



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

TUESDAY, APRIL 21, 2015 AT 2.30 P.M

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statements

**8* . MOTION - THE REPORT ON THE PRIVATIZATION OF THE
PUBLIC SECTOR OWNED/CONTROLLED SUGAR
COMPANIES**

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

THAT, this House adopts the Report of the Departmental Committee on Finance, Planning and Trade on the Privatization of the Public Sector Owned/Controlled Sugar

Companies (*Nzoia Sugar Company, South Nyanza Sugar Company, Chemilil Sugar Company, Muhoroni Sugar Company and Miwani Sugar Company*), laid on the Table of the House on Tuesday, December 2, 2014, **subject to the insertion of the following new Recommendations after Recommendation (ii) on page 16:**

- (iii) **That any ancestral land currently held by any of the sugar companies remains under the ownership of the local community; and**
- (iv) **That further consultations on the privatization process should be held between the Government, the sugar farmers and other key stakeholders, including the County Governments, before embarking on the implementation of the proposed recommendations.**

(Motion as amended)

(Question to be put)

9*. **MOTION - ADOPTION OF THE REPORT OF THE FIFTH ORDINARY SESSION OF THE PAN-AFRICAN PARLIAMENT**
(The Second Chairperson of Committees)

THAT, this House adopts the Report of the Fifth Ordinary Session of the Pan-African Parliament and the Annual Speakers' Conference (2014), together with the Revised Protocol to the Constitutive Act Relating to the Pan-African Parliament, laid on the Table of the House on Thursday, February 12, 2015.

(Mover to reply)

10*. **MOTION - THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2015)**
(The Chairperson, Budget and Appropriations Committee)

THAT, the Senate Amendments to the Division of Revenue Bill (National Assembly Bill No. 11 of 2015) be now considered.

IN THE COMMITTEE

Consideration of the Senate Amendments to the Division of Revenue Bill (National Assembly Bill No. 11 of 2015)

(The Chairperson, Budget and Appropriations Committee)

11**. **COMMITTEE OF THE WHOLE HOUSE**

The Public Procurement and Asset Disposal Bill (National Assembly Bill No. 40 of 2014)

(The Leader of the Majority Party)

12*. **MOTION - THE SPECIAL REPORT OF THE PUBLIC INVESTMENTS COMMITTEE**
(The Chairperson, Public Investments Committee)

THAT, this House adopts the Special Report of the Public Investments Committee on the Recapitalization and Balance Sheet Restructuring of Telkom Kenya Limited, laid on the Table of the House on Tuesday, April 29, 2014.

(Resumption of debate interrupted on Tuesday, March 24, 2015)

13*. **THE PRIVATE SECURITY REGULATION BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2014)**
(The Leader of the Majority Party)

Second Reading

14*. **THE PROHIBITION OF ANTI-PERSONNEL MINES BILL (NATIONAL ASSEMBLY BILL NO. 7 OF 2014)**
(The Leader of the Majority Party)

Second Reading

15*. THE FISHERIES MANAGEMENT AND DEVELOPMENT BILL
(NATIONAL ASSEMBLY BILL NO. 20 OF 2014)

(The Leader of the Majority Party)

Second Reading

*** Denotes Orders of the Day**

**** Denotes Bills that ought to be passed by Parliament by
May 26, 2015 in accordance with Article 261 of the Constitution**

N O T I C E S

I. SENATE AMENDMENTS TO THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2015)

SCHEDULE (s.4) Senate Amendments

THAT, the Bill be amended by deleting the Schedule and substituting therefor with the following new Schedule –

ALLOCATION OF REVENUE RAISED NATIONALLY BETWEEN THE NATIONAL AND COUNTY GOVERNMENTS FOR THE FINANCIAL YEAR 2015/16

Type/Level of Allocation	Amount in Ksh.	Percentage (%) of 2012/13 Audited Revenue(i.e. Ksh. 776.9 billion)
National Government Of which: <i>Free Maternal Health Care</i> <i>Leasing of Medical Equipment</i> <i>Level-5 Hospitals</i> <i>Healthcare facilities compensation for forgone user fees</i> <i>County Emergency Funds</i> Equalisation Fund	976,925,500,000 4,298,000,000 4,500,000,000 3,600,480,000 900,000,000 4,400,000,000 6,000,000,000	
County Equitable Share	259,774,500,000	33%
Total Shareable Revenue	1,242,700,000,000	
County Allocations		
County Equitable Share Conditional Allocations (<i>of which</i>): 1. <i>Free Maternal Health Care</i> 2. <i>Leasing of Medical Equipment</i> 3. <i>Level-5 Hospitals</i> 4. <i>Allocation from Fuel Levy Fund (15%)</i> 5. <i>Healthcare facilities compensation for forgone user fees</i> 6. <i>Conditional Allocations - loans and grants</i> 7. <i>County Emergency Funds</i>	259,774,500,000 31,669,685,204 4,298,000,000 4,500,000,000 3,600,480,000 3,300,000,000 900,000,000 10,671,205,204 4,400,000,000	
Total County Allocations	291,444,185,204	37%

