



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – FOURTH SESSION

NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, AUGUST 18, 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. **PETITION**

The following Petition was presented –

The Petition regarding alleged irregular transfer of property belonging to Muiri Coffee Estate Limited by Kenya Commercial Bank (KCB), presented by the Member for Gatanga (Hon. Humphrey Kimani).

Petition referred to the relevant Departmental Committee pursuant to Standing Order 227(1)

5. **PAPER LAID**

The following Paper were laid on the Table –

The Report of the Joint Parliamentary Select Committee on matters related to the Independent Electoral and Boundaries Commission consisting of:-

1. Volume I – Report with annexures;
2. Volumes IIA & IIB – Memoranda; and,
3. Volume III – HANSARD proceedings.

(Deputy Leader of Majority Party and Member, Joint Parliamentary Select Committee on the IEBC – Hon. Naomi Shaban)

6. NOTICE OF MOTIONApproval of the Deployment of Kenya Defence Forces to South Sudan

(The Leader of the Majority Party)

The following Notice was given –

THAT, pursuant to Article 240(8)(a) of the Constitution and section 18 of the Kenya Defence Forces Act, 2012, this House approves the deployment of the Kenya Defence Forces (KDF) for the purpose of regional peace support operations following an urgent troops surge requirement for under the United Nations Mission in South Sudan (UNMISS).

7. NOTICE OF MOTION – REPORT OF THE JOINT PARLIAMENTARY SELECT COMMITTEE ON MATTERS RELATING TO THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (IEBC)

THAT, pursuant to the resolution of the House on July 6, 2016 regarding the establishment of a Joint Parliamentary Select Committee on matters relating to the Independent Electoral and Boundaries Commission (IEBC), and paragraphs 7 and 8 of the Houses of Parliament (Joint Sitzings) Rules, this House:

- (i) **adopts** the Report of the Committee laid on the Table of the House on Thursday, August 18, 2016;
- (ii) **notes** the recommendations of the Committee regarding:
 - a) allegations against Commissioners and the Secretariat of the Independent Electoral and Boundaries Commission, specifically on credibility, impartiality, integrity and independence;
 - b) legal mechanisms for the vacation from office of the current Commissioners and the Secretariat of the Independent Electoral and Boundaries Commission in accordance with the Constitution;
 - c) legal, policy and institutional reforms to strengthen the Independent Electoral and Boundaries Commission so as to ensure the August, 2017 elections are free and fair and are administered in an impartial, efficient, simple, accurate, verifiable, secure, accountable and transparent manner; and
 - d) legal, policy and institutional reforms to improve the electoral system and processes so as to ensure the August, 2017 elections are free and fair and are administered in an impartial, efficient, simple, accurate, verifiable, secure, accountable and transparent manner; and
- (iii) **resolves** to establish a mechanism by which it shall oversight the implementation of the recommendations in the Report and the electoral processes until the 2017 General Elections.

(Deputy Leader of Majority Party & Member, Joint Parliamentary Select Committee on the IEBC – Hon. Naomi Shaban)

8. **STATEMENT PURSUANT TO STANDING ORDER 44(2)(a)**

Pursuant to the provision of Standing Order 44(2)(a), the Leader of the Majority Party issued a Statement regarding the Business of the House for the week commencing Tuesday, August 23, 2016.

9. **MOTION – THE SENATE AMENDMENTS TO THE PROTECTION OF TRADITIONAL KNOWLEDGE AND CULTURAL EXPRESSIONS BILL, 2015**

Motion made and Question proposed -

THAT, the Senate Amendments to the Protection of Traditional Knowledge and Cultural Expressions Bill, 2015

(The Leader of the Majority Party)

Question put and agreed to.

10. **COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read;

IN THE COMMITTEE

The Second Chairperson in the Chair

(i) Consideration of Senate Amendments to Protection of the Traditional Knowledge and Cultural Expressions Bill, 2015**CLAUSE 4****Senate Amendment proposed -**

THAT, clause 4 of the Bill be amended by inserting the following new sub-clauses immediately after paragraph (d)-

(e) the allocation of financial resources for the promotion of cultural activities; and

(f) subject to this Act or any other law, the establishment of mechanisms for using culture as a tool for conflict resolution and promotion of cohesion.

(The Leader of the Majority Party)

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Senate Amendment to Clause 4 – **agreed to**

CLAUSE 22

Senate Amendment proposed -

Senate Amendment

THAT, clause 22 of the Bill be amended in sub-clause (3) by inserting the words “and the respective county executive committee member in charge of matters relating to traditional knowledge and culture” immediately after the words “Cabinet Secretary”.

(The Leader of the Majority Party)

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Senate Amendment to Clause 22 – **agreed to**

CLAUSE 25

Senate Amendment proposed -

THAT, clause 25 of the Bill be amended in sub-clause (3)(d) by inserting the words “after consultations with the person in charge of matters relating to traditional knowledge and culture in the relevant county” immediately after the words “relevant community”.

(The Leader of the Majority Party)

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Senate Amendment to Clause 25 – **agreed to**

CLAUSE 34

Senate Amendment proposed -

THAT, clause 34 of the Bill be amended by deleting paragraph (h).

(The Leader of the Majority Party)

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Senate Amendment to Clause 34 – **agreed to**

CLAUSE 43**Senate Amendment proposed -**

THAT, clause 43 be amended by inserting the following new sub-clause immediately after sub-clause (2)-

- (3) Whenever the Cabinet Secretary is required to make regulations or rules under this Act, the Cabinet Secretary shall make the regulations in consultation with the Council of County Governors.

(The Leader of the Majority Party)

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Senate Amendment to Clause 43 – agreed to

Consideration to be reported without amendments

(ii) **The Kenya Roads Bill (National Assembly Bill No. 26 of 2015)**

Clauses 3, 4 & 5 - agreed to

Clause 6 - Amendment Proposed

THAT Part II – Title – National Bridges and Standards and Oversight comprising of Clause 6 of the Bill be deleted and substituted therefor with:-

“Part II - PART II-ESTABLISHMENT OF THE PUBLIC ROADS STANDARDS BOARD comprising of Clauses 6, 6A, 6B and 6C”.

