



**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – (THIRD SESSION)**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, AUGUST 19, 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. **PAPERS LAID**

The following Papers were laid on the Table –

- (i) Sessional Paper No. 1 of 2015 on the National Policy on Elimination of Child Labour – Ministry of Labour, Social Security and Services;
- (ii) The Report of the Auditor-General on the Financial Statements of the Constituencies Development Fund – Tinderet Constituency for the year ended 30<sup>th</sup> June, 2014 and the certificate therein;
- (iii) The Report of the Auditor-General on the Financial Statements of the Constituencies Development Fund – Mosop Constituency for the year ended 30<sup>th</sup> June, 2014 and the certificate therein;
- (iv) The Report of the Auditor-General on the Financial Statements of the Constituencies Development Fund – Ainabkoi Constituency for the year ended 30<sup>th</sup> June, 2014 and the certificate therein;
- (v) The Report of the Auditor-General on the Financial Statements of the Constituencies Development Fund – Kiminini Constituency for the year ended 30<sup>th</sup> June, 2014 and the certificate therein;
- (vi) The Report of the Auditor-General on the Financial Statements of Nzoia Sugar Company Limited for the year ended 30<sup>th</sup> June, 2014 and the certificate therein;
- (vii) The Report of the Auditor-General on the Financial Statements of Kenya Forestry Research Institute for the year ended 30<sup>th</sup> June, 2014 and the certificate therein;

- (viii) The Report of the Auditor-General on the Financial Statements of the National Water Conservation and Pipeline Corporation for the year ended 30<sup>th</sup> June, 2014 and the certificate therein;
- (ix) The Report of the Auditor-General on the Financial Statements of Kabarnet Hotel for the year ended 30<sup>th</sup> June, 2014 and the certificate therein; and
- (x) The Report of the Auditor-General on the Financial Statements of the United Republican Party (URP) for the year ended 30<sup>th</sup> June, 2013 and the certificate therein.

*(Majority Party Whip)*

- (xi) Report of the Mediation Committee on the Fertilizers and Animal Foodstuffs (Amendment) Bill (National Assembly Bill No. 36 of 2013)

*(Chairperson, Mediation Committee on the Fertilizers and Animal Foodstuffs  
(Amendment) Bill, 2013)*

5. **NOTICE OF MOTION – REPORT OF THE MEDIATION COMMITTEE ON THE  
FERTILIZERS AND ANIMAL FOODSTUFFS**  
(Chairperson, Mediation Committee on the Fertilizers and  
Animal Foodstuffs Bill)

**THAT**, this House adopts the Report of the Mediation Committee on the Fertilizers and Animal Foodstuffs (Amendment) Bill (National Assembly Bill No. 36 of 2013) laid on the Table of the House on Wednesday, 19<sup>th</sup> August 2015.

6. **THE ACCESS TO INFORMATION BILL (NATIONAL ASSEMBLY BILL NO. 36 OF  
2015)**  
(Hon. Priscilla Nyokabi)

Order for First Reading read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1)

7. **COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read;

**IN THE COMMITTEE**

The First Chairperson in the Chair

**The Higher Education Loans Board (Amendment) Bill (National Assembly Bill No. 9 of 2015)**

Clause 2 - amendment proposed –

**THAT**, clause 2 of the Bill be deleted and substituted therefor with the following new clause–

Amendment of  
section 4 of 213A.

2. The Higher Education Loans Board Act (in this Act referred to as the principal Act) is amended in section 4(1) by –

(a) inserting the following new paragraph immediately after paragraph (i) –

“(ia) two student representatives–

- (i) one of whom shall be a government sponsored student in a public university; and
- (ii) one of whom shall be a student from any university in Kenya;”

(b) inserting the following new sub-section immediately after sub-section (2)

“(2A) The members of the Board referred to in subsection (i)(ia) shall be elected by the student leaders on a rotational basis from the respective public and private universities and shall serve for a period not exceeding two years.”

*(Hon. Irungu Kang'ata)*

Proposed amendment withdrawn;

Further amendment proposed –

**THAT** clause 2 of the Bill be deleted and substituted therefor with the following new clause–

Amendment of  
section 4 of Cap  
213A.

3. The Higher Education Loans Board Act (in this Act referred to as the principal Act) is amended in section 4 –

(c) in subsection (1) by inserting the following new paragraph immediately after paragraph (i) –

“(ia) two persons–

- (i) one of whom shall be nominated by the Kenya Private Sector Alliance; and
- (ii) one of whom shall be government sponsored student in a public university nominated by an alliance of all students unions.”

(d) by inserting the following new sub-sections immediately after sub-section (2)–

“(2A) The member of the Board appointed under subsection (i)(ia) shall serve for a period of two years;

(2B) The member of the Board appointed under subsection (i)(ia)(ii) shall be elected by the student leaders on a rotational basis from the respective public and private universities;"

*(Hon. Benson Mutura)*

Question of the further amendment proposed;

Debate arising;

Question put and negatived;

Clause 2 - agreed to

Clause 3 - agreed to

Clause 4 - amendment proposed –

**THAT**, clause 4 of the Bill be amended by inserting a new paragraph immediately paragraph (a)–

“(b) inserting the following new subsection immediately after subsection (5)–

(6) All regular government sponsored undergraduate students in the universities shall upon application of the loan be entitled to an award of the loan unless the Board is able to provide documentary evidence of student's ability to pay fees without the loan.”

*(Hon. Irungu Kang'ata)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 4 - as amended agreed to

Clause 5 - amendment proposed –

**THAT** clause 5 of the Bill is amended by–

(a) inserting the words “supported by an affidavit” immediately after the words “in writing” in the proposed new subsection (1A).

(b) inserting the following new subsection immediately after subsection (1A)–

“(1B) The affidavit referred to in subsection (1A) shall be valid for one year and can be renewed annually.”

*(Hon. Irungu Kang'ata)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 5 - as amended agreed to

Title - agreed to

Clause 1 - agreed to

Bill to be reported with amendments;

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

Bill reported with amendments;

Motion made and Question proposed –

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

*(Hon. Irungu Kang'ata)*

Question put and agreed to;

Motion made and Question proposed –

THAT, the Higher Education Loans Board (Amendment) Bill (National Assembly Bill No. 9 of 2015) be now read a Third Time

*(Hon. Irungu Kang'ata)*

Debate arising;

Question put and agreed to;

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

9. **THE CONSTITUTION OF KENYA (AMENDMENT) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2015)**

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Constitution of Kenya (Amendment) (No.2) Bill (National Assembly Bill No. 2 of 2015) be now read a Second Time

*(Hon. George Kaluma)*

Debate arising;

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

And the time being five minutes past One O'clock, the Third Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

10. HOUSE ROSE - at five minutes past One O'clock

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M E M O R A N D U M

The Speaker will take the Chair today,  
Wednesday, August 19, 2015 at 2.30 p.m.

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