The House resolved on Wednesday, February 11, 2015 as follows:-

- II. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on a **Report of a Committee**, including a Report of a Joint Committee of the Houses of Parliament, a Sessional Paper or any other Report submitted to the House, shall be limited as follows: - A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that Order.
- III. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on **Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** shall be limited as follows:- A maximum of forty five (45) minutes for the Mover, in moving and fifteen minutes (15) in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee), and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each (if the Bill is not sponsored by either of them); and that priority in speaking shall be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that Order.
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NOTICE PAPER

Tentative business for

Wednesday (Morning), April 22, 2015

(Published pursuant to Standing Order 38(1))

It is notified that the House Business Committee, at their last meeting, approved the following **tentative** business to appear in the Order Paper for Wednesday (Morning), April 22, 2015

A. THE IN-VITRO FERTILIZATION BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2014)

(The Hon. Millie Odhiambo-Mabona, M.P.)

Second Reading

*(Resumption of debate interrupted on Wednesday, April 15, 2015 (Morning Sitting)
(Balance of time – 1hr. 14mins)*

B. THE KENYA NATIONAL EXAMINATION COUNCIL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 03 OF 2015)

(The Hon. Emmanuel Wangwe, M.P.)

Second Reading

C. THE ENGINEERING TECHNOLOGISTS AND TECHNICIANS BILL (NATIONAL ASSEMBLY BILL NO. 07 OF 2015)

(The Hon. Cecilia Ng'etich, M.P.)

Second Reading

D. MOTION - REVIEW OF THE PROCEDURE & THE COST OF MARRIAGE REGISTRATION, & DECENTRALIZATION OF THE OFFICES OF THE REGISTRAR OF MARRIAGES

(The Hon. Malulu Injendi, M.P.)

E. MOTION - PERIOD OF SERVICE FOR POLICE OFFICERS UPON COMPLETION OF SPECIALIZED TRAINING

(The Hon. John Waluke, M.P.)

F. MOTION - ESTABLISHMENT OF INTENSIVE CARE & BLOOD UNITS IN EVERY CONSTITUENCY

(The Hon. Abdul Rahim Dawood, M.P.)

G. MOTION - DECLARATION OF CATTLE RUSTLING AS A NATIONAL DISASTER

(The Hon. William Cheptumo, M.P.)

H. MOTION - TRACKING AND REGISTRATION OF FIREARMS IN THE COUNTRY

(The Hon. (Dr.) Victor Munyaka, M.P.)

APPENDIX

THE NATIONAL ASSEMBLY

SCHEDULE of Questions for

Tuesday, April 21, 2015

It is notified that, pursuant to Standing Orders 191 and 216, the Cabinet Secretaries for *Education, Science and Technology*; *Interior and Coordination of National Government*; and *Devolution and Planning* will appear before the following Departmental Committees on Tuesday, April 21, 2015 at the times hereunder:-

<u>Departmental Committee</u>	<u>Cabinet Secretary</u>	<u>Time</u>	<u>Venue</u>
(i) Education, Research and Technology	<i>Cabinet Secretary for Education, Science and Technology</i>	10.00 – 11.30am	<i>The National Assembly Chamber</i>
(ii) Administration & National Security	<i>Interior and Coordination of National Government.</i>	10.00– 11.30am	<i>The Mini-Chamber, County Hall</i>
(iii) Finance, Planning and Trade	<i>Cabinet Secretary for Devolution and Planning</i>	11.30am– 12.30 pm	<i>The Mini-Chamber, County Hall</i>

The Committees' Agenda has been determined as follows-

AGENDA

(Published pursuant to Standing Order 170E (2))

1. Prayers
 2. Communication from the Chairperson(s)
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I. Questions under the Departmental Committee on Education, Research and Technology

Questions to the Cabinet Secretary for Education, Science and Technology

(i) Question by Private Notice No. PVT/4/2014 by the Member for Kibra Constituency (The Hon. Kenneth Okoth, M.P.):

Could the Cabinet Secretary inform the Committee on the implementation status of the free and subsidized education programmes in the Country, and in particular, apprise Members on implementation status of the 'Eddah Gachukia' Report of 2009

and 'Kilemi Mwiria' Task Force Report of 2014; when the Ministry plans to publish Statutory Instruments/ Regulations to bring into full effect the Basic Education Act, 2013; and the plans in place to ensure access to secondary education considering access to education is envisaged to be free and compulsory by both Article 26 of the United Nations Universal Declaration of Human Rights and Articles 43 and 53 of the Constitution of Kenya 2010?

(ii) Question by Private Notice No. PVT/6/2014 by the Member for Kandara Constituency (The Hon. Alice Muthoni Wahome, M.P.):

Could the Cabinet Secretary apprise the Committee on the circumstances that informed the decision by the Technical University of Mombasa to expel Benmark Ng'ang'a of Student Admission Number BEBC/020J/2011 vide letter dated 24th October 2014 and whether he was accorded an opportunity for a hearing by the Disciplinary Committee.