PART II-ESTABLISHMENT OF THE PUBLIC ROADS STANDARDS BOARD

Establish
ment of
the
Board.

6. There is established a Public Roads Standards Board.

Composit
ion of the
Board.

6A. (1) The Board shall consist of a representative from each of the following bodies —

- (a) the State Department responsible for public roads;
- (b) the State Department responsible for matters relating to devolution;
- (c) the Inter-governmental Relations Technical Committee;
- (d) the Kenya National Highways Authority;
- (e) the Kenya National Urban Roads Authority;
- (f) the Kenya National Secondary Roads Authority;
- (g) the Kenya Roads Board;
- (h) the Institute of Engineers of Kenya;
- (i) the National Agency responsible for testing and research on roads; and
- (j) the National Transport and Safety Authority.

(2) The Principal Secretary for the State Department responsible for public roads shall be the chairperson of the Board.

(3) The State Department responsible for public roads shall provide the secretariat to the Board.

(4) The Principal Secretary for the State Department responsible for public roads may assign or appoint to the Board such support staff as may be necessary to effectively perform the functions.

(5) The Board shall establish and regulate its own procedures.

(6) The Board may co-opt any person to participate in the deliberations of the Board but the person so co-opted shall have no right to vote.

(7) The Board shall meet at least four times in a calendar year for the transaction of the business.

Function
s of the
Public
Roads
Standards
Board.

6B. (1) The functions of the Board are to advise the Cabinet Secretary on—

- (a) standards for road and bridge materials, design, construction, maintenance and performance levels;
- (b) standard contract forms for works and consultancy services;
- (c) research and studies necessary for development and updating on public roads standards;

- (d) the types, sizes and usage of vehicles on roads and maximum vehicle and axle load limits for purposes of protecting roads from damage;

- (e) development and training of human resources required for the development, rehabilitation and maintenance of roads; and

- (f) monitoring system to ensure adherence to the standards.

(2) In the execution of the functions under sub-section (1), the Board shall take into account —

- (a) best international practices;

- (b) input from the general public and experts; and

the capacity of the relevant entities to comply with the standards.

Roads
Standards
Boards.

6C. (1) The Cabinet Secretary shall by regulations prescribe standards for testing, design, construction and maintenance of national trunk roads by the roads authorities and county roads by county Governments.

(2) The Cabinet Secretary shall publish in the Kenya Gazette the public roads standards formulated under this section.

(3) Each Authority and county Government shall comply with the public roads standards prescribed by the Cabinet Secretary under this Act.

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Clause 6 - as amended agreed to
Clause 7 - agreed to
Clause 8 - amendment proposed -

THAT, clause 8 of the Bill be amended by deleting sub-clause (2) and substituting therefor the following-

“(2) The Cabinet Secretary shall at least once in ten years publish the inventory under subsection (1) in the Kenya Gazette.”

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Clause 8 - as amended agreed to
Clause 9 - agreed to
Clause 10 - amendment proposed -

THAT, clause 10 of the Bill be amended in sub-clause (2) by deleting paragraph (g) and substituting therefor the following new paragraph-

“(g) overseeing the management of traffic and road safety on primary national trunk roads, in collaboration with other agencies”;

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

Question of the amendment proposed;

Debate arising;

Question of the amendment put and agreed to;

Further Amendment proposed -

THAT Clause 10 of the Bill be amended in sub-clause (1) by deleting the phrase “H and J” appearing immediately after the phrase “classes S, A, B”.

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

Question of the amendment proposed;

Debate arising;

Question of the further amendment put and agreed to;

Clause 10 - as amended agreed to

Clause 11 - amendment proposed -

THAT, clause 11 of the Bill be amended-

- (a) by re-numbering the existing sub-clause (1) as sub-clause (2);
- (b) by inserting the following new sub-clause (1) –
“(1) There is established the Board of the Kenya National Highways Authority.”
- (c) by deleting the words “or (g)” appearing at the end of paragraph (a).
- (d) in paragraph (f) by deleting the word “or” appearing at the end of sub-paragraph (v) and substituting therefor the word “and”.

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Clause 11 - as amended agreed to

Clause 12 - agreed to

Clause 13 - amendment proposed -

THAT, clause 13 of the Bill be amended -

- (a) in sub-clause (2) by deleting paragraph (f) and substituting therefor the following new paragraph-
“(f) overseeing the management of road usage on secondary roads in collaboration with other agencies”; and
- (b) in the marginal notes by deleting the word “Kenya” appearing twice.

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Clause 13 - as amended agreed to

Clause 14 - amendment proposed -

THAT, clause 14 of the Bill be amended-

- (a) by re-numbering the existing sub-clause (1) as sub-clause (2);
- (b) by inserting the following new sub-clause (1) –

“(1) There is established the Board of the Kenya National Secondary Roads Authority”.

- (c) in sub clause (1) paragraph (f) by deleting the word “or” appearing at the end of sub-paragraph (v) and substituting therefor the word “and”;
- (d) in the marginal notes by deleting the word “Kenya” appearing twice.

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Clause 14 - as amended agreed to

Clauses 15, 16, 17, 18, 19, 20, 21 & 22 - agreed to

Clause 23 - amendment proposed –

THAT, clause 23 of the Bill be amended in sub-clause (2)–

(a) by deleting paragraph (a) and substituting therefor the following new paragraph–

“(a) holds a Bachelor’s degree in Civil Engineering, a master’s degree from a University recognized in Kenya and is registered by the Engineers Board of Kenya.”

(b) in paragraph (b) by deleting the words “fifteen years” and substituting therefor the words “ten years”.

