



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, AUGUST 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. **PETITION**

The Speaker conveyed the following Petition –

“Honourable Members,

Standing Order 225 (2) (b) requires that the Speaker reports to the House any Petition other than those presented through a Member. I therefore wish to convey to the House that my office is in receipt of a Petition signed by a Mr. Gibson Machanga Mareko, praying for the introduction in the National Assembly, of a Bill to amend the Constitution in accordance with Article 256 (1) of the Constitution. The Petitioner prays that the Constitution be amended in various Articles as follows:-

- (i) Article 81 be amended to provide that *no person shall hold the same elective office for more than two terms, including Members of Parliament;*
- (ii) Article 138(4)(a) be amended to provide that *a candidate shall only be declared elected as President if the candidate receives more than seventy per cent (70%) of all the valid votes cast in the election; and*
- (iii) Article 148 (9) be amended to provide that *a person shall not be eligible for election as the president if he has served as vice president for two terms.*

Honourable Members,

You will agree with me that the prayers sought by the Petitioner require thoughtful consideration as they propose to alter the architecture of our Constitution. This Petition stands committed to the Departmental Committee on Justice and Legal Affairs for consideration. The Committee is requested to consider the Petition and report its findings to the Petitioner and the House in accordance with Standing Order 227 (2). I must hasten

to add that the Committee also undertakes to hear the Petitioner with a view to hearing the basis of his unique prayers.

Thank you".

5. **PAPERS LAID**

The following Papers were laid on the Table –

- (i) The Alupe University College Order, 2015 No. 153 and the Explanatory Memorandum therein (*pursuant to Section 20 of the Universities Act of 2012*);
- (ii) The Sessional Paper No. 6 of 2014 on the National Children Policy from the Ministry of Labour, Social Security and Services;
- (iii) The National Treasury Quarterly Economic and Budgetary Review (QEBR) for the Fourth Quarter, Financial Year 2014/2015, period ending 30th June 2015;
- (iv) The Report of the Auditor-General on the Financial Statements of Athi Water Services Board for the year ended 30th June, 2014 and the certificate therein;
- (v) The Report of the Auditor-General on the Financial Statements of Kenya Broadcasting Corporation for the year ended 30th June, 2014 and the certificate therein;
- (vi) The Report of the Auditor-General on the Financial Statements of Kenya Veterinary Vaccines Production Institute for the year ended 30th June, 2014 and the certificate therein;
- (vii) The Report of the Auditor-General on the Financial Statements of Rongo University for the year ended 30th June, 2014 and the certificate therein;
- (viii) The Report of the Auditor-General on the Financial Statements of the Kenya Accountants and Secretaries National Examinations Board for the year ended 30th June, 2014 and the certificate therein;
- (ix) The Report of the Auditor-General on the Financial Statements of the Communications Authority of Kenya for the year ended 30th June, 2014 and the certificate therein;
- (x) The Report of the Auditor-General on the Financial Statements of the Western Rice Mills Limited for the year ended 30th June, 2014 and the certificate therein; and,
- (xi) The Report of the Auditor-General on the Financial Statements of the Mwea Rice Mills Limited for the year ended 30th June, 2014 and the certificate therein.

(The Leader of the Majority Party)

- (xii) The Report of the Parliamentary Delegation to the 2015 Biannual Meeting of the African Parliamentarians Network Against Corruption held on 24th to 26th April 2015 in N'Djamena, Chad.

(Hon. Shakeel Shabir)

- (xiii) The Report of the Departmental Committee on Education, Research and Technology on its consideration of the Basic Education (Amendment) Bill 2014.

(Chairperson, Departmental Committee on Education, Science & Technology)

- (xiv) The Report of the Departmental Committee on Justice and Legal Affairs on its consideration of two Bills from the Senate: The Political Parties (Amendment) Bill (Senate Bill No. 3 of 2014), and the Statute Law (Miscellaneous Amendments) Bill (Senate Bill No. 6 of 2014).

(Chairperson, Departmental Committee on Justice & Legal Affairs)

6. **STATEMENT** **IMPLEMENTATION OF THE LAST MILE CONNECTIVITY PROJECT**

The Chairperson, Departmental Committee on Energy, Communication and Information, the Hon. Jamleck Kamau, M.P. issued a Statement on the progress made by the Kenya Power and Lighting Company (KPLC) in implementing the Last Mile Connectivity Project, a programme which was commissioned by the President on 27th May 2015.

