



**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – FOURTH SESSION**

**NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**THURSDAY, MAY 26, 2016**

1. The House assembled at thirty minutes past Nine O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Speaker
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following Communications –

**(a) Demise of the Hon. Soita Shitanda, EGH, former Member for Malava Constituency**

"Honourable Members,

It is with deep sorrow that I have learnt of the demise of the Hon. Peter Soita Shitanda, EGH, MP. The late Hon. Shitanda, a former Member for Malava Constituency, passed on, on Tuesday, 24th May 2016 while undergoing treatment.

Honourable Members, the late Hon. Shitanda was born on 9th November 1958 in Malava, Kakamega County. He attended Malava Boys High School before joining Kenya Polytechnic where he trained as an accountant. In 1979, he joined the Civil Service as an Accounts Trainee in the Ministry of Finance, where he rose through the ranks to become an Accountant I. The late Hon. Shitanda joined politics in 1997 and was elected as Member for Malava Constituency, which he represented in the 8th, 9th and 10th Parliaments successively. Before his appointment to the Cabinet, he was a good debater, an astute Member of various House Committees, among them being the Committee on Legal Affairs and a charismatic chair of the Public Accounts Committee and the Finance Committee.

Honourable Members, in 2004, the late Hon. Shitanda was appointed to the Cabinet as an Assistant Minister for Public Service in the Office of the President. He was later elevated to the position of Minister for Housing in 2005, a portfolio he held till March 2013. The late Hon. Shitanda will be remembered for instituting various strategic reforms regarding housing for Civil Servants while at the helm of the Ministry of Housing. He introduced a housing scheme for civil servants and also streamlined and re-organizing the National Housing Corporation to enable it undertake more housing projects with a view to bridging the housing deficit for civil servants. He also foresaw

implementation of the National Housing Policy and the Kenya Slum Upgrading Programme in various parts of the country. Until the time of his demise, the late Hon. Shitanda was the Chairman of the Agricultural Development Corporation (ADC).

Honourable Members, on behalf of all Members of the National Assembly, that of the Parliamentary Service Commission and indeed on my own behalf, I wish to convey our condolences to his family, family friends and the people of Malava Constituency for the great loss. As the National Assembly, we assure the family of our support during this period of grief. In honour of the exemplary and illustrious service rendered to the nation and society by the late Hon. Shitanda, I now request that we all stand to observe a minute of silence.

May his soul rest in eternal peace.

Thank you"

**(b) Special Sitting of the National Assembly on Thursday, May 26, 2016**

"Honourable Members,

"I wish to welcome you back from your briefly-interrupted Recess. This Special Sitting has been necessitated by urgent emerging issues regarding which this Honourable House needs to address itself.

Honourable Members, you may recall that on 19th April 2016, this House passed the Anti-Doping Bill (National Assembly Bill No. 6 of 2016) aimed at giving effect to the UNESCO Convention Against Doping in Sport, to protect athletes' health by regulating sporting activities free from use of prohibited substances, and to establish the Anti-Doping Agency. The Bill was subsequently assented to by H.E. the President on 22nd April 2016.

However, new developments have since emerged necessitating the need to review the Anti-Doping law. As a result, this House needs to deliberate on amendments to the Anti-Doping Act so as to align it to international best practice as agreed upon with the World Anti-Doping Agency (WADA), particularly in view of the upcoming Olympic Games in Rio, Brazil.

To this end, I did notify Members of the National Assembly concerning this Special Sitting vide Kenya Gazette Notice No. 3570 on 19th May 2016. This Special Sitting is therefore properly convened. I wish Members fruitful deliberations in the two sittings today as the House considers the crucial Anti-Doping (Amendment) Bill given the time constraints pertaining to its enactment, and Nominees to various Constituency Development Fund Committees.

Further to this, Honourable Members, I have received a request from the Departmental Committee on Labour and Social Welfare seeking leave to convene and consider proposed amendments to the Anti-Doping (Amendment) Bill by the Leader of the Majority Party. I am aware that the Chairperson of the Committee was recently part of a high-powered Delegation that met senior WADA officials in Montreal, Canada. He is therefore well apprised with the issues that have occasioned the review of the Anti-Doping Act.