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Further amendment proposed –

THAT, clause 23 of the Bill be amended in sub-clause (2) by—

(a) deleting paragraph (a) and substituting therefore the following new paragraph–

“(a) holds a Masters degree from a university recognized in Kenya;”

(b) deleting paragraph (b) and substituting therefore the following new paragraph–

“(b) has had at least fifteen years’ experience in a relevant field, five of them served in a senior management position;”

(Hon. Fred Outa)

Proposed further amendment dropped;

Clause 23 - as amended agreed to

Clauses 24, 25, 26, 27, 28, 29, 30, 31, 32, 33 and 34 - agreed to.

Part VI comprising Clauses 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45 and 46 - Amendment proposed

THAT Part VI – Title – Financial Provisions comprising of Clause 35 to 46 of the Bill be amended by deleting the entire of that Part and replaced therefor with:-

“Part VI - GENERAL POWERS OF AN AUTHORITY comprising of Clause 35 to 50 as published in the Order Paper”.

PART VI—GENERAL POWERS OF AN AUTHORITY

Acquisiti
on of
land.

35. Where an Authority requires any land for its purposes, the Cabinet Secretary shall submit a request for the acquisition to the National Land Commission, and the provisions of Part VIII of the Land Act, 2012 shall apply, provided that an Authority may in consultation with the National Land Commission pay directly any compensation due to any person whose land or property is acquired under the Lands Act, 2012 for purposes of the Authority.

No. 6 of
2012.

Power to
enter and
survey
land.

36. (1) An authorized employee of the Authority may, for the purposes of this Act, enter upon any land and survey such land or any portion thereof.

(2) Where any damage on the land is caused by reason of the exercise of the powers conferred by this section, the owner or occupier of the land shall be entitled to compensation in accordance with this Act.

Power to
enter land
to prevent
accidents,
etc.

37.(1) Any authorized employee of the Authority may, for the purposes of preventing the occurrence of an accident, preserving the safety of traffic or the safe operation of any service provided by the Authority, or repairing any damage caused by an accident, enter upon any land and—

(a) cut down or remove any tree or other obstruction, not being a building, which obscures the view of any traffic sign, which is likely to cause any obstruction or any danger to the safety of traffic or of any such service; or

(c) execute such other works as may be necessary to prevent the occurrence of an accident or to repair any damage caused as a result of an accident.

(2) If a tree or other obstruction cut down or removed under subsection (1) (a) came into existence subsequent to the erection of a traffic sign or to the service being provided at that place, compensation shall not be payable in respect of the entry, or the cutting down or removal of the tree or other obstruction.

Power to
enter, and
to alter
position of
pipes, etc.

38. (1) Subject to the provisions of this section, an Authority, or any of its authorized employees may, for the purposes of the Authority, enter on any land and alter the position of any electric, telephone, telegraphic, fibre optic or other wire of any nature, or the position of any drain or sewer.

(2) Where an Authority intends to exercise any power under subsection (1), it shall give reasonable notice of its intention to do so to the person having control of the pipe, wire, sewer or drain and—

- (a) such person may authorize a representative to superintend such work, and may require the Authority to execute such work to the satisfaction of such representative; and
- (a) the Authority shall make arrangements for the maintenance of the supply of gas, oil, compressed air or electricity, for the continuance of the telephone, telegraph or other wire-borne communications or for the maintenance of the sewer or drainage, as the case may be, during period of execution of such work.

Power to
remove
pipes, etc.
from within
the road
reserve.

39.(1) For purposes of this section—

- (a) “pipe-borne utilities” refers to any pipes, devices and fittings for the supply or transmission of gas, oil products, water, wastewater, compressed air and any material conveyed by means of piping;
- (b) “wire-borne utilities” refers to wires, devices and fittings for the transmission of electricity, telephone services, telegraph services, data, and any other service conveyed by means of conductive wire, fibre optic cable or other wire or cable of any nature which is placed on the road reserve; and
- (c) “infrastructure utilities” refers to pipe borne utilities, wire-borne utilities, covered or open drains, and any other physical device for the provision, conveying or supply of services.

- (2) Where an infrastructure utility is located within a road reserve, the provider or operator of the infrastructure utility shall, on a written request by the respective Authority, relocate such infrastructure utility to a location or alignment approved by the Authority at no cost to that Authority.
- (3) Where the Authority intends to exercise any power under subsection (2), it shall give reasonable notice of its intention to do so to the person having control of such infrastructure utility, and such person shall cause to be removed such infrastructure utility within sixty days:

Provided that service of the notice through a newspaper of wide circulation in Kenya shall be considered to be a proper notice under this Act.

(4) Where, under subsection (2) or (3), a person having control of an infrastructure utility fails to remove the infrastructure utility within the time stated in the notice, the Authority may remove such infrastructure utility at the cost of the person who was unable to comply with the notice under subsection (3).

Occupation
of private
land.

40.(1) A road Authority may –

- (a) in the development, construction, rehabilitation or maintenance of a road;
 - (b) in the construction of a temporary road for use by the public pending the carrying out of the road works under paragraph (a); or
 - (c) in providing a temporary road for use by the public where a road has become impassable,
- use and occupy for such period as may be necessary for the carrying out of the road works, any land along or adjoining the road in relation to which the road

works are to be carried out.

(2) A road Authority shall not occupy land under subsection (1) unless it has issued to the registered owner or occupier of the land, a notice of at least thirty days of its intention to occupy the land.

(3) A road authority shall not be required to issue a notice under subsection (2) where –

- (a) in the opinion of the road authority, it is necessary as a matter of urgency to use and occupy land that is more than fifteen metres from a dwelling-house for the purpose of reconstructing or repairing a particular road; and
- (b) the road authority gives the occupier of the land such notice as is practicable in the circumstances and, immediately after giving the notice, reports to the respective Cabinet Secretary the circumstances requiring such a notice to be dispensed with.

(4) A road authority shall not use or occupy land under subsection (1) where the land is located within fifteen metres of a dwelling house unless –

- (a) the occupier of the land has consented in writing to the use or occupation, or
- (b) if that consent is not given, the respective Cabinet Secretary has given written authority for the use or occupation.

(4) The road Authority shall compensate an owner of land for any loss or damage arising from the exercise of powers under this section.

Power to
take water.