7. **THE EXCISE DUTY BILL (NATIONAL ASSEMBLY BILL NO. 28 OF 2015)**

Motion made and Question proposed;

THAT, the Excise Duty Bill (National Assembly Bill No.28 of 2015) be now read a Second Time

(Chairperson, Departmental Committee on Finance, Planning & Trade – 20.8.2015 (PM))

Debate on the Second Reading having been concluded on Thursday, 20th August, 2015;

Question put and agreed to;

Bill read a Second Time and committed to the Committee of the whole House tomorrow.

8. **SPECIAL MOTION – EXTENSION OF PERIOD IN RESPECT OF LEGISLATION WITH CONSTITUTIONAL TIMELINE OF AUGUST 27, 2015**

Motion made and Question proposed-

THAT, Pursuant to the provisions of Article 261(2) of the Constitution, this House **resolves** to extend the period prescribed for enactment of legislation necessary to give effect to:-

- (a) **Article 11(3)(a)** *(compensation or royalties for the use of cultures and cultural heritage);*
- (b) **Article 11(3)(b)** *(recognition and protection of indigenous seeds and plant varieties, their genetic and diverse characteristics and use by the communities of Kenya);*
- (c) **Article 63** *(community land);*

- (d) **Article 66** (*regulation of land use and property*);
- (e) **Article 67(2)(e)** (*investigation and adjudication of claims arising out of historical land injustices*);
- (f) **Article 68(c)(i)** (*minimum and maximum land holding acreage*);
- (g) **Article 71** (*agreements relating to sharing of natural resources*);
- (h) **Article 81(b)** (*two-thirds gender principle*);
- (i) **Article 100** (*representation of marginalized groups*);
- (j) **Article 164(1)(b)** (*organization and administration of the Court of Appeal*);
- (k) **Article 165(1)(b)** (*organization and administration of the High Court*);
- (l) **Article 169(1)** (*Subordinate Courts*);
- (m) **Article 173 (5)** (*regulation of the Judiciary Fund*);
- (n) **Section 17 of the Sixth Schedule of the Constitution** (*restructuring of the provincial administration*); and,
- (o) any other legislation required under the Constitution to be enacted by Parliament within five years,

by a period of **twelve (12) months** from August 27, 2015.

(The Speaker has certified this Special Motion as meeting the threshold contemplated under Article 261(3)(b) of the Constitution)

(The Leader of the Majority Party –19.08.2015)

Debate adjourned on Wednesday, 20th August, 2015 resumed;

Rising on a Point of Order pursuant to Standing Order 95(1), the Leader of Majority Party moved that, the Mover be now called upon to reply;

And the Speaker acceding to the claim put the Question;

Question agreed to;

Mover replied;

Thereupon, the House proceeded to Division as the Motion was Constitutional;

And the Speaker directed the Division Bell to be rung for ten minutes to ascertain that there was the prerequisite number of two-thirds majority of the Members to carry out a Vote;

Thereupon, the House proceeded to a Division by way of an Electronic Vote. Nevertheless, twenty four (24) Members who were not able to cast their votes due to reasons considered sufficient by the Speaker were permitted to vote by way of a Manual Vote.

Question put and upon a Division Motion was **agreed to.**

AYES

NOES

ABSTENTIONS

260

11

Nil

And there being more than two-thirds majority of Members required to support the Motion pursuant to the provisions of Article 261(2) of the Constitution, the Motion was agreed to.

9. COMMITTEE OF THE WHOLE HOUSE

Order for Committee read;

IN THE COMMITTEE

The Chairperson of Committees in the Chair

The Constitution of Kenya (Amendment) (No.2) Bill (National Assembly Bill No. 26 of 2013)

Clause 2 - agreed to

Clause 1 - agreed to

Title - agreed to

Bill to be reported without amendments;

10. HOUSE RESUMED - The Speaker in the Chair

The Constitution of Kenya (Amendment) (No.2) Bill (National Assembly Bill No. 26 of 2013)

Bill reported without amendments;

Motion made and Question proposed –

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

(Hon. Lati Lelelit)

Question put and agreed to.