For these reasons, I will allow the Committee to meet from 10.30am today with a view to confirming that the final version of the Bill fully accommodates WADA's concerns. This will give the House an opportunity to consider any recommendations of the Committee during Committee of the Whole House Stage this afternoon.

I thank you".

5. **Eulogy for the Hon. Soita Shitanda, EGH, former Member for Malava Constituency**

Members eulogized the late Hon. Soita Shitanda, EGH, former Member for Malava Constituency. They observed that the late Hon. Shitanda was a focused, articulate, astute, development conscious leader, politician and businessman.

They observed that the late Shitanda will be remembered as a key player in the sugar industry matters in western Kenya such as ensuring the establishment of Butali Sugar Company. He will also be remembered for instituting various strategic reforms regarding housing for Civil Servants while at the helm of the Ministry of Housing.

May his soul rest in eternal peace.

6. **PAPERS LAID**

The following Papers were laid on the Table of the House:-

- (i) Nominees to the Constituency Committees of the National Government Constituency Development Fund constituting the following constituencies under the Eleventh Batch –
  - a) Wundanyi Constituency
  - b) Matayos Constituency, and
  - c) Teso South Constituency.
- (ii) Nominees to the Constituency Committees of National Government Constituency Development Fund constituting the following constituencies under the Twelfth Batch –
  - a) Wajir North Constituency
  - b) Daadab Constituency
  - c) Bura Constituency
  - d) Kajiado East Constituency
  - e) Kwanza Constituency
  - f) Lagdera Constituency
  - g) Alego Usonga Constituency
  - h) Magarini Constituency
  - i) Tarbaj Constituency
  - j) Eldas Constituency
  - k) Voi Constituency
  - l) Kuresoi South Constituency
  - m) Gatanga Constituency
  - n) Borabu Constituency
  - o) Bomet Central Constituency
  - p) Samburu West Constituency

- q) Samburu North Constituency
  - r) Tetu Constituency
  - s) Isiolo South Constituency
  - t) Mwingi Central Constituency
  - u) Ndia Constituency
  - v) Karachuonyo Constituency
  - w) Muhoroni Constituency
  - x) Roysambu Constituency
  - y) Kisumu Central Constituency
  - z) Isiolo North Constituency
  - aa) Embakasi South Constituency
  - bb) Subukia Constituency
  - cc) Dagoretti South Constituency
  - dd) Mwea Constituency, and
  - ee) Sabatia Constituency
- (iii) The Capital Markets (Nairobi Securities Exchange Limited Shareholding) Regulations 2016, and the Explanatory Memorandum thereof;
- (iv) The East African Community Protocol on Information and Communications Technology Networks and the Memorandum thereof; and
- (v) The Fourth Quarterly Report of the Ethics and Anti-Corruption Commission for the Period covering October to December 2015.

*(The Leader of the Majority Party)*

*The Speaker referred the Capital Markets (Nairobi Securities Exchange Limited Shareholding) Regulations 2016, and the Explanatory Memorandum thereof to the Committee on Delegated Legislation; and*

*The East African Community Protocol on Information and Communications Technology Networks and the Memorandum to the Committee on Delegated Legislation.*

7. **NOTICE OF MOTION – APPROVAL OF PERSONS TO VARIOUS CONSTITUENCY**  
**COMMITTEES OF THE NATIONAL GOVERNMENT**  
**CONSTITUENCIES DEVELOPMENT FUND**

**THAT**, pursuant to the provisions of Section 43(4) of the National Government Constituencies Development Fund Act, 2015, this House approves the nominees listed hereunder, laid on the Table of the House on Thursday, May 5 and 26, 2016 to the respective Constituency Committees of the National Government Constituency Development Fund:–

1. Mathira Constituency
2. Daadab Constituency
3. Bura Constituency
4. Kajiado East Constituency
5. Mvita Constituency
6. Kacheliba Constituency
7. Embakasi East Constituency
8. Embakasi Central Constituency

