



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, NOVEMBER 18, 2015

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

The Speaker conveyed the following Communication –

“Honourable Members,

I wish to introduce to you a delegation from the National Assembly of Gambia who are Members of the Public Accounts Committee, who are seated at the Speaker's Gallery. The delegation comprises the following Members:

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|--------|------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------|
| (i) | Hon Lamin Kebba Jammeh, MP - Head of Delegation and Vice Chairman of West African Parliamentary Public Account Committees (WAPPAC) | |
| (ii) | Hon. AlhAlaji Sillah, MP | |
| (iii) | Hon. Njai Darboe, MP | |
| (iv) | Hon. Seedy S.K. Njie, MP | |
| (v) | Hon. Buba Ayi Sanneh, MP | |
| (vi) | Hon. Babou Gaye Sonko, MP | |
| (vii) | Mr. D.C.M. Kebbeh | - Clerk of the Gambia National Assembly |
| (viii) | Mr. Rene Geoffrey Renner | - Aide to the Committee |
| (ix) | Mr. Loui Moses Mendy | - Senior Policy analyst unit at the Presidency |
| (x) | Mr. Ansumana Sonko | - Principal Accountant at the Accountant General Department |
| (xi) | Mrs. Mariama Jeng Mboge | - Financial Analyst at the Ministry of Finance |

The Committee is in the country on a benchmarking visit with the Public Accounts and Public Investments Committees of the National Assembly of Kenya. I wish to welcome them to the National Assembly and wish them fruitful engagements.

I thank you!

5. PAPERS LAID

The following Papers were laid on the Table –

- (i) The Reports of the Auditor-General on the Financial Statements of the Constituencies Development Fund for the ended 30th June, 2014 and the certificates therein, in respect of the following Constituencies:-

- (a) Narok East Constituency;
- (b) Narok North Constituency;
- (c) Rongai Constituency;
- (d) Bonchari Constituency;
- (e) Naivasha Constituency;
- (f) Hamisi Constituency;
- (g) Gatanga Constituency;
- (h) Kabete Constituency;
- (i) Bura Constituency; and
- (j) Bahati Constituency.

- (ii) The Annual Reports and Financial Statements of the Rift Valley Water Services Board for the year ended 30th June, 2013.
- (iii) The Annual Reports and Financial Statements of the Witness Protection Agency for the year ended 30th June, 2014.
- (iv) The Annual Reports and Financial Statements of the Coast Development Authority for the year ended 30th June, 2014.
- (v) The Annual Reports and Financial Statements of the Kerio Valley Development Authority for the year ended 30th June, 2014.
- (vi) The Annual Reports and Financial Statements of the Small Enterprises Finance Company Limited for the year ended 31st December, 2014.
- (vii) The Annual Reports and Financial Statements of Ewaso Ng'iro South River Basin Development Authority for the year ended 30th June, 2014.
- (viii) The Annual Reports and Financial Statements of the Tea Research Foundation for the year ended 30th June, 2014.
- (ix) The Annual Reports and Financial Statements of the Kenya Wildlife Service for the year ended 30th June, 2014.
- (x) The Annual Reports and Financial Statements of the Rift Valley Water Services Board for the year ended 30th June, 2014.
- (xi) The Annual Reports and Financial Statements of the Ethics and Anti-Corruption Commission for the year ended 30th June, 2015.
- (xii) The Annual Reports and Financial Statements of the Kenya Deposit Insurance Corporation for the year ended 30th June, 2015.
- (xiii) The Annual Reports and Financial Statements of the Central Bank of Kenya for the year ended 30th June, 2015.

(Majority Party Whip)

- (xiv) The Reports of the Departmental Committee on Finance, Planning and Trade on its consideration of:-
 - (a) The Public Finance Management (Amendment) Bill, 2015;
 - (b) The Betting, Lotteries and Gaming (Amendment) Bill, 2015; and
 - (c) The Miscellaneous Fees and Levies Bill, 2015.

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

- (xv) The Report of the Departmental Committee on Lands on the Petition by Residents of Masongaleni Ward of Kibwezi East Constituency on dispute over ownership of Tisya Primary School Land- Plot No. 280 Makueni/Masongaleni Settlement Scheme.