11. THE CONSTITUTION OF KENYA (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 01 OF 2015)

Motion made and Question proposed;

THAT, the Constitution of Kenya (Amendment) Bill (National Assembly Bill No.1 of 2015) be now read a Second Time

(Hon. David Ochieng' – 19.8.2015)

Thereupon, the House proceeded to a Division as the Motion was Constitutional;

And the Speaker directed the Division Bell to be rung for ten minutes to ascertain whether there was the prerequisite number of two-thirds majority of Members to carry out a Division;

Thereupon, the House proceeded to an Electronic Vote. However, twenty one (21) Members who were not able to cast their votes due to reasons considered sufficient by the Speaker were permitted to vote by way of a manual vote.

Question put and upon a Division **negatived.**

<u>AYES</u>	<u>NOES</u>	<u>ABSTENTIONS</u>
216	28	4

And there being less than two-thirds majority of Members required to support the Motion for Second Reading of the Bill pursuant to the provisions of Article 256(1)(d) of the Constitution, the Motion for Second Reading of the Constitution of Kenya (Amendment) Bill (National Assembly Bill No.1 of 2015) was **negatived.**

12. **THE CONSTITUTION OF KENYA (AMENDMENT) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 02 OF 2015)**

Motion made and Question proposed;

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

(The Hon. George Kaluma – 19.8.2015))

Thereupon, the House proceeded to a Division as the Motion was Constitutional;

And the Speaker directed the Division Bell to be rung for ten minutes to confirm whether there was the prerequisite number of two-thirds majority of Members to carry out a Division;

Thereupon, the House proceeded to an Electronic Vote. Nevertheless, twenty one (21) Members who were not able to cast their votes due to reasons considered sufficient by the Speaker were permitted to vote by way of a manual vote.

Question put and upon a Division **agreed to.**

<u>AYES</u>	<u>NOES</u>	<u>ABSTENTIONS</u>
247	16	1

And there being more than two-thirds majority required to support the Motion for Second Reading of the Bill pursuant to the provisions of Article 256(1)(d) of the Constitution, the Motion for Second Reading of the Constitution of Kenya (Amendment) Bill (National Assembly Bill (No.2) of 2015) was **agreed to.**

13. **THE CONSTITUTION OF KENYA (AMENDMENT) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2013)**

Motion made and Question proposed –

THAT, the Constitution of Kenya (Amendment) (No.2) Bill (National Assembly Bill No. 26 of 2013) be now read a Third Time

(Hon. Lati Lelelit)

Thereupon, the House proceeded to a Division as the Motion was Constitutional;

And the Speaker directed the Division Bell to be rung for ten minutes to confirm whether there was the prerequisite number of two-thirds majority of Members to carry out a Division;

Thereupon, the House proceeded to an Electronic Vote. Nevertheless, twenty four (24) Members who were not able to cast their votes due to reasons considered sufficient by the Speaker were permitted to vote by way of a manual vote.

Question put and upon a Division **negatived;**

AYES

NOES

ABSTENTIONS

226

22

2

And there being less than two-thirds majority required to support the Motion for Third Reading of the Bill pursuant to the provisions of Article 256(1)(d) of the Constitution, the Motion for Third Reading of the Constitution of Kenya (Amendment) (No.2) Bill (National Assembly Bill No. 26 of 2013) was **negatived.**

Thereupon, pursuant to the provisions of Standing Order 62(2), the Speaker directed that a further Vote be taken on the particular Question, and the further Vote shall be taken within five sitting days from the day the first vote was taken.

14. **COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read;

IN THE COMMITTEE

The First Chairperson of Committees in the Chair

The Business Registration Service Bill (National Assembly Bill No.13 of 2015)

Clause 3 - amendment proposed -

THAT, Clause 3 of the Bill be amended in subclause(3) by deleting the words "but the Service may establish branches in any other place" appearing immediately after the words "capital city" and substituting therefor the words "but the Service shall establish branches in every County".

(Hon. Makali Mulu)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 3 - as amended agreed to.

Clause 4 - agreed to

Clause 5 - amendment proposed –

THAT, clause 5 of the Bill be amended in subclause (1) by—

- (a) deleting the words “Attorney-General” in paragraph (b) and substituting therefor the words “Solicitor-General”;
- (b) deleting paragraph (d);
- (c) inserting the words “and secretary to the Board” immediately after the word “member” in paragraph (g).

(Chairperson of the Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to

Clause 5 - as amended agreed to.