41. An Authority may, for its purposes, take any water from any natural watercourse subject to the Water Act, 2002.

No.8 of
2002.

Access to
material
sites etc.

42.(1) Subject to the Constitution an Authority, by its agents and officers, for the purpose of the construction and maintenance of roads or the carrying out of any works which it is empowered under this Act or under any agreement, direction, delegation or transfer entered into, given or made under this Act to carry out, may enter upon land and remove there from any soil, clay, rock, gravel, murram, lime, sand, shale, shingle, slate or surface soil, and may carry across any land, by a route to be agreed between the owner and in the event of failure to agree, cause to be acquired compulsorily such land, and remove such material, and may provide within the land in connection with such functions labour or other camps, works buildings, access roads, and space for stockpiling, and may erect machinery and other gear for the purpose of quarrying any such material

(2) A county exercising its authority under subsection (1) may enter land only within the county.

(3) Before entering upon any land for the purpose of exercising any of the powers conferred by subsection (1), a road authority shall give not less than one month's notice by personal service or by registered post to the last known

address of the owner or occupier of such land, of the intention to enter upon such land, the powers which it proposes to exercise, and the area of such land to which it will confine its activities.

(4) If the owner or occupier of such land is aggrieved by the proposed exercise by the road authority of the powers conferred by this section or by the proposed exercise of the powers in the area specified in the notice, he may, within one month from the service upon him of the notice under subsection (3), make representations to the National Land Commission thereon and shall within the same period inform the road authority concerned of the nature of such representations.

(5) Where representations are made to the National Land Commission under subsection (4), the National Land Commission may, after consulting the road authority concerned, give such direction to the road authority thereon as it thinks fit.

(6) Compensation shall be payable by a road authority to the owner or occupier of any land for any damage done to buildings, roads or crops, or otherwise, in the exercise by it of any of the powers conferred upon it by this section, and for any interference with the rights of occupancy of such land.

(7) If, as a result of the exercise of any of the powers conferred by this section, a danger to persons (other than employees of the road authority or of their agents) or to domestic animals is created, the road authority shall, at the request of the owner or occupier of the land, carry out fencing at its own expense to such an extent as adequately to guard against such danger.

(8) The sites for any labour or other camps to be provided by the road authority and the alignment of any roads of access shall be determined by the road authority only after consultation with the owner and occupier of the land on which the same are to be situated.

(9) Any pit or quarry made in exercise of any of the powers conferred by this section shall, at the request of the owner or occupier of the land, be filled up or, in the discretion of the road authority, fenced, at the expense of the road authority, when the road authority abandons such pit or quarry.

(10) This section shall be subject to the Forests Act, the Environmental Management and Coordination Act and any rules made thereunder, and to the extent of any inconsistency between this section and that Act and any rules thereunder, the latter shall prevail.

(11) For the purpose of this section, the expression "owner or occupier" means in respect of Government land, the National Land Commission, in respect of Trust land (other than land the title to which is registered under the Land Consolidation Act) means the county, and in respect of forest areas, means the Chief Conservator of Forests.

Power to
close a
public road.

43. (1) An Authority may, for its purposes, temporarily close or divert a public road and similarly close or divert a road permanently.

(2) It shall be lawful for a road authority or its authorized representative, for the purpose of preventing damage being caused to any road or for the purpose of carrying out any works which it may consider necessary or desirable in connection with the maintenance or improvement of any road, to close the whole or any part of such road to all vehicles or any particular type of vehicles at

any time for any period it may think fit.

(3) It shall not be lawful for the driver or person in charge of any vehicle to drive or haul the vehicle or cause it to be driven or hauled over any portion of a road which is closed to traffic and where a conspicuous notice is displayed to the effect that the road is closed, unless the driver or person in charge of the vehicle has received permission, in writing, from the relevant Authority.

Railway
crossings.

44.(1) Subject to subsection (2), where a railway has been or is proposed to be constructed so as to cross a road, the Authority shall require the owner or operator of the railway—

- (a) to erect such gates and to execute such other works as may be necessary for the safety of the public;
- (b) in the case of national trunk roads, to construct the railway in such a manner that it does not cross the road on the level; and
- (c) the owner or operator of the railway shall comply with such requirements.

(2) The respective Authority shall, before making any requirement under this section, communicate with the owner or operator of the railway and shall take into consideration any representations made by the owner or operator.

(3) Where as a result of a requirement made by the Authority under this section, any works are to be constructed by the owner or operator of the railway, the manner of construction of such works and the apportionment of the cost of construction and maintenance thereof shall be determined by an agreement between the owner or operator of the railway and the Authority, and if no such agreement is made, it shall be determined by an arbitrator appointed by the Cabinet Secretary.

Removing
trees, etc.

45. An Authority shall have power to require the owner of any land to remove, lower or trim to the satisfaction of the Authority any tree, shrub or hedge overhanging or interfering in any way with the traffic on any road or with any wires or works within the road.

Inter-
county
roads and
bridges.

46.(1) In this section—

“Inter-county road” includes a bridge, drain and other services associated with a road and that crosses or runs along the boundaries of more than one county government.

(2) Each county government shall be jointly responsible to maintain an inter county road.

(3) Where a county road crosses or runs along the boundaries of more than one county government, the concerned county governments may enter into an agreement stating the manner in which —

- (a) the inter-county road shall be constructed or maintained; or
- (b) costs for constructing or maintaining the road.

(5) Where the relevant county governments are not able to agree as provided under subsection (3), any county government may refer the matter to the Intergovernmental Relations Technical Committee under the Intergovernmental Relations Act for determination by the Council of

Governors, on any matter including—

- (a) whether a road, bridge, drain or other service is required;
- (b) the standard of construction or maintenance;
- (c) each county government's share of construction or maintenance costs; or
- (d) which county government should exercise management and control of the road.

Damage to
road or
bridge.

