



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – FOURTH SESSION

NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, OCTOBER 18, 2016

1. The House assembled at thirty minutes past Two O'clock.
2. The Proceedings were opened with Prayer.
3. **PRESIDING** - The Honourable Speaker
4. **MESSAGES**

The speaker conveyed the following Message from the President:-

APPOINTMENT OF THE CHAIRMAN FOR THE NATIONAL AUTHORITY FOR CAMPAIGN AGAINST ALCOHOL AND DRUG ABUSE (NACCADA)

"Honourable Members, pursuant to the provisions of Standing Order 42, I wish to convey that I have received a Message from H.E. the President dated October 12, 2016 regarding the appointment of the Chairman, National Authority for Campaign Against Alcohol and Drug Abuse (NACAADA). The Message states and I quote, that –

"Pursuant to section 6(1)(a) of the National Authority for Campaign Against Alcohol and Drug Abuse Act (CAP 121B), the President has nominated Lt. Col. (Rtd.) Julius Ayub Githiri for appointment as Chairman of the National Authority for Campaign Against Alcohol and Drug Abuse (NACAADA)."

Hon. Members, section 6(1)(a) of the National Authority for Campaign Against Alcohol and Drug Abuse Act requires that in making an appointment for the position of Chairperson of the Board of the Authority, the appointing authority shall, upon nominating a person for appointment, seek the approval of the National Assembly. Consequently, a proper notification in line with the above provisions has been received.

Honourable Members, section 8 of the Public Appointments (Parliamentary Approval) Act, 2011 provides that the relevant Committee should table its Report for debate and decision within fourteen (14) days from when the notification of nomination is conveyed to the House. The Act also requires that the public be given a seven (7) days notification for submission of views regarding the suitability of a nominee for appointment into an office requiring approval of Parliament. In this regard, and in accordance with the provision of Article 259(5)(a) of the

Constitution as read together with section 5 of the said Act, the counting of the seven (7) days shall start running on the day following the day when the notice appears in the dailies.

Honourable Members, pursuant to the provisions of Standing Order 42(3)(c), I now refer the Message, including the curriculum vitae of the nominee, to the Departmental Committee on Administration and National Security to undertake the necessary approval hearings. I wish to guide the Committee and the House as follows:-

- (i) The Committee should notify the nominee and the general public of the time and place for holding the approval hearings expeditiously; and
- (ii) The Committee should thereafter commence the necessary approval hearings and table its Report so that the House may consider the report on or before Tuesday, November 01, 2016.

Thank you!"

5. PAPERS

The following papers were laid on The Table –

- a) The Reports of the Auditor-General on the Financial Statements in respect of the following institutions for the year ended 30th June, 2015 and the Certificates therein:-
 - (i) Ethics and Anti-Corruption Commission;
 - (ii) Kenya Dairy Board;
 - (iii) Kenya Veterinary Board;
 - (iv) Kenya Veterinary Vaccines Production Institute;
 - (v) Revenue-Head-000000156-Fishing Rights;
 - (vi) National Biosafety Authority;
 - (vii) Kenya Animal Genetic Resources Centre;
 - (viii) State Department of Agriculture;
 - (ix) State Department of Fisheries;
 - (x) State Department of Livestock;
 - (xi) Strategic Grain Reserve Fund-State Department of Agriculture;
 - (xii) Demonstration Farms Fund- State Department of Agriculture;
 - (xiii) Veterinary Services Development Fund - State Department of Livestock; and
 - (xiv) Agricultural Information Resource Centre - State Department of Agriculture.

(The Leader of the Majority Party)

- b) Report of the Departmental Committee on Justice and Legal Affairs on the Approval for Appointment of Hon. Justice David Kenani Maraga as the Chief Justice of the Republic of Kenya.

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

- c) The Report of the Departmental Committee on Finance, Planning and Trade on the vetting of nominees as Members of the Board of Directors of the Central Bank of Kenya

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

6. NOTICES OF MOTION

The following Notices of Motions were given –

- a) **THAT**, pursuant to Article 166(1)(a) of the Constitution, Public Appointments (Parliamentary Approvals) Act, 2011 and Standing Order 216(5)(f) this House adopts the Report of the Departmental Committee on Justice and Legal Affairs laid on the Table of the House on Tuesday, October 18, 2016, and approves the appointment of Hon. Justice David Kenani Maraga to the Office of Chief Justice of the Republic of Kenya.

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

- b) **THAT**, pursuant to Section 11 (2) of the Central Bank of Kenya Act, Section 8(1) of the Public Appointments (Parliamentary Approval) Act and Standing Order 45(1), this House adopts the Report of the Departmental Committee on Finance, Planning and Trade on the Vetting of Nominees to the Central Bank of Kenya Board, and approves the appointment of the following as Members to the Central Bank of Kenya Board of Directors:

- (i) Mr. Ravi J. Ruparel;
- (ii) Mrs. Nelius W. Kariuki;
- (iii) Mr. Samson K. Cherutich;
- (iv) Ms. Charity Seleina Kisotu; and
- (v) Mrs. Rachel Bessie Dzombo.

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

7. PROCEDURAL MOTION – APPROVAL OF A SITTING COMMENCING AT 6.45 P.M.

Motion made and question proposed –

THAT, pursuant to the provisions of Standing Order 30(3)(b), this House resolves to hold a Sitting today Tuesday, October 18, 2016 for not more than three (3) hours commencing at 6.45 p.m. or such earlier time, being not more than fifteen minutes after the rise of the House.

(The Leader of the Majority Party)

Question proposed;

Debate arising;

Question put and agreed to.

8. THE COMPETITION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2016)

Motion having been made and Question proposed -

THAT, the Competition (Amendment) Bill (National Assembly Bill No. 24 of 2016) be now read a Second Time.

(The Leader of the Majority Party)

Debate having been concluded and mover replied;

Question put and agreed to.

Bill read a Second Time and committed to the Committee of the Whole House, tomorrow.

9. THE INSURANCE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 28 OF 2016)

Motion made and Question proposed -

THAT, The Insurance (Amendment) Bill (National Assembly Bill No.28 of 2016) be now read a Second Time

(The Leader of the Majority Party)

Debate arising;

Mover replied;

Question of Second Reading deferred to another day;

Rising in his place on a Standing Order pursuant to the provisions of Standing Order 32(1), the Leader of the Minority Party (Hon. Francis Nyenze) claimed to move that 'the House do now adjourn until 5:00 pm today, Tuesday October 18, 2016'

And the Speaker acceding to the claim;

Thereupon, question put and agreed to.

And the time being thirty minutes past Four O'clock, the Speaker interrupted the Proceedings and adjourned the House without Question put pursuant to Standing Order 31.

10. HOUSE ROSE - at thirty minutes past four O'clock

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, October 18, 2016 at 5.00 p.m.

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