Clause 6 - amendment proposed –

THAT, clause 6 of the Bill be amended in subclause (1)—

- (a) in the prefatory statement by deleting the expression “5(1)(g)” appearing immediately after the word “section” and substituting therefor the expression “5(1) (f)”;
- (b) by deleting the word “five” appearing immediately after the words “term of” in paragraph (a) and substituting therefor the word “three”.

(Chairperson of the Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to

Clause 6 - as amended agreed to.

Clauses 7, 8 & 9 - agreed to

Clause 10 - amendment proposed –

THAT, clause 10 of the Bill be amended by deleting the words “Board may, with the approval of the Cabinet Secretary” appearing immediately after the words “allowances as the” and substituting therefor the words “Cabinet Secretary may, in consultation with the Salaries and Remuneration Commission”.

(Chairperson of the Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 10 - as amended agreed to.

Clause 11, 12, 13, 14, 15, 16 & 17 - agreed to

Clause 18 - amendment proposed –

THAT, clause 18 of the Bill be amended—

(a) in subclause (1) by deleting paragraph (b) and substituting therefor the following paragraph—

“(b) has at least ten years’ experience in public affairs and management.”;

(b) in subclause (3) by deleting the word “five” appearing immediately after the words “term of” and substituting therefor the word “four”

(Chairperson of the Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 18 - as amended agreed to.

Clause 19 - amendment proposed –

THAT, clause 19 of the Bill be amended in subclause (1)—

(a) by deleting the words “or misbehaviour” appearing in paragraph (b);

(b) deleting paragraph (e)

(Chairperson of the Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to

Clause 19 - as amended agreed to.

Clauses 20, 21, 22, 23, 24, 25, 26 & 27 - agreed to

Clause 28 - amendment proposed –

THAT, clause 28 of the Bill be amended—

(a) in subclause (1) by deleting the words “to be prepared” appearing immediately after the word “report”;

(b) in subclause (4) by deleting the word “publicized” appearing immediately after the words “and shall” and substituting therefor the word “publicize”.

(Chairperson of the Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to

Clause 28 - as amended agreed to

Clauses 29 & 30 - agreed to

Clause 31 - amendment proposed –

THAT, clause 31 of the Bill be amended—

(a) in subclause (1) by deleting the words “Until the Board is constituted and has competitively recruited staff in accordance with this Act, the” and substituting therefor the word “The”;

(b) by deleting subclause (2).

(Chairperson of the Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 31 - as amended agreed to.

Clauses 32 & 33 - agreed to

Schedule - agreed to

Clause 2 - amendment proposed –

THAT, clause 2 of the Bill be amended in the definition of “Cabinet Secretary” by deleting the words “Cabinet Secretary for time being responsible for matters relating to business registration” and substituting therefor the words “Attorney General”.

(Chairperson of the Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to

Clause 2 - as amended agreed to

Title - agreed to

Clause 1 - agreed to

Bill to be reported with amendments;

(ii) **The Special Economic Zones Bill (National Assembly Bill No. 6 of 2015)**

Clause 3 - agreed to

Clause 4 - amendment proposed –

THAT clause 4 be amended—

(a) by deleting subsection (1) and replacing therefor the following new subsection(1)—

"(1) The Cabinet Secretary shall, on the recommendation of the Authority, and in consultation with the Cabinet Secretary responsible for matters relating to finance declare, by notice in the Gazette, any area as a Special Economic Zone as set out in the First Schedule."

(b) in subsection (3) by deleting the word "recommended" and substituting therefor the word "recommendation".

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed -

THAT, clause 4 be amended by inserting the following new subclause immediately after subclause (5) –

"(6) An area declared as a special economic zone under this section may be designated as a single sector or multiple sector special economic zone, and may include, but not be limited to

–

- (a) free trade zones;
- (b) industrial parks
- (c) freeports;
- (d) information communication technology parks;
- (e) science and technology parks;
- (f) agricultural zones;
- (g) tourist and recreational zones
- (h) business service parks;
- (i) livestock zones."

(The Leader of the Majority Party)

Question of the further 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 be amended in paragraph (k) by deleting the words "by the Authority" and substituting therefor the words "in the Regulations".

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 5 - as amended agreed to

Clause 6 - amendment proposed –

THAT, clause 6 of the Bill be amended by deleting the words “unless otherwise provided under this Act, or any other written law”;

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

Proposed amendment withdrawn;

Clause 6 - agreed to

Clause 7 - amendment proposed –

THAT clause 7 of the Bill be amended by inserting the words “and subject to any conditions as may be imposed” in subparagraph (iii).

