



**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – THIRD SESSION**

**NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, MAY 26, 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. **COMMUNICATION FROM THE CHAIR REGARDING THE SPECIAL SITTINGS**

The Deputy Speaker conveyed the following Communication –

“Honourable Members,

As you may recall, our long recess commenced on Friday, May 1, 2015, with resumption of the Session scheduled for Tuesday June 9, 2015. Prior to the recess, the Leader of the Majority Party did indicate that he may request the Speaker to convene Special Sittings of the House to consider urgent Bills with Constitutional timelines, and other Business related to the budget.

Thereafter, the Speaker received a formal request from the Leader of the Majority Party requesting the House to be convened for the purposes of considering the aforementioned business.

Honourable Members,

In this respect, and pursuant to Standing Order 29(3), the Speaker of the National Assembly, vide *Gazette Notice No. 3704* of May 21, 2015, notified that four Special Sittings of the National Assembly shall be held in the National Assembly Chamber at the Main Parliament Buildings, Nairobi, on Tuesday May 26, 2015 at 9.30 am and 2.30 pm, and on Wednesday May 27, 2015 at 9.30 am and 2.30 pm to consider the following business:-

- (i) The mediated version of the Environmental Management and Co-ordination (Amendment) Bill, 2014;
- (ii) Senate amendments to the Public Audit Bill, 2014;
- (iii) Senate amendments to the Public Procurement and Asset Disposal Bill, 2014;

- (iv) Senate amendments to the Fair Administrative Action Bill, 2015; and
- (v) The Budget and Appropriation Committee Report on the Estimates of Revenue and Expenditure of the National Government, Parliamentary Service Commission and Judiciary for the Financial Year 2015/2016.

In his letter to the Speaker, the Leader of the Majority Party also requested that the House consider, in all stages, the Supplementary Appropriation Bill, 2015.

Honourable Members,

In this regard, I wish to confirm that the Special Sittings are properly constituted, and welcome you to the House. I also convey my gratitude to you for making time to attend the sittings, despite the short notice.

I thank you".

5. **MESSAGE FROM THE SENATE**

The Deputy Speaker conveyed the following Message –

"Honourable Members,

Standing Order 41(5) relating to Messages from the Senate provides that "If a message is received from the Senate, at a time when the House is not in Session, the Speaker shall forthwith cause the message to be transmitted to every Member and shall report the message to the House on the day the House next sits."

In this regard Hon. Members, I wish to report that I have received a Message from the Senate vide a letter dated 22<sup>nd</sup> May, 2015 conveying the Senate passage of the following three National Assembly Bills on Wednesday 20<sup>th</sup> May 2015 with amendments: -

- (i) Public Audit Bill (National Assembly No. 38 of 2014);
- (ii) The Fair Administrative Action Bill (National Assembly Bill No. 10 of 2015); and
- (iii) The Public Procurement and Asset Disposal Bill (National Assembly Bill No. 40 of 2014).

Honourable Members,

The Messages states, and I quote, "THAT, the Public Audit Bill (National Assembly Bill No. 38 of 2014), the Fair Administrative Action Bill (National Assembly Bill No. 10 of 2015, and the Public Procurement and Asset Disposal Bill (National Assembly Bill No. 40 of 2014) as published in the Kenya Gazette Supplement Nos. 162, 26 and 164 of 8<sup>th</sup> December, 2014, 13<sup>th</sup> March, 2015 and 8<sup>th</sup> December, 2014 respectively and passed with amendments, by the National Assembly on 2<sup>nd</sup> April, 2015, 23<sup>rd</sup> April, 2015 and 30<sup>th</sup> April, 2015 respectively, were passed by the Senate on Wednesday, 20<sup>th</sup> May, 2015, with amendments." Consequently, the Senate now seeks the concurrence of the National Assembly to the amendments made to the three Bills.

Honourable Members,

I am aware that the Clerk of the National Assembly has already circulated the Senate amendments to the three Bills, pursuant to Standing Order 145, to Members including the two respective Committees.

It is important to note that the Senate has proposed amendments to 9 clauses of the Public Audit Bill, 2014 which has a total of 74 clauses; the Senate also proposed amendments to 10 clauses of the Fair Administrative Action Bill, 2015 which has a total of 14 clauses; on the Public Procurement and Asset Disposal Bill, 2014 which has a total of 184 clauses, the Senate proposed amendments to 5 clauses.

Honourable Members,

You will agree with me that the Senate has expedited its consideration of the three Bills especially given the short period availed to them. I therefore wish to commend our colleagues for the speedy action on the said Bills. Due to the urgency of the three Bills on account of their Constitutional timelines, I wish to guide the House as follows: -

- (i) The Senate amendments to the Public Procurement and Asset Disposal Bill, 2014, and the amendments to the Public Audit Bill, 2014 shall stand committed to the Departmental Committee on Finance, Planning and Trade for consideration;
- (ii) The Senate amendments to the Fair Administrative Action Bill, 2015 will stand committed to the Departmental Committee on Justice and Legal Affairs for consideration; and
- (iii) The two Committees are hereby required to sit from 10:30am today to consider the said amendments and table their reports to the House this afternoon. Their reports will guide debate on the consideration of the Senate amendments to the three Bills.

I thank you".

6. **PAPER LAID**

The following Paper was laid on the Table –

The Report of the Mediation Committee on the Environmental Management and Co-ordination (Amendment) Bill (National Assembly Bill No.31 of 2014)

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

7. **NOTICE OF MOTION** – (Chairperson, Departmental Committee on Environment & Natural Resources)

THAT, this approves the Report of the Mediation Committee on the Environmental Management & Co-ordination (Amendment) Bill, (National Assembly Bill No.31 of 2014), laid on the Table of the House today, Tuesday, May 26, 2015

8. **APPROVAL OF THE MEDIATED VERSION OF THE ENVIRONMENTAL MANAGEMENT & CO-ORDINATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.31 OF 2014**

Motion made and Question proposed:-

**THAT**, pursuant to the provisions of Article 113(2) of the Constitution and Standing Order 150(3), this House approves the Report of the Mediation Committee on the Environmental Management & Co-ordination (Amendment) Bill, (National Assembly Bill No.31 of 2014)

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

Debate arising;

Rising in his place on a Point of Order, the Member for Emuhaya (Dr. Wilbur Ottichilo) claimed to move that "the Mover be now called upon to reply";

And the Deputy Speaker acceding to the claim;

Question put and agreed to.

Thereupon, Mover replied;

Question put and agreed to.

**RESOLVED ACCORDINGLY:**

**THAT**, pursuant to the provisions of Article 113(2) of the Constitution and Standing Order 150(3), this House approves the Report of the Mediation Committee on the Environmental Management & Co-ordination (Amendment) Bill, (National Assembly Bill No.31 of 2014)

And the time being nine minutes to Eleven O'clock, the Deputy Speaker interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

9. **HOUSE ROSE** - at nine minutes past Eleven O'clock.

---

**M E M O R A N D U M**

The Speaker will take the Chair today,  
Tuesday, May 26, 2015 at 2.30 p.m.

---X---