the long recess.

Honourable Members, today's Morning Sitting is reserved for the tabling of reports of various Committees involved in the vetting exercise. Thereafter, Chairpersons will give notices of motions for the approval or rejection of the nominees. It is the action of giving of notices that will pave way for consideration of the Reports in the afternoon of today. Further, Members who may wish to propose amendments to the Motions of respective nominees are hereby reminded to give notices of such amendments in writing to the Clerk at least two hours before the 2:30 pm sitting in accordance with the provisions Standing Order 55(1).

Honourable Members, should we not be able to conclude with the business of the sitting today, the House will resume tomorrow for the balance of the special sittings. Allow me to take this early opportunity to express sincere appreciation to Chairpersons and Members of all the thirteen Committees involved in the vetting exercise. Your commitment to this exercise is invaluable, especially for heeding the call for austerity measures and agreeing to hold sittings within the precincts of Parliament to consider the various reports of your Committees.

I thank you".

5. **PAPERS LAID**

The following Papers were laid on the Table -

- (i) Reports of the Departmental Committee on Justice & Legal Affairs on -
  - a) The Approval of appointment of persons to the Ethics and Anti-Corruption Commission (EACC); and,
  - b) The County Assemblies Powers and Privileges Bill, 2014.

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

- (ii) The Fifth Report of the Committee on Appointments on approval of Cabinet Secretaries.

*(Hon. Aden Duale – Leader of the Majority Party & Member,  
Committee on Appointments)*

- (iii) Report of the Departmental Committee on Energy, Information & Communication on approval of appointment of Principal Secretaries for State Departments for Broadcasting & Telecommunications; ICT & Innovation; & Petroleum.

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

- (iv) Report of the Departmental Committee on Finance, Planning and Trade on approval of appointment of Principal Secretaries for State Departments for Planning & Statistics; Industry & Enterprise Development; Tourism; & International Trade.

*(Vice Chairperson, Departmental Committee on Finance, Planning and Trade)*

- (v) Report of the Departmental Committee on Administration & National Security on approval of appointment of Principal Secretary for State Department for Correctional Services; and
- (vi) Report of the Joint Departmental Committees on Administration & National Security; and Labour and Social Welfare on approval for appointment of Principal Secretary for State Department for Youth & Public Service.

*(Chairperson, Departmental Committee on Administration & National Security)*

- (vii) Report of the Departmental Committee on Environment & Natural Resources on approval of appointment of Principal Secretaries for State Departments for Environment; & Natural Resources.

*(Chairperson, Departmental Committee on Environment & Natural Resources)*

- (viii) Report of the Departmental Committee on Transport, Public Works and Housing on approval of appointment of Principal Secretaries for State Departments for Housing & Urban Development; Public Works; Transport; & Maritime Commerce.

*(Chairperson, Departmental Committee on Transport, Public Works and Housing)*

- (ix) Report of the Departmental Committee on Defence & Foreign Relations on approval of appointment of Principal Secretaries for State Departments for Defence; and East Africa Community (EAC) Integration.

*(Chairperson, Departmental Committee on Defence & Foreign Relations)*

- (x) Report of the Departmental Committee on Agriculture, Livestock & Cooperatives on approval of appointment of Principal Secretaries for State Departments for Livestock; & Irrigation.

*(Chairperson, Departmental Committee on Agriculture, Livestock & Co-operatives)*

- (xi) Report of the Departmental Committee on Health on the -

- a) Approval of appointment of Principal Secretary for State Department for Health
- b) Consideration of the Petition by Mr. Solomon Muriungi Mburung'a regarding amendment of the Cancer Prevention and Control Act, 2012; and
- c) Consideration of the petition by Mr. Dennis Githinji on behalf of university students and graduates of Bachelors, Masters and PhD degrees in Laboratory Medicine in the country regarding registration and regulation of the practice of degree holders in Medical Laboratory Science and Technology.

*(Chairperson, Departmental Committee on Health)*

- (xii) Report of the Departmental Committee on Education, Research and Technology on approval of appointment of Principal Secretary for State Department for Vocational & Technical Training.

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

- (xiii) Report of the Departmental Committee on Labour and Social Welfare on approval of appointment of Principal Secretaries for State Departments for Social Security & Services; Arts & Culture; & Gender Affairs.