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Clause 7 - as amended agreed to

Clause 8 - amendment proposed –

THAT, clause 8 of the Bill be amended—

(a) in subclause (1) by inserting the words “of the East African Community” immediately after the words “applicable customs laws”;

(b) in sub-clause (2) by inserting the words “ and the Customs laws of the Community” immediately after the words “Subject to this Act”;

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 8 - as amended agreed to

Clauses 9 & 10 - agreed to

Clause 11 - amendment proposed –

THAT, clause 11 of the Bill be amended by inserting a new paragraph immediately after paragraph (p)—

“(q) any other functions as may be directed by the Board”

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 11 - as amended agreed to

Clause 12 - amendment proposed –

THAT clause 12 be amended by deleting paragraph (f) and replacing therefore the following new paragraph (f) —

“(f) four other directors appointed by the Cabinet Secretary, from the private sector or any other public institution being persons who have distinguished service, relevant experience, and expertise.”

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 12 - as amended agreed to

Clause 13 - amendment proposed –

THAT clause 13 be amended by deleting the words “the Schedule” and substituting therefor the words “Second Schedule”.

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 13 - as amended agreed to

Clause 14 & 15 - agreed to

Clause 16 - amendment proposed –

THAT clause 16 (1) of the Bill be amended by deleting the words “on such terms and conditions of service as may be specified in the instrument of appointment”.

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 16 - as amended agreed to

Clauses 17, 18, 19, 20, 21, 22, 23 & 24 - agreed to

Clause 25 - amendment proposed –

THAT clause 25 of the Bill be amended by deleting the words “Board may invest the funds of the Authority in securities” and substituting therefor with the words “Authority may invest its funds in government securities”

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 25 - as amended agreed to

Clause 26 - agreed to

Clause 27 - amendment proposed –

THAT clause 27 be amended-

(a) in subclause (4) by deleting the words “a reasonable period of time” and substituting therefor the words “one month”.

(b) by inserting the following new subclause immediately after subclause (6)—

(7) The Cabinet Secretary shall—

(a) publish in the Kenya Gazette all approved applications to establish a special economic zone; and

(b) within hundred and eighty (180) days of the coming into force of this Act, publish regulations on the application, issuance, suspension, revocation and appeal process on licensing of special economic zones.

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Clause 27 - as amended agreed to

Clause 28 - amendment proposed –

THAT clause 28 of the Bill be amended in sub clause (c) by inserting the words “to be enacted within hundred and eighty (180) days of the coming into force of this Act.

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 28 - as amended agreed to

Clauses 29 & 30 - agreed to

Clause 31 - amendment proposed –

THAT clause 31 of the Bill be amended-

(a) in subclause1 by inserting the words “, subject to Section 5,”immediately after the words “Authority shall”.

(b) in the marginal note by deleting the words “Authority to give notice to the Kenya Revenue Authority” and substituting therefor the words “Activities permitted within a Special Economic Zone”.

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 31 - as amended agreed to

Clause 32 - agreed to

Clause 33 - amendment proposed –

THAT clause 33 of the Bill be amended by renumbering the clause appearing immediately after clause 33 as “34”.

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 33 - as amended agreed to

Clause 34 - agreed to

Clause 35 - amendment proposed –

THAT, clause 35 be amended by deleting subclause (1) and substituting therefor the following new subclause –

“(1) All licensed special economic zones enterprises, developers and operators shall be granted exemption from all taxes and duties payable under the Excise Duty Act, the Income Tax, East African Community Customs Management Act and the Value Added Tax, on all special economic zone transactions”.

(The Leader of the Majority Party)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed –

THAT, clause 35 of the Bill be amended –

- (a) in subclause (1) by deleting the words “all existing taxes and duties payable under the Customs and Excise Act, Income Tax Act, East African Community Customs management Act and Value Added Tax Act, on special economic zone transactions” and substituting therefor the words “duties and taxes in accordance with the existing tax laws”.

Question of the amendment proposed;

Debate arising;

Question put and negatived;

- (b) in the marginal note by inserting the words “developers and operators” immediately after the word “enterprises”; and

(c) in subsection(2) by deleting paragraphs (g), (h) and (i).

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 35 - as amended agreed to

Clause 36 - agreed to

Clause 37 - amendment proposed –

THAT clause 37 of the Bill be amended by inserting the words “within thirty days” immediately after the word “settlement”.

