



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – THIRD SESSION

NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, MARCH 25, 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 SPECIAL SITTING OF PARLIAMENT**

The Speaker conveyed the following communication:-

"Honourable Members,

Pursuant to Article 132 (1) (b) of the Constitution, His Excellency the President has conveyed that he will address a special sitting of Parliament tomorrow.

Consequently, and in accordance with the provisions of Standing Order 22 (2), I wish to notify all Members that a Special Sitting of Parliament will take place tomorrow, Thursday, 26th March, 2015 at 2:30 pm in the National Assembly Chamber for that purpose.

I thank you".

5. **PAPERS LAID**

The following Papers were laid on the Table –

- (i) Memorandum to the National Assembly by the Cabinet Secretary for Defence on the Ratification of the East African Community Protocol on Co-operation in Defence Affairs (*submitted pursuant to Section 8(1) of the Treaty Making and Ratification Act No. 45 of 2012*)

- (ii) Memorandum to the National Assembly by the Cabinet Secretary for Defence on the Ratification of the Agreement on the Establishment of the Eastern Africa Standby Force(*submitted pursuant to Section 8(1) of the Treaty Making and Ratification Act No. 45 of 2012*) (*Referred to the relevant Departmental Committee*)
- (iii) Memorandum to the National Assembly by the Cabinet Secretary for Defence on the Ratification of the Mutual Defence Pact between Kenya, Uganda and Rwanda(*submitted pursuant to Section 8(1) of the Treaty Making and Ratification Act No. 45 of 2012*) (*Referred to the relevant Departmental Committee*)

(The Leader of the Majority Party)

- (iv) The Report of the Select Committee on Regional Integration on a Delegation's visit to East African Community Organs and Institutions in Tanzania from 28th January to 1st February, 2015

(The Chairperson Select Committee on Regional Integration)

- (v) The Report of the Departmental Committee on Energy, Communication and Information on Benchmarking visit to the Federal Republic of Germany from 29th March to 5th April 2014;
- (vi) The Report of 2014 African Telecommunication Union (ATU) Conference of Plenipotentiaries held in Zimbabwe from 8th to 12th July 2014; and
- (vii) The Report of Commonwealth Communications Organization Training held in London, United Kingdom from 6th to 10th October 2014.

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

- (viii) Report of the Budget & Appropriations Committee on its consideration of the Division of Revenue Bill, 2015

(The Vice-Chairperson, Budget & Appropriations Committee)

6. **SUSPENSION OF A MEMBER PURSUANT TO PROVISIONS OF STANDING ORDER 107**

Pursuant to the provisions of Standing Order 107, the Speaker ordered the Member for Dagoretti South (Hon. Simba Arati) to withdraw from the precincts of the Assembly for the remainder of the Sitting day for gross disorderly conduct;

Thereupon, the Member withdrew from the Chamber.

7. **MOTION - APPROVAL OF THE REPORT ON VETTING OF THE NOMINEE FOR APPOINTMENT AS AMBASSADOR TO THE FEDERAL REPUBLIC OF SOMALIA**

Motion made and Question proposed –

THAT, this House adopts the Report of the Departmental Committee on Defence and Foreign Relations on the vetting of the nominee for appointment as Ambassador, laid on the Table of the House on Tuesday, 17 March, 2015, and pursuant to Article 132(2)(e) of the Constitution, **approves** the appointment of **Major General (Rtd) Lucas K. Tumbo** as Ambassador to the Federal Republic of Somalia.

(Chairperson, Departmental Committee on Defence & Foreign Relations – March 18, 2015)

And debate having been concluded on Thursday, March 19, 2015;

Question put and agreed to.

8. **THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO.11 OF 2015)**
(The Vice-Chairperson, Budget & Appropriations Committee)

Motion made and question proposed -

THAT, the Division of Revenue Bill (National Assembly Bill No.11 of 2015) be now read a Second Time

(The Vice-Chairperson, Budget & Appropriations Committee)

Debate arising;

Mover replied;

Question put and agreed to;

Bill read a Second Time and committed to the Committee of the Whole House today

9. **COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read;

IN THE COMMITTEE

Third Chairperson of Committees in the Chair

The Division of Revenue Bill (National Assembly Bill No.11 of 2015)

Clauses 3-6 - agreed to

Clause 2 - agreed to

Clauses 1 - agreed to

Title - agreed to

Schedule - agreed to

Bill to be reported without amendments

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

The Division of Revenue Bill (National Assembly Bill No.11 of 2015)

Bill reported without amendments

Motion made and Question proposed –

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

(Vice-Chairperson, Budget and Appropriations Committee)

Question put and agreed to;

Motion made and Question proposed –

THAT, the Division of Revenue Bill (National Assembly Bill No.11 of 2015) be now read a Third Time

(Vice-Chairperson, Budget and Appropriations Committee)

Debate arising;

Question put and agreed to;

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

11. **COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read;

IN THE COMMITTEE

Third Chairperson of Committees in the Chair

The Public Audit Bill (National Assembly Bill No.38 of 2014)

Clauses 3 - agreed to

Clause 4 - amendment proposed -

THAT, clause 4 of the Bill be amended—

(a) in sub clause (1) (c) by deleting the word “things” and substituting therefor the word “duties”;

(b) in sub clause (2) by deleting the expression "subject to Article 234(5) of the Constitution";

(c) in sub clause (3) by deleting the words " as far as it is appropriate to do so" appearing immediately after the words " the Republic".

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed;

Clause 4 - amendment proposed -

THAT, clause 4 of the Bill be amended —

(a) in sub clause (2) by deleting the phrase "subject to Article 234(5) of the Constitution" and substituting therefor the words "to be recruited through an open, transparent and competitive process which promotes fair competition and merit and observes all the values and principles of public service as contemplated in Article 232 of the Constitution."

(b) in sub clause (3) by inserting the words "and shall have a presence in all counties" immediately after the words "appropriate to do so"

(Hon. (Eng.) Nicolas Gumbo)

Question of the further amendment proposed;

Debate arising;

Proposed further amendment to sub clause (3) withdrawn by the mover;

Question of amendment proposed, put and agreed to;

Further amendment proposed -

THAT, clause 4 of the Bill be amended in sub-clause 3 by deleting the words "as far as it is appropriate to do so" appearing immediately after the word "Republic".

(Hon. (Dr.) Eseli Simiyu)

Proposed amendment withdrawn by the mover;

Further amendment proposed -

THAT, clause 4 be amended in sub clause (2) by deleting the expression "subject to Article 234(5) of the Constitution".

(Hon. David Ochieng)

Proposed further amendment dropped;

Clause 4 - as amended agreed to

PROGRESS REPORT

Motion made and Question proposed -

THAT, the Committee of the whole House do report progress and seeks leave to sit again tomorrow

(The Leader of the Majority Party)

Question put and agreed to.

12. **HOUSE RESUMED** - The Third Chairperson of Committees in the Chair

Progress reported -

THAT, the Committee of the whole House has considered the Public Audit Bill (National Assembly Bill No.38 of 2014) and seeks leave to sit again tomorrow

(The Chairperson, Committee on Justice and Legal Affairs)

Question put and agreed to.

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

13. **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
Tuesday, March 31, 2015 at 2.30 p.m.

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