47.(1) A driver or a person in charge of a vehicle shall not drive or haul a vehicle or cause it to be driven or hauled over any bridge on or near a conspicuous notice which has been placed to the effect that such bridge is insufficient to carry traffic in excess of a specified weight, unless—

- (a) the gross weight of the vehicle and any trailer attached thereto is less than the weight specified; or
- (b) the driver or person in charge of the vehicle has obtained the consent, in writing, of the relevant Authority.

(2) Where a road or bridge is damaged—

- (a) by reason of a vehicle passing over it in contravention of the provisions of subsection (1) or of the axle load restrictions under the Traffic Act, East African Community Vehicle Load Control Act or the provisions of any regulations made under this Act; or
- (b) by reason of any vehicle passing over a bridge on the road or coming into contact with any portion thereof other than the surface of the road, it shall be lawful for the Authority to make good such damage and to recover the cost thereof from the owner of the vehicle, and the person driving or hauling it shall be jointly and severally liable to the Authority for the damage.

(3) A certificate under the hand of any person authorized on that behalf by the concerned Authority stating the amount of the cost of making good such damage under subsection (2) shall be *prima facie* evidence of such cost.

National toll
roads.

48. The Cabinet Secretary, in consultation with the Authority may declare a national trunk road or a portion thereof as a national toll road for purposes of this Act, and may make Regulations for the better carrying out of the provisions of this section.

National toll
bridges.

49.(1) *Subject to subsection (2), the Authority may establish and maintain national toll bridges, together with, approaches, ramps and other essential appurtenances, for the passage or carriage of passengers, animals, goods and vehicles on any road in which it is responsible under this Act.*

(2) *The establishment of a ferry boat service under subsection (1) shall require the approval of the Cabinet Secretary and the terms and conditions governing its operation, including the charges for use of the ferry, shall be provided by Regulations made by the Cabinet Secretary.*

(3) *An agreement in which a private party develops, operates or maintains a ferry boat service on behalf of the Authority or Kenya Wildlife Service shall be approved under the Public Private Partnership Act.*

Road user
charges.

50.(1) The Cabinet Secretary responsible for finance may, in consultation with the Cabinet Secretary, make Regulations in accordance with this section authorizing the imposition and collection of road user charges by the Authority in respect of roads, including national and county roads.

(2) A road user charge shall be a charge levied in respect of the distance travelled by a vehicle on a road—

(a) for the purpose of recovering the cost of maintaining, repairing and replacing the road; and

(b) reasonably related to the impact of that vehicle on such cost.

(3) Regulations made under this section shall be tabled before Parliament for approval, and shall not take effect until such approval is obtained.

(4) The Regulations made under this section may provide for—

(a) charges related to the weight of the vehicle, including exemption from charges for vehicles below a minimum weight;

(b) exemptions for classes of vehicles whose purpose or design means they are unsuitable for regular road use, or for vehicles used primarily off-road;

(c) any other provision necessary or desirable for the equitable distribution of the burden of the charge on road users;

(d) a requirement that road users subject to the charge must be licensed;

(e) the requirement that vehicles carry distance recorders;

(f) the allocation by the Roads Fund of the net proceeds of the charges among national and county roads; and

(g) any other matter necessary or desirable in connection with administration and imposition, collection and enforcement of charges.

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Part VI - as amended agreed to

Part VII comprising Clauses 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61 and 62 - Amendment proposed

THAT Part VII – Title – General Powers of an Authority comprising of Clauses 47 to 62 of the Bill be amended by deleting the entire of that Part and replaced therefor with:-

“Part VII - FINANCIAL PROVISIONS comprising of Clause 51 to 62 as published in the Order Paper”.

PART VII —FINANCIAL PROVISIONS

Financial
year.

51. (1) The financial year of each Authority shall be the period of twelve months commencing on the 1st of July in every year and ending on the 30th of June in the next succeeding year.

(2) Without prejudice to subsection (1), the first financial year shall be the period commencing on the appointed date of this Act and ending on the 30th June subsequent to that date.

Funds and
Resources of the
Authority.

52. The funds and resources of each Authority shall consist of —
(a) monies paid to it from the Road Fund;

(b) any other monies appropriated by Parliament;

(c) funds accruing from investments made by the Authority;

(d) grants, loans, gifts or donations from the Government or any other source, made with the approval of the Cabinet Secretary and the Cabinet Secretary responsible for finance;

(e) revenue earned from the activities of the Authority under this Act; and

(f) any other funds received by the Authority in the performance of its functions under this Act.

Receipts,
earnings and
accruals for the
Authority.

53. The receipts, earnings or accruals of each Authority and the balances at the end of each financial year shall be retained for the purposes for which the respective Authority is established.

Investment of
the Authority's
Fund.

54. Subject to the written approval of the Cabinet Secretary and the National Treasury, an Authority may invest any part of its funds in such a manner as it may consider appropriate.

Borrowing by
the Authority.

55. An Authority may borrow money required for the exercise of its functions and for meeting its obligations after approval by the Cabinet Secretary.

Annual
estimates.

56. (1) At least three months before the commencement of each financial year, each Authority shall cause to be prepared estimates of revenue and expenditure for that year.

(2) The annual estimates prepared under subsection (1) shall make provision for all the estimated expenditure of each Authority, for the financial year concerned, and in particular shall provide for the—

- (a) payment for the infrastructural developments and provision of services;
- (b) payment of salaries, allowances and other charges in respect of the employees and staff of the Authority and the members of the Board;
- (c) payment of pensions, gratuities and other charges in respect of retirement benefits which are payable out of the Roads Fund;
- (d) acquisition, maintenance, repair and replacement of the equipment and other movable property of the Authority; and
- (e) creation of such funds to meet future or contingent liabilities in respect of benefits, insurance and the replacement of buildings or equipment.

(3) The annual estimates under this section shall be approved by the Board at least two months before commencement of the financial year to which they relate, and shall be submitted to the Cabinet Secretary for onward transmission to the National Assembly.

Accounts and
Audit.

57.(1) Each Authority shall keep proper books of account of its income, expenditure, assets and liabilities which shall be subject to the provisions of the law regulating State Corporations.