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 37 - as amended agreed to

Clause 38 - agreed to

Clause 39 - amendment proposed –

THAT clause 39 of the Bill be amended in subclause (2) by inserting the following new paragraph immediately after paragraph (h)—

(i) determine the fees to be levied under this Act.

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 39 - as amended agreed to

INSERTION OF A NEW CLAUSE**New Clause 40 proposed –**

THAT, the Bill be amended by inserting the following new clause immediately after clause 39—

Transiti
on.

40. A corporate body shall be deemed to be a special economic zone developer on the commencement of this Act if it has—

- (a) been approved by the Cabinet Secretary to engage in the development or management of integrated infrastructure facilities on public, private or public-private partnership basis; and
- (b) undertaken significant steps to commence development or management of the integrated infrastructure facilities.

(Hon. Samuel Chepkonga)

Motion made and Question proposed;

THAT, the New Clause 40 be read a Second Time

Debate arising;

Question put and agreed to;

Motion made and Question proposed;

THAT, the New Clause 40 be part of the Bill

Debate arising;

Question put and agreed to;

Schedule - agreed to

INSERTION OF A NEW SCHEDULE

THAT the following new Schedule be inserted immediately after clause 39—

FIRST SCHEDULE

(S.4(1))

TYPES OF SPECIAL ECONOMIC ZONES

1. The Authority shall permit multiple sector or single sector Special Economic Zones including but not limited to the following—

- (a) Free Trade Zones (FTZ)
- (b) Industrial Parks
- (c) Free Ports
- (d) Information Communication and Technology Parks (ICT Parks)

- (e) Science and Technology Parks
- (f) Agricultural Zones
- (g) Tourist and Recreational Zones
- (h) Business Service Parks

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

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Schedule - as amended agreed to.

Clause 2 - amendment proposed-

THAT, clause 2 be amended by inserting the following new definition in its proper alphabetical sequence—

“livestock zone” means a special economic zone declared as such under section 4, in which the following activities are carried out: livestock marshalling and inspection; livestock feeding or fattening, abattoir and refrigeration; deboning; value addition; manufacture of veterinary products, and other related activities.

(The Leader of the Majority Party)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed-

THAT clause 2 be amended—

(a) by inserting the following new definitions in proper alphabetical sequence—

“Agricultural Zones” means a Special Economic Zone declared as such under Section 5 to facilitate the agricultural sector, its services and associated activities;

(b) by deleting the definition of the term “customs territory” and replacing therefor the following new definition—

“Customs Territory” means the geographical area of the Republic of Uganda, the Republic of Kenya and the United Republic of Tanzania and any other country granted membership of the Community under Article 3 of the Treaty for the Establishment of the East African Community but does not include a Special Economic Zone;

(c) by deleting the definition of the term “duty and substituting therefor the following new definition—

"duty" means duty as defined under the East Africa Community Customs Management Act;

(d) in the definition of "import" by inserting the words "customs territory or a";

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

Question of the further amendment proposed;

Debate arising;

Question put and agreed to;

Clause 2 - as amended agreed to

Title - agreed to

Clause 1 - agreed to

Bill to be reported with amendments.

15. **HOUSE RESUMED** - The Fourth Chairperson in the Chair

(i) **The Business Registration Service Bill (National Assembly Bill No.13 of 2015)**

Bill reported with amendments;

Motion made and Question proposed –

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

(The Leader of the Majority Party)

Question put and agreed to.

Motion made and Question proposed –

THAT, the Business Registration Service Bill (National Assembly Bill No.13 of 2015) be now read a Third Time

(The Leader of the Majority Party)

Debate arising;

Question for the Third Reading deferred to another day.

(i) **The Special Economic Zones Bill (National Assembly Bill No.6 of 2015)**

Motion made and Question proposed –

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

(The Leader of the Majority Party)

Question put and agreed to.

Motion made and Question proposed –

THAT, the Special Economic Zones Bill (National Assembly Bill No. 6 of 2015) be now read a Third Time

(The Leader of the Majority Party)

Debate arising;

Question for the Third Reading deferred to another day.

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

16. HOUSE ROSE - at twenty two minutes past Six O'clock

M E M O R A N D U M

The Speaker will take the Chair on
Wednesday, August 26, 2015 at 9.30 a.m.

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