9. Wundayi Constituency
10. Matayos Constituency
11. Teso South Constituency
12. Wajir North Constituency
13. Kwanza Constituency
14. Lagdera Constituency
15. Alego Usonga Constituency
16. Magarini Constituency
17. Tarbaj Constituency
18. Eldas Constituency
19. Voi Constituency
20. Kuresoi South Constituency
21. Gatanga Constituency
22. Borabu Constituency
23. Bomet Central Constituency
24. Samburu West Constituency
25. Samburu North Constituency
26. Tetu Constituency
27. Isiolo South Constituency
28. Mwingi Central Constituency
29. Ndia Constituency
30. Karachuonyo Constituency
31. Muhoroni Constituency
32. Roysambu Constituency
33. Kisumu Central Constituency
34. Isiolo North Constituency
35. Embakasi South Constituency
36. Subukia Constituency
37. Dagoretti South Constituency
38. Mwea Constituency (*Additional Nominee*)
39. Sabatia Constituency (*Additional Nominee*)
40. Moiben Constituency (*Additional Nominee*)

*(Chairperson, Select Committee on the National Government Constituency  
Development Fund)*

8. **PROCEDURAL MOTION – EXEMPTION OF THE ANTI-DOPING (AMENDMENT) BILL  
2016 FROM PROVISIONS OF STANDING ORDERS 49(1) &  
127**

Motion made and Question proposed –

**THAT**, pursuant to the provisions of Standing Order 256, this House resolves to exempt the Anti-Doping (Amendment) Bill (National Assembly Bill No. 17 of 2016) from the provisions of Standing Orders 49(1) (*certain Bills may not be moved*), and 127 (*committal of a Bill to relevant Committee*)

*(The Leader of the Majority Party)*

Question put and agreed to:

9. **PROCEDURAL MOTION – REDUCTION OF PUBLICATION PERIOD OF THE ANTI-DOPING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 17 OF 2016)**

Motion made and Question proposed –

**THAT**, pursuant to the provisions of Standing Order 120, this House resolves to reduce the publication period of the Anti-Doping (Amendment) Bill (National Assembly Bill No. 17 of 2016) from **fourteen** to **seven days**.

*(The Leader of the Majority Party)*

Debate arising;

Question put and agreed to;

10. **THE ANTI-DOPING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 17 OF 2016)**  
(The Leader of the Majority Party)

Order for First Reading read –

Bill read a First Time and ordered to be read a Second Time **today**.

11. **THE BRIBERY BILL (NATIONAL ASSEMBLY BILL NO. 16 OF 2016)**  
(The Leader of the Majority Party)

Order for First Reading read –

Bill read a First Time referred to the relevant Departmental Committee pursuant to Standing Order 127.

12. **THE ANTI-DOPING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 17 OF 2016)**

Order for Second Reading read;

Motion made and Question proposed –

**THAT**, Anti-Doping (Amendment) Bill (National Assembly Bill No. 17 of 2016) be now read a Second Time

*(The Leader of the Majority Party)*

Rising in his place under Standing Order 95(1), the Member for Ainabkoi (Hon. Samuel Chepkong'a) claimed to move that "the Mover be now called upon to reply";

And the Speaker acceding to the claim;

Question that "the Mover be now called upon to reply" put and agreed to;

Debate arising;

Mover replied;

13. QUORUM IN THE HOUSE

And the Speaker having ascertained that there was no requisite Quorum to put the Question, caused the Division Bell to be rung for ten minutes;

And there being a quorum after expiry of four minutes;

Question put and agreed to;

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

And there being no other business, and the time being fifteen minutes past eleven O'clock, the Speaker adjourned the House without Question put pursuant to the Standing Orders.

14. HOUSE ROSE - at fifteen minutes past eleven O'clock.

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M E M O R A N D U M

The Speaker will take the Chair today,  
Thursday, May 26, 2016 at 2.30 p.m.

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