(2) The annual accounts prepared under subsection (1) shall be audited and reported in accordance with the provisions of the law relating to public audit.

Annual Roads
works
programme.

58. Each Authority and each county government shall, not later than six months before the end of each financial year, cause to be prepared and submitted to the Kenya Roads Board for approval an annual road works programme based on the approved five-year road investment program in respect of the ensuing financial year, comprising estimates of expected maintenance, development and capital expenditure of the Authority or county government in the said financial year to be financed.

Road
investment
programme.

59. (1) The Cabinet Secretary shall, once in every five years, in consultation with the national and county government and the Kenya Roads Board, cause to be prepared a road investment program for approval by the Cabinet Secretary responsible for finance.

(2) The road investment programme prepared under subsection (1) shall outline development and maintenance priorities costed with respect to stated sections of the road, and also aggregated by class, traffic loading or such other detail as may be specified.

Principles of operation.

60. Each Authority shall perform its functions in accordance with the financial principles and shall ensure, as far as reasonably practicable, that its expenditure is chargeable on its revenue.

Fees and Charges.

61. Each Authority may, subject to the approval of the Cabinet Secretary, impose any levy, charges or fees for any of its services or for the use of road reserves under their jurisdiction.

Charges and fees to be Gazetted.

62.(1) Where an Authority, pursuant to section 45 imposes levies, charges or fees for any of its services or for use of its facilities, the schedule of charges shall be published in the Gazette.

(2) The schedule of charges published under subsection (1) shall come into operation on a date specified on the Gazette, which shall be at least thirty days after publication.

(3) If any amount due and payable under this section is not paid by any party after demand by the Authority, and remains unpaid beyond the time specified for payment, the Authority may seize the vehicle or other property of the debtor after giving reasonable notice of such seizure, and may detain such vehicle or property until payment is made.

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

PART VII - as amended agreed to

Clauses 63, 64, 65, 66, 67, 68 & 69 - agreed to

Clause 70 - amendment proposed –

THAT, clause 70 of the Bill be amended in subsection (1) by inserting a proviso-

“provided notification of the actions or powers intended has been provided and consented to by the National Agency with delegated powers over the road.”

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Clause 70 - as amended agreed to

Clauses 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90 & 91
- agreed to

Clause 92 - amendment proposed -

THAT, clause 92 of the Bill be amended in sub-clause (2) by inserting the following new paragraph immediately after paragraph (k) -

“(l) road numbering and signage system.”

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Clause 92 - as amended agreed to

Clauses 93, 94 & 95 - agreed to

Clause 96 – amendment proposed -

THAT, clause 96 of the Bill be amended–

(a) in sub-clause (1) in the definition of “former Authorities” by deleting the word “Kenya” appearing before the words “Kenya National Highways Authority.”

(b) in sub-clause (4) by deleting the words “Kenya Regional Roads Authority” appearing in paragraph (d) and substituting therefor the words “Kenya National Secondary Roads Authority”

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Clause 96 - as amended agreed to

Clause 97 - agreed to

Clause 98 - amendment proposed -

THAT, clause 98 of the Bill be amended by deleting the word “First” and substituting therefor the word “Third”.

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Clause 98 - as amended agreed to

New Clauses**New Clause 11A, 11B and 11C proposed -**

THAT, the Bill be amended by inserting the following new clauses immediately after clause 11—

Establishment of
the Kenya National
Urban Roads
Authority.

11A. (1) There is established the Kenya National Urban Roads Authority.

(2) The Authority established under subsection (1) shall be a body corporate with perpetual succession and a common seal and shall in its corporate name be capable of—

- (a) suing and being sued;
- (b) taking, purchasing or otherwise acquiring, holding, charging and disposing of movable and immovable property;
- (c) borrowing and lending money; and
- (d) doing or performing all such other things or acts as may be necessary in furtherance of its purpose and functions.

(3) The headquarters of the Authority shall be in the Capital city, and the Authority may establish such administrative offices in each county, as may be necessary for the furtherance of its functions under this Act.

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

Motion made and Question proposed -

THAT, the New Clause 11A be read a Second Time

Debate arising;

Question put and agreed to.

Motion made and Question proposed -

THAT, the New Clause 11A be Part of the Bill

Question put and agreed to.

Functions of the
Kenya National
Urban Roads
Authority.

11B. (1) The Authority is responsible for the management, development, rehabilitation and maintenance of primary national trunk roads Classes H and J as described in the First Schedule Part A of this Act.

(2) For the purposes of discharging its responsibility, the Authority shall have the following functions and duties, —

- (a) constructing, upgrading, rehabilitating and maintaining roads under its jurisdiction;
- (b) controlling primary national trunk roads Classes H and J and road reserves and access to roadside developments;

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- (c) implementing road policies in relation to primary national trunk roads Classes H and J;
- (d) ensuring adherence to the rules and guidelines on axle load control as prescribed under the Traffic Act and any regulations made under this Act;
- (e) ensuring that the quality of road works is in accordance with such standards as may be prescribed by the Cabinet Secretary;
- (f) overseeing the management of traffic and road safety on primary national trunk roads Classes H and J, in collaboration with the National Transport and Safety Authority;
- (g) collecting and collating all such data related to the use of primary national trunk roads Classes H and J as may be necessary for efficient planning under this Act;
- (h) monitoring and evaluating the use of primary national trunk roads Classes H and J;
- (i) planning the development and maintenance of primary national trunk roads Classes H and J;
- (j) advising the Cabinet Secretary on all matters relating to primary national trunk roads Classes H and J;
- (k) preparing the sector investment programme road works programmes for all primary national trunk roads Classes H and J;
- (l) liaising and coordinating with other road agencies in planning and on operations in respect of roads; and
- (m) performing such other functions related to the implementation of this Act as may be directed by the Cabinet Secretary.

(Vice-Chairperson of the Departmental Committee on Transport, Public Works and Housing)

Motion made and Question proposed -

THAT, the New Clause 11B be read a Second Time

Debate arising;

Question put and agreed to.