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

## 6. NOTICES OF MOTION -

The following Notices of Motion were given –

### (i) NOTICE OF MOTION – APPROVAL OF APPOINTMENT OF CABINET SECRETARIES

(Member, Committee on Appointments)

**THAT**, this House adopts the Firth Report of the Committee on Appointments on the Vetting of Persons for Appointment as Cabinet Secretaries, laid on the Table of the House on Wednesday, December 16, 2015, and pursuant to Article 152(2) of the Constitution and the provisions of Standing Order 204(4), **approves** the appointment of the following persons as Cabinet Secretaries in the respective Ministries:-

<u>Name</u>	<u>Ministry</u>
(i) Daniel Kazungu Muzee	Mining
(ii) Festus Mwangi Kiunjuri	Devolution and Planning
(iii) Willy Kipkorir Bett	Agriculture
(iv) Sicily Kanini Kariuki	Public Service, Youth and Gender Affairs
(v) Charles Cheruiyot Keter	Energy and Petroleum
(vi) Dr. Cleopa Kilonzo Mailu	Health
(vii) Joseph Mucheru	Information, Communication and Technology

### (ii) NOTICE OF MOTION – APPROVAL OF APPOINTMENT TO THE ETHICS & ANTI-CORRUPTION COMMISSION

(Chairperson, Departmental Committee on Justice and Legal Affairs)

**THAT**, this House adopts the Report of the Departmental Committee on Justice and Legal Affairs on the Vetting of Nominees for Appointment to the Ethics and Anti-Corruption Commission (EACC), laid on the Table of the House on Wednesday, December 16, 2015, and pursuant to the provisions of Section 10 (3) of the Ethics and Anti-Corruption Commission Act (EACC) (as amended), **approves** the appointment of the following persons to the Ethics and Anti-Corruption Commission (EACC) -

(i) Philip K. B. Kinisu	-	Chairperson
(ii) Dabar Maalim Abdi	-	Member
(iii) Paul Mwaniki Gachoka	-	Member
(iv) Sophia Lepuchirit	-	Member
(v) Rose Mghoi Mtambo Macharia	-	Member

(iii) **NOTICE OF MOTION – APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARIES FOR STATE DEPARTMENTS FOR BROADCASTING & TELECOMMUNICATIONS; ICT & INNOVATION; & PETROLEUM**

(Vice Chairperson, Departmental Committee on Energy, Information & Communication)

**THAT**, this House adopts the Report of the Departmental Committee on Energy, Communication & Information on the Vetting of Persons for Appointment as Principal Secretaries, laid on the Table of the House on Wednesday, December 16, 2015, and pursuant to the provisions of Article 155(3)(b) of the Constitution, **approves** the appointment of:-

- (i) **Mr. Sammy Itemere** as the Principal Secretary, State Department for Broadcasting & Telecommunications;
- (ii) **Eng. Victor Kyalo** as the Principal Secretary, State Department for ICT & Innovation; and
- (iii) **Mr. Andrew Kamau Ng'ang'a** as the Principal Secretary, State Department for Petroleum.

(iv) **NOTICE OF MOTION – APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARIES FOR STATE DEPARTMENTS FOR DEFENCE; & EAC INTEGRATION**

(Chairperson, Departmental Committee on Defence and Foreign Relations)

**THAT**, this House adopts the Report of the Departmental Committee on Defence and Foreign Relations on the Vetting of Persons for Appointment as Principal Secretaries, laid on the Table of the House on Wednesday, December 16, 2015, and pursuant to the provisions of Article 155(3)(b) of the Constitution, **approves** the appointment of **Amb. Peter K. Kaberia** as the Principal Secretary, State Department for Defence, and **Ms. Betty Chemutai Maina** as the Principal Secretary, State Department for East African Community (EAC) Integration.