(iii) Question by Private Notice No. PVT/7/2014 by the Member for Nyeri Town Constituency (The Hon. Esther Murugi Mathenge, M.P.):

Could the Cabinet Secretary apprise the Committee on the circumstances surrounding persistent students' unrest at the Dedan Kimathi University of Science and Technology and whether there are plans to reinstate all students who were suspended or expelled on 2nd October 2014?

(iv) Question No. 060/2014 by the Nominated Member (The Hon. Isaac M. Mwaura, M.P.):

Could the Cabinet Secretary inform the Committee the measures put in place to ensure that the education and training needs of mentally handicapped persons are accorded sufficient attention, and in particular, explain the rationale for the reduction of budgetary allocation for Karatina Special School for the Mentally Challenged and Komothai Special School for the Mentally Challenged in Nyeri and Kiambu Counties, respectively from Ksh. 536,000 to Ksh. 432,000 that has led to austerity measures including retrenchments and laying off of personnel; the timeline for increasing the number of teachers under the Teachers Service Commission to these special institutions; and reasons behind failure to disburse of funds for students with mental disabilities since September 2013?

(v) Question by Private Notice No. 006/2015 by the Member for Kwanza Constituency (Hon. Ferdinard Wanyonyi, M.P.):

Could the Cabinet Secretary inform the Committee on the current status of the ban on holiday tuition for primary and secondary schools instituted two years ago, and in particular, apprise Members on the measures being undertaken by the Government to ensure that students with special learning needs are not affected and inconvenienced by the ban?

II. Questions under the Departmental Committee on Administration and National Security

Questions to the Cabinet Secretary for Interior and Coordination of National Government.

(i) Question No. 023/2014 by the Member for Nyali Constituency (The Hon. Hezron Awiti, M.P.):

Could the Cabinet Secretary inform the Committee on the Government policy of housing for police officers and how much the Government has spent in procuring police houses in the last five years?

(ii) Question No. 034/2014 by the Member for Mwingi Central Constituency (The Hon. Joe Mutambu, M.P.):

Could the Cabinet Secretary inform the Committee on progress made in enlightening Kenyans on recent demarcations of administrative boundaries, and in particular clarify on administrative and electoral location of Mwanzele Shopping Centre which lies between Mwingi Central Constituency or Bura Constituency, together with measures at hand to amicably solve conflicts among residents of the two constituencies?

(iii) Question No. 035/2014 by the Member for Kiambu County (The Hon. Annah N. Gathecha, M.P.):

Could the Cabinet Secretary inform the Committee on the Government's blueprint for social order in urban areas, particularly in light of the alleged rounding-up and subsequent killings of hawkers in towns by security apparatus, including County *Askaris*, the measures the Government has put in place to safeguard the lives of hawkers in urban areas and the arrangements in place to prosecute the culprits?

(iv) Question No. 038/2014 by Nominated Member (The Hon. Sunjeev Birdi, M.P.):

Could the Cabinet Secretary inform the Committee on mechanisms the Government has put in place to protect its citizens from lawbreakers, in particular the steps it has taken towards sensitizing people on tackling rape cases, reporting rape cases promptly, and seeking treatment; the structures in place to identify the high number of repeat offenders and ensure that they face the law; and plans, if any, of putting up more medical facilities to handle rape cases, considering that most rape cases go unreported and that rape has become rampant in the country.

(v) Question by Private Notice No. 025/2014 by the Member for Kirinyaga Central Constituency (The Hon. Joseph Gitari, M.P.):

Could the Cabinet Secretary inform the Committee on the details of all the vehicles leased by the Government for purposes of administration, list of beneficiary Sub-counties in the financial year 2013/2014 and when all sub counties will be supplied with vehicles to assist in administration?

III. Questions under the Departmental Committee on Finance, Planning and Trade

Questions to the Cabinet Secretary for Devolution and Planning

(i) Question No. 038/2015 by Nominated Member (The Hon. Zuleikha Juma M.P):

Could the Cabinet Secretary inform the Committee on the reason(s) why the elections of the National Youth Council have never been conducted yet the National Youth Council Act, 2009 clearly provides that elections should be held after every three (3) years; and when the same shall be conducted?

(ii) Question Nos. 041/2015 by the Member for Kiambaa Constituency (The Hon. Paul Koinange, M.P); 042/2015 by the Member for Turkana Central Constituency (The Hon. John L. Nakara, M.P); and 043/2015 by the Member for Kisumu County (The Hon. Rose A. O. Nyamunga, M.P):

Could the Cabinet Secretary brief the Committee on the progress made so far by the Government in resettling Internally Displaced Persons (IDPs) in the country following the displacements occasioned by the 2007/2008 Post Election Violence, and the scheduled timelines to fully resettle all the remaining IDPs particularly those residing in Kiambu County and the over 1,900 integrated IDPs and squatters in the former Nyanza Province; inordinate delays in the ongoing construction of Houses in Turkana Central Constituency that were meant for IDPs living in Kanamkemer, Nakwamekwi and Napetet camps, the name (s) of the contractor(s) undertaking the project, and the timeline for completion.
