



**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – (THIRD SESSION)**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, AUGUST 26, 2015**

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **PRESIDING** – the Speaker
4. **PETITIONS**

The following Petitions were presented;

- (ii) A Petition by one Dennis Kithinji allegedly on behalf of university students and graduate of Bachelors, Masters and Doctorate degrees in the field of laboratory medicine in Kenya regarding enactment of legislation relating to registration and regulation of medical laboratory practitioners, conveyed by the Speaker.
- (iii) The Member for Kilifi (Hon. Richard Makenga) on release of the 2014 Early Childhood Development Education Examination results.

Petitions referred to the relevant Departmental Committee pursuant to Standing Order 227(2)

5. **PAPERS LAID**

The following Papers were laid on the Table –

- (i) The Report of the Auditor-General on the Financial Statements of Chuka University for the year ended 30<sup>th</sup> June, 2014 and the certificate therein;
- (ii) The Report of the Auditor-General on the Financial Statements of Postal Corporation of Kenya for the year ended 30<sup>th</sup> June, 2014 and the certificate therein;
- (iii) The Report of the Auditor-General on the Financial Statements of Teachers Service Commission for the year ended 30<sup>th</sup> June, 2014 and the certificate therein;

- (iv) The Report of the Auditor-General on the Financial Statements of Ewaso Ng'iro South River Basin Development Authority for the year ended 30<sup>th</sup> June, 2013 and the certificate therein;
- (v) The Report of the Auditor-General on the Financial Statements of Meru University of Science and Technology (MUST) for the year ended 30<sup>th</sup> June, 2014 and the certificate therein;
- (vi) The Report of the Auditor-General on the Financial Statements of National Cereals and Produce Board for the year ended 30<sup>th</sup> June, 2014 and the certificate therein;
- (vii) The Report of the Auditor-General on the Financial Statements of National Irrigation Board for the year ended 30<sup>th</sup> June, 2014 and the certificate therein;
- (viii) The Report of the Auditor-General on the Financial Statements of Embu University College for the year ended 30<sup>th</sup> June, 2014 and the certificate therein;
- (ix) Annual Report and Financial Statements of the Kenya Maritime Authority for the year ended 30<sup>th</sup> June, 2014 and the certificate therein;
- (x) Annual Report and Financial Statements of Constituencies Development Fund-Lurambi Constituency for the year ended 30<sup>th</sup> June, 2014 and the certificate therein.

*(The Leader of the Majority Party)*

- (xi) The Reports of the Departmental Committee on Energy, Communication and Information on:-
  - tour of Kenya Electricity Transmission Company Substations on 6<sup>th</sup> to 8<sup>th</sup> July, 2014 and 20<sup>th</sup>-21<sup>st</sup> March, 2015; and,
  - Petition on the Failure by Telkom Kenya to pay Retrenchment Dues to 1997 Former Employees

*(Chairperson, Departmental Committee on Energy, Communication & Information)*

5. **NOTICE OF MOTION - ESTABLISHMENT OF A COMPREHENSIVE POLICY ON FURTHER STUDIES**

(The Hon. Joyce Emanikor, M.P.)

THAT, aware that a sufficiently skilled and trained workforce is an essential pillar for attainment of Kenya's Vision 2030; further aware that the number of doctors, accountants, engineers, teachers, nurses, lecturers, scientists and other professionals in the public sector undertaking further studies of specialized skills within or outside the country is on the increase: deeply concerned that quite a number of professionals get demoralized by the fact that on returning from studies abroad or after undertaking further studies locally they are either deployed to lower positions, placed below supervisors whose skills they exceed or stagnate in the same position they were before furthering their skills; further concerned by the fact that most of them thereafter opt to leave the public service for the private sector,

civil society or Non-Governmental Organizations (NGOs) or even migrate abroad in search of greener pastures leading to regrettable brain drain; this House resolves that the Government establishes a comprehensive policy to guarantee career advancement, promotions and security of tenure for public servants and officers who undertake to refine their skills through further studies.

6. **STATEMENT – FATE OF JOINT COMMITTEE ON PRESIDENT’S MEMORANDA**

Rising under Standing Order No. 44, the Vice Chairperson of the Joint Committee appointed by the House on July 7, 2015 to consider the President’s Memoranda on the Public Procurement and Assent Disposal Bill, 2015 and the Public Audit Bill, 2015, the Hon. Johnson Sakaja issued a statement on the progress made in considering the Bills.

The Vice Chairperson informed the House that Joint Committee had been time-barred, and further in consideration of the fact that the Joint Committee had disagreed on the Report including amendments to the Presidential Memorandum on the two Bills, the Membership of the National Assembly in the Joint Committee wished to make those facts known, and therefore sought guidance from the Chair on the matter.

7. **THE BUSINESS REGISTRATION SERVICE BILL (NATIONAL ASSEMBLY BILL NO.13 OF 2015)**

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 – 25.8.2015)*

Question put and agreed to;

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

8. **THE SPECIAL ECONOMIC ZONES BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2015)**

Motion made and Question proposed –

THAT, the Special Economic Zones Bill (National Assembly Bill No.16 of 2015) be now read a Third Time

*(The Leader of the Majority Party – 25.8.2015)*

Question put and agreed to;

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

9. MOTION – ADOPTION OF SESSIONAL PAPER NO. 5 OF 2014

Motion made and Question proposed –

THAT, this House adopts Sessional Paper No. 5 of 2014 on National Policy for Peace Building and Conflict Management, laid on the Table of the House on Thursday, July 31, 2014

*(Chairperson, Departmental Committee on Administration and National Security – 20.08.2015)*

Debate interrupted on Thursday, August 20, 2015 resumed;

Mover replied;

Question put and agreed to.

