



**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – FOURTH SESSION**

**NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, FEBRUARY 23, 2016**

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 DISCHARGE OF MEMBERS FROM COMMITTEES**

The Speaker conveyed the following Communication –

“Honourable Members,

I wish to report to the House that I am in receipt of a letter dated February 16, 2016 from the Minority Party Whip notifying me that the CORD Coalition has discharged the following Members from Committees-

- (i) The Hon. Khatib Mwashetani, MP is discharged from the Departmental Committee on Environment and Natural Resources;
- (ii) The Hon. Salim Idd Mustafa, MP is discharged from the Departmental Committee on Labour and Social Welfare and the Joint Committee on Parliamentary Broadcasting and Library. He is the vice-chairperson of the latter Committee; and,
- (iii) The Hon. Gideon Mung'aro, MP is discharged from the Departmental Committee on Lands.

Hon. Members, the letter, which is written pursuant to the provisions of Standing Order 176, also intends to discharge the Hon. Khatib Mwashetani, MP from the House Business Committee and the Budget and Appropriations Committee. However, it is a fact that the Member for LungaLunga is not a Member of the House Business Committee which was constituted by this House on the 9<sup>th</sup> February 9, 2016. You are also aware that the Budget and Appropriations Committee is yet to be reconstituted. This therefore implies that the intended discharge of the Member for LungaLunga from these two Committees was inadvertent.

Honourable Members and indeed the affected Members are accordingly informed. These discharges take effect immediately.

I thank you".

5. **PETITIONS**

The following Petitions were presented by Members as follows–

- (i) Petition on the relocation of Kibwezi East Sub-County headquarters presented by the Member for Kibwezi (Hon. Jessica Mbalu); and,
- (ii) Petition on the alleged presence of armed militia in Kiambu County presented by the Member for Kikuyu (Hon. Kimani Ichung'wa).

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

6. **PAPERS LAID**

The following Papers were laid on the Table –

- (i) the Ministry of Defence Memorandum to Parliament on the Ratification of the Agreement on Defence Cooperation between the Government of the Republic of Kenya and the Government of the United Kingdom of Great Britain and Northern Ireland;
- (ii) The Report of the Auditor-General on the Financial Statements of Grand National Union for the year ended 30<sup>th</sup> June 2010 and the certificate therein;
- (iii) The Reports of the Auditor-General on the Financial Statements in respect of the following institutions for the year ended 30<sup>th</sup> June, 2011 and the certificates therein:-
  - (i) Progressive Party of Kenya;
  - (ii) Maendeleo Democratic Party;
  - (iii) Grand National Union;
  - (iv) Independent Party; and
  - (v) National Agenda Party of Kenya.
- (iv) The Reports of the Auditor-General on the Financial Statements in respect of the following institutions for the year ended 30<sup>th</sup> June, 2012 and the certificates therein:-
  - (i) Independent Party; and
  - (ii) Forum for Restoration of Democracy – Kenya
- (v) The Report of the Auditor-General on the Financial Statements of National Agenda Party of Kenya for the year ended 30<sup>th</sup> June 2013 and the certificate therein;
- (vi) The Reports of the Auditor-General on the Financial Statements in respect of the following institutions for the year ended 30<sup>th</sup> June, 2015 and the certificates therein:-
  - (i) Wiper Democratic Movement;
  - (ii) The National Alliance;
  - (iii) Forum for Restoration of Democracy - Kenya;
  - (iv) Judges and Magistrates Vetting Board; and
  - (v) Capital Markets Authority.
- (vii) The Annual Report and Financial Statements of the Karatina University for the year ended 30<sup>th</sup> June 2014 and the certificate therein;

- (viii) Report of the Departmental Committee on Justice and Legal Affairs on its consideration of the Presidential Memorandum on the Small Claims Court Bill, 2015;

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

- (ix) The Twelfth Report of the Public Investments Committee on Audited Financial Statements of State Corporations;

*(Chairperson, Public Investments Committee)*

- (x) Report of the Constitutional Implementation Oversight Committee on consideration of extension of the term of the Transition Authority;

*(Chairperson, Constitutional Implementation Oversight Committee)*

- (xi) Report of the Departmental Committee on Labour and Social Welfare on its consideration of the Presidential Memorandum on the National Employment Authority Bill, 2015;

*(Chairperson, Departmental Committee on Labour and Social Welfare)*

## 7. NOTICES OF MOTION

The following Notices of Motions were issued:

- (i) **MOTION - REPORT ON THE PRESIDENTIAL MEMORANDUM ON THE SMALL CLAIMS COURT BILL, 2015**  
*(Chairperson, Departmental Committee on Justice and Legal Affairs)*

THAT, this House adopts the Report of the Departmental Committee on Justice and Legal Affairs on its consideration of the Presidential Memorandum on the Small Claims Court Bill, 2015, laid on the Table of the House on Tuesday, February 23, 2016.

- (ii) **MOTION - TWELFTH REPORT OF THE PUBLIC INVESTMENTS COMMITTEE**  
*(Chairperson, Public Investments Committee)*

THAT, this House adopts the Twelfth Report of the Public Investments Committee on Audited Financial Statements of State Corporations, laid on the Table of the House on Tuesday, February 23, 2016.