(v) **NOTICE OF MOTION – APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARIES FOR STATE DEPARTMENTS FOR PLANNING & STATISTICS; INDUSTRY & ENTERPRISE DEVELOPMENT; TOURISM; AND INTERNATIONAL TRADE**

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

**THAT**, this House adopts the Report of the Departmental Committee on Finance, Planning and Trade on the Vetting of Persons for Appointment as Principal Secretaries, laid on the Table of the House on Wednesday, December 16, 2015, and pursuant to the provisions of Article 155(3)(b) of the Constitution, **approves** the appointment of:-

- (i) **Mr. Saitoti Torome** as the Principal Secretary, State Department for Planning and Statistics;
- (ii) **Mr. Julius Korir** as the Principal Secretary, State Department for Industry and Enterprise Development;
- (iii) **Ms. Fatuma Hersi Mohamed** as the Principal Secretary, State Department for Tourism; and
- (iv) **Dr. Christopher Kiptoo** as the Principal Secretary, State Department for International Trade.

(vi) NOTICE OF MOTION – APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARY FOR STATE DEPARTMENT FOR CORRECTIONAL SERVICES  
(Chairperson, Departmental Committee on Agriculture, Livestock & Co-operatives)

**THAT**, this House adopts the Report of the Departmental Committee on Administration & National Security on the Vetting of a Person for Appointment as Principal Secretary, laid on the Table of the House on Wednesday, December 16, 2015, and pursuant to the provisions of Article 155(3)(b) of the Constitution, approves the appointment of **Mr. Micah Powon** as the Principal Secretary, State Department for Correctional Services.

(vii) NOTICE OF MOTION – APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARIES FOR STATE DEPARTMENT FOR ENVIRONMENT AND NATURAL RESOURCES  
(Chairperson, Departmental Committee on Environment & Natural Resources)

**THAT**, this House adopts the Report of the Departmental Committee on Environment and Natural Resources on the Vetting of Persons for Appointment as Principal Secretaries, laid on the Table of the House on Wednesday, December 16, 2015, and pursuant to the provisions of Article 155(3)(b) of the Constitution, approves the appointment of **Mr. Charles Sunkuli** as the Principal Secretary, State Department for Environment and **Dr. Margaret Mwakima** as the Principal Secretary, State Department for Natural Resources.

(viii) NOTICE OF MOTION – APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARIES FOR STATE DEPARTMENTS FOR HOUSING & URBAN DEVELOPMENT; PUBLIC WORKS; TRANSPORT & MARITIME COMMERCE  
(Chairperson, Departmental Committee on Transport, Public Works & Housing)

**THAT**, this House adopts the Report of the Departmental Committee on Transport, Public Works and Housing on the Vetting of Persons for Appointment as Principal Secretaries, laid on the Table of the House on Wednesday, December 16, 2015, and pursuant to the provisions of Article 155(3)(b) of the Constitution, approves the appointment of:-

- (i) **Ms. Aidah Munano** as the Principal Secretary, State Department for Housing and Urban Development;
- (ii) **Dr. Paul Maringa Mwangi** as the Principal Secretary, State Department for Public Works;
- (iii) **Mr. Wilson Nyakera Irungu** as the Principal Secretary, State Department for Transport; and
- (iv) **Mrs. Nancy Karigithu** as the Principal Secretary, State Department for Maritime Commerce.

(ix) NOTICE OF MOTION - APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARIES FOR STATE DEPARTMENTS FOR LIVESTOCK; AND IRRIGATION

(Chairperson, Departmental Committee on Agriculture, Livestock & Cooperatives)

**THAT**, this House adopts the Report of the Departmental Committee on Agriculture, Livestock & Cooperatives on the Vetting of Persons for Appointment as Principal Secretaries, laid on the Table of the House on Wednesday, December 16, 2015, and pursuant to the provisions of Article 155(3)(b) of the Constitution, approves the appointment of **Dr. Andrew K. Tuimur** as the Principal Secretary, State Department for Livestock, and **Mr. Patrick Nduati Mwangi** as the Principal Secretary, State Department for Irrigation.

(x) NOTICE OF MOTION - APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARY FOR STATE DEPARTMENT FOR HEALTH

(Chairperson, Departmental Committee on Health)

**THAT**, this House adopts the Report of the Departmental Committee on Health on the Vetting of a Person for appointment as Principal Secretary, laid on the Table of the House on Wednesday, December 16, 2015, and pursuant to the provisions of Article 155(3)(b) of the Constitution, approves the appointment of **Dr. Nicholas Muraguri** as the Principal Secretary, State Department for Health.