Motion made and Question proposed -

THAT, the New Clause 11B be Part of the Bill

Question put and agreed to.

- (a) a non-executive Chairperson to be appointed by the President from amongst the members appointed under paragraph (f) or (g);
- (b) the Principal Secretary in the ministry or State department responsible for matters relating to roads;
- (c) the Principal Secretary in the ministry or State department responsible for matters relating to transport;
- (d) the Principal Secretary in the National Treasury;
- (e) the Director-General of the Authority, who shall be an *ex officio* member;
- (f) six persons, nominated by the following organizations—
 - (i) Institute of Engineers of Kenya;
 - (ii) Institute of Certified Public Accountants of Kenya;
 - (iii) Law Society of Kenya;
 - (iv) Institute of Surveyors of Kenya;
 - (v) Kenya Institute of Physical Planners;
 - (vi) Chartered University

(2) The members of the Authority under paragraphs 1 (b) to (d) may designate an officer from their respective Ministry or State department to represent them.

(3) The nominating organizations specified under subsection (1) (f) shall submit three names of the candidates approved at their respective annual general meeting for appointment by the Cabinet Secretary:

provided that only one candidate shall be eligible for appointment by the Cabinet Secretary in accordance with subsection (1) (f)

(4) Despite subsection (1), the Principal Secretary in the ministry or State department responsible for matters relating to roads and the Principal Secretary in the ministry or State department responsible for matters relating to transport or their alternates may both not be members of the Board if they serve under the same Cabinet Secretary.”

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

Motion made and Question proposed -

THAT, the New Clause 11C be read a Second Time

Debate arising;

Question put and agreed to.

Motion made and Question proposed -

THAT, the New Clause 11C be Part of the Bill

Amendment proposed -

THAT the proposed amendment to Clause 11C be amended in sub-clause (1) by:-

- (a) Deleting the words “six” appearing in paragraph ‘f’ and substituting therefor the word “five”; and
- (b) Deleting sub-paragraph “(vi) Chartered University”.

THAT, consequential amendments be effected on all other Clause in the Bill to delete representation of “Chartered University”.

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

New Clause 11C as amended - agreed to.

SCHEDULES

First Schedule - agreed to.

Second Schedule - agreed to.

Third Schedule - amendment proposed -

THAT, the Third Schedule of the Bill be amended —

- (i) by deleting the consequential amendment to section 2 of the Kenya Roads Board Act, 1999 and substituting therefor the following –

“Delete the definition of “Highways Authority”, “Rural Roads Authority” and “Urban Roads Authority” and substitute therefor the following new definitions in their proper alphabetical order—

“Highways Authority” means the Kenya National Highways Authority;
 “Secondary Roads Authority” means the Kenya National Secondary Roads Authority; and

“Urban Roads Authority” means the Kenya National Urban Roads Authority;”

- (ii) by deleting the consequential amendment to section 6(2)(d) of the Kenya Roads Board Act, 1999 and substituting therefor the following –

“Determine the allocation of the Fund to ensure that not more than—

- (1) thirty five (35%) per centum is allocated to the Kenya National Highways Authority in such proportions as the Board may determine with the approval of the Cabinet Secretary in respect of primary national trunk roads Classes S,A and B;
- (2) thirty (30%) per centum is allocated to the Kenya National Secondary Roads Authority in respect of secondary national trunk roads and the said per centum shall be equally distributed to the Constituencies;
- (3) ten (10%) per centum is allocated to the National Urban Roads Authority
- (4) fifteen (15%) per centum is allocated to the county governments equally in respect of county roads;

- (5) one (1%) per centum is allocated to the Kenya Wildlife Services in respect of roads in national parks and reserves;
 - (6) six (6%) per centum is allocated annually by the Board with the approval of the Cabinet Secretary to priority projects derived from the road investment programmes including support road standards, technical assistance and shall include –
 - (a) one (1%) per centum for material development; and
 - (b) one (1%) per centum for research and testing.
 - (7) one (1%) per centum to be allocated to the National Transport and Safety Authority to support road safety programmes; and
 - (8) two (2%) per centum to the Kenya Roads Board in respect of the recurrent expenditure of the Board.”
- (iii) in the consequential amendment to the Third Schedule of the Kenya Roads Board Act, 1999 by inserting the following new paragraph immediately after paragraph (1)—
- “(1A) Kenya National Urban Roads Authority”
- (iv) by deleting the consequential amendment to section 2 of the Physical Planning Act, 1996 and substituting therefor the following—
- “Delete the definition of “Kenya National Highways Authority”, “Kenya Rural Roads Authority” and “Kenya Urban Roads Authority” and substitute therefor the following—
- “Highways Authority” means the Kenya National Highways Authority established under section 9 of the Roads Act;
- “Secondary Roads Authority” means the Kenya National Secondary Roads Authority established under section 12 of the Roads Act;
- “Urban Roads Authority” means the Kenya National Urban Roads Authority established under Section 11A of the Roads Act”
- (v) in the consequential amendment to section 8(1) of the Physical Planning Act, 1996 by inserting the following new paragraph immediately after paragraph (nb)—
- “(nc) the Director-General of the Kenya National Urban Roads Authority established under section 11C (1) (e) of the Roads Act.”
- (vi) by deleting the consequential amendment to section 8(3) of the Physical Planning Act, 1996 and substituting therefor the following—
- “Insert the following new paragraph immediately after paragraph (e)—
- “(ea) a representative of the Kenya National Urban Roads Authority;”
- Delete paragraph (f) and substitute therefor the following new paragraph—
- “(f) a representative of the Kenya National Highways Authority;”

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Further amendment proposed -

THAT, the Third Schedule of the Bill be amended in the proposed amendment to section 6(2)(d) of the Kenya Roads Board Act (No. 7 of 1999) in subparagraph (4) by deleting the word “equally” and substituting therefor the word “equitably”.