- (iii) **MOTION - SPECIAL REPORT ON THE PROCUREMENT OF THE TENDER FOR THE PROPOSED KENYA BUREAU OF STANDARDS COAST REGIONAL OFFICES**  
*(Chairperson, Public Accounts Committee)*

THAT, this House adopts the Report of the Public Investments Committee Special Report on the Procurement of the Tender for the proposed Kenya Bureau of Standards Coast Regional Offices and Laboratories in Mombasa, laid on the Table of the House on Wednesday, June 04, 2014.

- (iv) **MOTION – SPECIAL REPORT ON THE PROCUREMENT AND FINANCING OF THE NATIONAL SOCIAL SECURITY FUND, TASSIA II INFRASTRUCTURE DEVELOPMENT PROJECT**  
(Chairperson, Public Accounts Committee)

THAT, this House adopts the Report of the Public Investments Committee Special Report on the Procurement and Financing of the National Social Security Fund, Tassia II Infrastructure Development Project, laid on the Table of the House on Wednesday, April 30, 2014.

- (v) **MOTION – REPORT ON THE TERM OF THE TRANSITION AUTHORITY**  
(Chairperson, Constitutional Implementation Oversight Committee)

THAT, this House adopts the Report of the Constitutional Implementation Oversight Committee on consideration of extension of the term of the Transition Authority, laid on the Table of the House on Tuesday, February 23, 2016.

- (vi) **MOTION – REPORT ON THE PRESIDENTIAL MEMORANDUM ON THE NATIONAL EMPLOYMENT AUTHORITY BILL, 2015**  
(Departmental Committee on Labour and Social Welfare)

THAT, this House adopts the Report of the Departmental Committee on Labour and Social Welfare on its consideration of the Presidential Memorandum on the National Employment Authority Bill, 2015, laid on the Table of the House on Tuesday, February 23, 2016.

8. **MOTION – ADOPTION OF THE REPORT ON THE CRISIS FACING THE SUGAR INDUSTRY IN KENYA**

Order for Motion read;

Motion made and Question proposed -

THAT, this House adopts the Report of the Departmental Committee on Agriculture, Livestock and Co-operatives on the Crisis Facing the Sugar Industry in Kenya, laid on the Table of the House on Thursday, 12<sup>th</sup> March, 2015, subject to amendment of the Report by deletion of Paragraph 101.

*(Chairperson, Departmental Committee on Agriculture, Livestock & Co-operatives – 16.02.2015)*

Debate interrupted on Tuesday, February 23, 2016 resumed;

Mover replied;

Question put and agreed to.

9. **MOTION – THE CLIMATE CHANGE BILL (NATIONAL ASSEMBLY BILL NO.01 OF 2014)**

Order for Motion read;

Motion made and Question proposed -

THAT, the Senate Amendments to the Climate Change Bill (National Assembly Bill No.01 of 2014) be considered

*(Chairperson, Departmental Committee on Environment & Natural Resources)*

Debate arising;

Mover replied;

Question put and agreed to.

10. **COMMITTEE OF THE WHOLE HOUSE**

Consideration of the Senate Amendments to the Climate Change Bill (National Assembly Bill No. 01 of 2014)

(The Chairperson, Departmental Committee on Environment and Natural Resources)

Order deferred to another day

*(Change of Chair from the Speaker to the First Chairperson)*

11. **MOTION - REPORT ON PROGRESS ACHIEVED IN THE REALIZATION OF NATIONAL VALUES AND PRINCIPLES OF GOVERNANCE**

Order for Motion read;

Motion made and Question proposed -

THAT, pursuant to Article 132(1)(c)(i) of the Constitution, this House notes the Report on the measures taken and progress achieved in the realization of national values and principles of governance submitted by His Excellency the President on Thursday, March 26, 2015, laid on the Table of the House, Tuesday March 31, 2015.

*(Majority Party Whip)*

Debate arising;

Mover replied;

Question of the Motion deferred to another day.

12. **MOTION - REPORT ON THE ANNUAL REPORT TO PARLIAMENT ON THE STATE OF NATIONAL SECURITY**

Order for Motion read;

Motion made and Question proposed -

THAT, pursuant to Article 240(7) of the Constitution and Section 16 of the National Security Council Act, this House notes the Annual Report to Parliament on the State of National Security submitted by His Excellency the President on Thursday, March 26, 2015, laid on the Table of the House, Tuesday, March 31, 2015.

*(Majority Party Whip)*

Debate arising;

Mover replied;

Question of the Motion deferred to another day.

13. MOTION - REPORT ON FULFILLMENT OF INTERNATIONAL OBLIGATIONS

Order for Motion read;

Motion made and Question proposed -

THAT, pursuant to Article 132(1)(c)(iii) of the Constitution, this House notes the Report on Progress made in fulfilment of International Obligations of the Republic submitted by his Excellency the President on Thursday, March 26, 2015, laid on the Table of the House on Tuesday, March 31, 2015.

*(Majority Party Whip)*

Debate arising;

Mover replied;

Question of the Motion deferred to another day.

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

14. 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  
Wednesday, February 24, 2016 at 9.30 a.m.

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