(xi) NOTICE OF MOTION - APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARY FOR STATE DEPARTMENT FOR VOCATIONAL & TECHNICAL TRAINING

(Chairperson, Departmental Committee on Education, Research & Technology)

**THAT**, this House adopts the Report of the Departmental Committee on Education, Research and Technology on the Vetting of a Person for Appointment as Principal Secretary, laid on the Table of the House on Wednesday, December 16, 2015, and pursuant to the provisions of Article 155(3)(b) of the Constitution, approves the appointment of **Dr. Dinah Jerotich Mwinzi** as the Principal Secretary, State Department for Vocational and Technical Training.

(xii) NOTICE OF MOTION - APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARIES FOR STATE DEPARTMENTS FOR SOCIAL SECURITY & SERVICES; ARTS & CULTURE; & GENDER AFFAIRS

(Chairperson, Departmental Committee on Labour and Social Welfare)

**THAT**, this House adopts the Report of the Departmental Committee on Labour and Social Welfare on the Vetting of Persons for Appointment as Principal Secretaries, laid on the Table of the House on Wednesday, December 16, 2015, and pursuant to the provisions of Article 155(3)(b) of the Constitution, approves the appointment of:-

- (i) **Mrs. Susan Mochache** as the Principal Secretary, State Department for Social Security and Services;

- (ii) **Mr. Joseph Okudo** as the Principal Secretary, State Department for Arts and Culture;  
and  
(iii) **Mrs. Zeinab W. Hussein** as the Principal Secretary, State Department for Gender Affairs.

(xiii) **NOTICE OF MOTION – APPROVAL OF APPOINTMENT OF PRINCIPAL SECRETARY FOR YOUTH AND PUBLIC SERVICE**

(Co-Chairperson, Joint Departmental Committee on Administration and National Security; and Labour and Social Welfare)

**THAT**, this House adopts the Report of the Joint Departmental Committees on Administration & National Security, and Labour and Social Welfare on the Vetting of a Person for Appointment as Principal Secretary, laid on the Table of the House on Wednesday, December 16, 2015, and pursuant to the provisions of Article 155(3)(b) of the Constitution, **approves** the appointment of **Mrs. Lilian Omollo** as the Principal Secretary, State Department for Youth and Public Service.

7. **THE PHYSICAL PLANNING BILL (NATIONAL ASSEMBLY BILL NO.46 OF 2015)**

Order for Third Reading read;

Motion made and Question proposed –

**THAT**, the Physical Planning Bill (National Assembly Bill No.46 of 2015) be now read a Third Time -

*(The Leader of the Majority Party – 3.12.2015(PM))*

Debate on the Bill having being concluded on Thursday, December 03, 2015 (Afternoon Sitting)

Question put and agreed to;

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

8. **THE FOREST CONSERVATION AND MANAGEMENT BILL (NATIONAL ASSEMBLY BILL NO.49 OF 2015)**

Order for Second Reading read;

Motion made and Question proposed –

**THAT**, the Forest Conservation and Management Bill (National Assembly Bill No.49 of 2015) be now read a Second Time

*(Majority Party Whip– 03.12.2015 (AM))*

Debate interrupted on December 03, 2015 (Afternoon Sitting) resumed;

*(Change of Chair from the Deputy Speaker to the Third Chairperson)*



Rising in his place on a Point of Order, the Member for Gatanga (Hon. Humphrey Njuguna) claimed to move that "the Mover be now called upon to reply";

And the Third Chairperson acceding to the claim;

Question put and agreed to;

Reply by the Mover deferred to another day.

9. **THE NATURAL RESOURCES (CLASSES OF TRANSACTIONS SUBJECT TO RATIFICATION) BILL (NATIONAL ASSEMBLY BILL NO.54 OF 2015)**

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Natural Resources (Classes of Transactions Subject to Ratification) Bill (National Assembly Bill No.54 of 2015) be now read a Second Time

*(The Leader of the Majority Party – 1.12.2015)*

Debate interrupted on December 01, 2015 (Afternoon Sitting) resumed;

Debate arising;

And the time being One O'clock, the Third Chairperson adjourned the House without Question put pursuant to the Standing Orders.

10. **HOUSE ROSE** - at One O'clock;

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

The Speaker will take the Chair today,  
Wednesday, December 16, 2015 at 2.30 p.m.

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