(Chairperson, Departmental Committee on Lands)

- (xvi) The Report of the Constitutional Implementation Oversight Committee (CIOC) on its consideration of extension of the life of the Commission on Implementation of the Constitution (CIC) beyond 29th December, 2015 pursuant to Section 5 (7) of the sixth schedule to the Constitution.

(Chairperson, Constitutional Implementation Oversight Committee)

- (xvii) The Report of the Mediation Committee on the County Governments (Amendment) Bill (Senate Bill No. 1 of 2014).

(Vice Chairperson, Mediation Committee on the County Governments (Amendment) Bill, 2014)

- (xviii) The Report of the Departmental Committee on Energy, Communication and Information on its consideration of the Access to Information Bill, 2015.

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

6. **NOTICES OF MOTION**

The following Notices of Motions were given –

- (i) **MOTION – REPORT ON EXTENSION OF THE LIFE OF THE CIC BEYOND DECEMBER 2015**

THAT, this House adopts the Report of the Constitutional Implementation Oversight Committee (CIOC) on its consideration of extension of the life of the Commission on Implementation of the Constitution (CIC) beyond 29th December, 2015 pursuant to Section 5 (7) of the Sixth Schedule to the Constitution, laid on the Table of the House on Wednesday, November 18, 2015.

(Chairperson, Constitutional Implementation Oversight Committee)

- (ii) **MOTION – ADOPTION OF THE REPORT OF THE MEDIATION COMMITTEE**

THAT, this House adopts the Report of the Mediation Committee on the County Governments (Amendment) Bill (Senate Bill No. 1 of 2014), laid on the Table of the House on Wednesday, November 18, 2015.

(Vice Chairperson, Mediation Committee on the County Governments (Amendment) Bill, 2014)

7. **STATUS OF BUSINESS BEFORE COMMITTEES–**

In accordance with the Speaker's Communication of October 14, 2015, the Chairpersons of the following Committees appraised the House on the status of the Business pending before their respective Committees –

- (i) Departmental Committee on Labour and Social Welfare;

- (ii) Departmental Committee on Lands;
- (iii) Committee on Delegated Legislation; and
- (iv) Departmental Committee on Environment and Natural Resources.

8. **MOTION - THE PRESIDENT'S RESERVATIONS ON THE HIGHER EDUCATION LOANS BOARD (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 09 OF 2015)**
(Report of the Committee of the Whole House)

THAT, the House do agree with the Report of the Committee of the whole House on its Consideration of the **President's Reservations** on the Higher Education Loans Board (Amendment) Bill (National Assembly Bill No. 09 of 2015).

(Leader of the Majority Party)

Committee of the whole House having concluded its consideration on Tuesday, November 17, 2015;

Question put and agreed to.

9. **THE MAGISTRATES' COURTS BILL (NATIONAL ASSEMBLY BILL NO. 40 OF 2015)**

Order for Third Reading read;

Debate on the Third Reading having been concluded on Tuesday, November 17, 2015;

Question put and agreed to;

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

10. **THE SMALL CLAIMS COURT BILL (NATIONAL ASSEMBLY BILL NO. 51 OF 2015)**

Order for Third Reading read;

Debate on the Third Reading having been concluded on Tuesday, November 17, 2015;

Question put and agreed to;

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

11. **THE COURT OF APPEAL (ORGANIZATION AND ADMINISTRATION) BILL (NATIONAL ASSEMBLY BILL NO. 52 OF 2015)**

Order for Third Reading read;

Debate on the Third Reading having been concluded on Tuesday, November 17, 2015;

Question put and agreed to;

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

12. THE TAX PROCEDURES BILL (NATIONAL ASSEMBLY BILL NO. 29 OF 2015)

Motion made and Question proposed –

THAT, the Tax Procedures Bill (National Assembly Bill No. 29 of 2015) be now read a Second Time

(Leader of the Majority Party - 17.11.2015)

Debate interrupted on Tuesday, November 17, 2015 resumed;

(Change of Chair from the Speaker to the Fourth Chairperson)

Mover replied;

Question of Second Reading deferred.

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

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

MEMORANDUM

The Speaker will take the Chair on
Thursday, November 19, 2015 at 9.30 a.m.

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