(Hon. Abdullahi Diriyee)

Proposed further amendment dropped;

Further amendment proposed -

THAT, the Third Schedule be amended by deleting the proposed amendment to S.6(2)(d) of the Kenya Roads Board Act, 1999 and substituting therefor the following-

“Determine the allocation of the fuel levy in the Kenya Roads Board Fund to ensure that—

- (1) forty (40 %) per centum is allocated to the Kenya National Highways Authority in respect of the Primary National Trunk Roads;
- (2) twenty two (22%) per centum is allocated to the Kenya National Secondary Roads Authority which shall be distributed equally to the Constituencies;
- (3) ten (10%) per centum is allocated to the Kenya National Secondary Roads Authority in respect of the Secondary National Trunk Roads;
- (4) fifteen (15%) per centum is allocated to the county governments equally;
- (5) two (2%) per centum to the Kenya Wildlife Services;
- (6) one (1%) per centum to be allocated to the National Transport and Safety Authority to support road safety programmes;
- (7) three (3%) per centum is allocated to the Board in respect of the recurrent expenditure; and
- (8) seven (7%) per centum is allocated annually by the Board in consultation with the Cabinet Secretary derived from the road investment programmes including support road safety, technical assistance and capacity building, auditing of works, goods and services, material research and testing and road network.”

(Hon. Agoi Masadia)

Further proposed amendment dropped;

Third Schedule - as amended agreed to

Clause 2 - amendment proposed -

THAT, clause 2 of the Bill be amended by—

- (i) inserting the following new definitions in proper alphabetical sequence—

“Intergovernmental Relations Technical Committee” means the Intergovernmental Relations Technical Committee established under

No. 2 of 2012. section 11 of the Intergovernmental Relations Act;

“Kenya Roads Board” means the Kenya Roads Board established

No. 7 of 1999. under section 4 of the Kenya Roads Board Act;

- (ii) deleting the definition of “Board” and substituting therefor the following new definition—

“Board” means a Board of an Authority established under sections 11, 11C and 14;

- (iii) deleting the definition of “Authority” and substituting therefor the following new definition—

“Authority” means the Kenya National Highways Authority, the Kenya National Urban Roads Authority or the Kenya National Secondary Roads Authority established under sections 9, 11A and 12, respectively;

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Clause 2 - as amended agreed to

Long Title - amendment proposed -

THAT, the long title of the Bill be amended by inserting the words “Kenya National Urban Roads Authority” immediately after the words “Kenya National Highways Authority”.

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Long Title - as amended agreed to

Clause 1 - agreed to

Bill to be reported with amendments, *subject* to re-committal of Clause 11, 14 and 11C

11. **HOUSE RESUMED-** The Second Chairperson in the Chair

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

Bill reported with amendments;

Motion made and Question proposed –

THAT, the House doth agree with the Committee in the said Report.

(The Leader of the Majority Party)

Amendment proposed-

THAT, the Motion for agreement with the Report of the Committee of the Whole House be amended by inserting the words “**subject to re-committal of Clauses 11, 14 and 11C**”

(Hon. Tom J. Kajwang)

Debate arising;

Question put and agreed to;

Thereupon the House resolved into Committee.

12. **COMMITTEE OF THE WHOLE HOUSE**

IN THE COMMITTEE

The Second Chairperson in the Chair

Re-committal

Clause 11 - amendment proposed

THAT, Clause 11 of the Bill be further amended in sub-clause (1) by inserting the words “and secretary to the Board” at the end of paragraph (e)-

(Hon. Tom Kajwang)

Debate arising;

Question put and agreed to;

Clause 11 - as amended agreed to.

Clause 14 - Amendment proposed

THAT, Clause 14 of the Bill be further amended in sub-clause (1) by inserting the words “and secretary to the Board” at the end of paragraph (e)-

(Hon. Tom Kajwang’)

Debate arising;

Question put and agreed to;

Clause 14 - as amended agreed to.

New Clause 11C - amendment proposed -

THAT, the proposed new Clause 11C of the Bill be further amended by deleting sub-clause (1) by inserting the words “and secretary to the Board” at the end of paragraph (e)-

(Hon. Tom Kajwang’)

Debate arising;

Question put and agreed to;

Further Amendment proposed

THAT, the proposed new Clause 11C be further amended in sub-clause (1) by deleting paragraph (f) and substituting therefor the following words – “five persons to be recruited competitively”.

(Hon. Samuel Chepkong’a)

Debate arising;

Further amendment withdrawn;

New Clause 11C - as amended agreed to.

Bill to be reported with amendments.

13. **HOUSE RESUMED** - the Deputy Speaker in the Chair

(i) **The Kenya Roads Bill (National Assembly Bill No. 26 of 2015)**

Bill reported with amendments;

Motion made and Question proposed –

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

(The Leader of the Majority Party)

Question put and agreed to;

Motion made and Question proposed –

THAT, the Kenya Roads Bill (National Assembly Bill No. 26 of 2015) be now read a Third Time

(The Leader of the Majority Party)

Debate arising;

Question of the Third Reading deferred to another day

(ii) **Consideration of Senate Amendments to the Protection of Traditional Knowledge and Cultural Expressions Bill, 2015**

Consideration reported without amendments;

Motion made and Question proposed -

THAT, the House doth agree with the Committee in the said Report

(The Leader of the Majority Party)

Question for agreement deferred to another day.

14. **MOTION - ADOPTION OF THE REPORT ON THE INQUIRY INTO ALLEGATIONS OF FRAUD AND FINANCIAL MISMANAGEMENT AT THE YOUTH ENTERPRISE DEVELOPMENT FUND**

Motion made and Question proposed -

THAT, this House **adopts** the Report of the Public Investments Committee on the Inquiry into allegations of Fraud and Financial Mismanagement at the Youth Enterprise Development Fund, laid on the Table of the House on Wednesday, May 04, 2016.

(Chairperson, Public Investments Committee – 17.08.2016)

Debate interrupted on Wednesday, August 17, 2016 (Afternoon Sitting) resumed;

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

15. **HOUSE ROSE** - at thirty minutes past Six O'clock

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, August 23, 2016 at 2.30 p.m.

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