10. COMMITTEE OF THE WHOLE HOUSE

Order for Committee read;

IN THE COMMITTEE

The First Chairperson in the Chair

(i) The Prohibition of Anti-Personnel Mines Bill (National Assembly Bill No.7 of 2014)

Clauses 3, 4, 5 & 6 - agreed to

Clause 7 - amendment proposed –

**THAT** the Bill be amended in clause 7 by deleting the words “The purposes permitted by this subsection are” appearing in subclause (8) and substituting therefor the words “The possession of a prohibited object is permitted for”.

*(Chairperson, Departmental Committee on Defence & Foreign Relations)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 7 - as amended agreed to

Clause 8 - amendment proposed –

**THAT** the Bill be amended in clause 8 by deleting subclause (7).

*(Chairperson, Departmental Committee on Defence & Foreign Relations)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 8 - as amended agreed to

Clause 9 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 9.

*(Chairperson, Departmental Committee on Defence & Foreign Relations)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 9 - deleted

Clause 10 - agreed to

Clause 11 - amendment proposed –

**THAT** clause 11 of the Bill be amended –

(a) in subclause (1) by—

(i) deleting paragraph (a) and substituting therefor the following new paragraph—

“(a)that there is a prohibited object in any premises; and

(ii) deleting paragraph (b) and substituting therefor the following new paragraph—

“(b)that the persons in possession of the object are not authorized under section 7;

(b) in subclause (2) by —

(i) deleting the words “or magistrate” appearing immediately after the word “judge”;

(ii) deleting the word “by” appearing immediately after the word “necessary” and substituting therefor the words “using reasonable”.

*(Chairperson, Departmental Committee on Defence & Foreign Relations)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 11 - as amended agreed to

Clause 12 - agreed to

Clause 13 - amendment proposed –

**THAT** clause 13 of the Bill be amended in subclause (5) –

- (a) by deleting the words “or magistrate” appearing immediately after the word “judge”;
- (b) by deleting the word “by” appearing immediately after the word “necessary” and substituting therefor the words “using reasonable”.

*(Chairperson, Departmental Committee on Defence & Foreign Relations)*

Proposed amendment withdrawn;

Clause 13 - agreed to

Clause 14 - amendment proposed –

**THAT**, the Bill be amended by deleting clause 14

*(Chairperson, Departmental Committee on Defence & Foreign Relations)*

Proposed amendment withdrawn;

Clause 14 - agreed to

Clause 15 - agreed to

Clause 16 - amendment proposed –

**THAT**, the Bill be amended in clause 16 by deleting subclause (1) and substituting therefor the following new subclause-

“(1) Where a request for a fact finding mission is authorized under Article 8 of the Convention and where such request is granted, the Cabinet Secretary may issue an authorization under this section in respect of that mission”.

*(Chairperson, Departmental Committee on Defence & Foreign Relations)*

Question of the amendment proposed;

Debate arising;

Question put and negatived;

Clause 16 - agreed to

Clause 17 - amendment proposed –

**THAT**, the Bill be amended in clause 17 by deleting subclause (5).

*(Chairperson, Departmental Committee on Defence & Foreign Relations)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 17 - as amended agreed to

Clauses 18, 19 & 20 - agreed to

Clause 21 - amendment proposed –

**THAT** clause 21 of the Bill be amended –

- (a) in subclause (1) by deleting the words “served on any person require him” and substituting therefor the words “ require a person”;
- (b) in subclause (3) by deleting the words “served on any person require him” and substituting therefor the words “ require a person”; and
- (c) in subclause (4) by deleting the words “without reasonable excuse neglects or fails to comply with a notice served on him” and substituting therefor the words “ does not comply with a notice given”; and
- (d) in subclause (5) by deleting the word “knowingly”.

*(Chairperson, Departmental Committee on Defence & Foreign Relations)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 21 - as amended agreed to

Clause 22 - amendment proposed –

**THAT** clause 22 of the Bill be amended in subclause (1) –

- (a) by deleting the words “or magistrate” appearing immediately after the word “judge”;
- (b) by deleting the word “by” appearing immediately after the word “necessary” and substituting therefore the words “using reasonable”.

*(Chairperson, Departmental Committee on Defence & Foreign Relations)*

Proposed amendment withdrawn;

Clause 22 - agreed to

Clause 23 - agreed to

Clause 24 - amendment proposed –

**THAT** clause 24 of the Bill be amended in subclause (1) by deleting the words "Attorney-General" and substituting therefor the words "Director of Public Prosecutions".

*(Chairperson, Departmental Committee on Defence & Foreign Relations)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 24 - as amended agreed to

Clause 25 - amendment proposed –

**THAT**, clause 25 of the Bill be amended in subclause (1) by deleting the words "by or before which a person is convicted of an offence under this Act may by order declare" and substituting therefor the words "may order".

*(Chairperson, Departmental Committee on Defence & Foreign Relations)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 25 - as amended agreed to

Clauses 26, 27 & 28 - agreed to

New Clause 3A proposed –

**THAT**, the Bill be amended by inserting the following new clause immediately after clause 3-

Purpose the Act.	of	<b>3A.</b> The purpose of the Act is to implement Kenya's obligations under the Convention.
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*(Chairperson, Departmental Committee on Defence & Foreign Relations)*

Motion made and Question proposed –

**THAT**, the New Clause 3A be read a Second Time

Debate arising;

Question put and agreed to;



New Clause 20A proposed –

**THAT**, the Bill be amended by inserting the following new clause immediately after clause 20-

**20A.** (1) The Cabinet Secretary may delegate to any senior officer under the control, direction and supervision of the Cabinet Secretary, by name or office, any of the functions and powers imposed or conferred on the Cabinet Secretary under this Act except for the power to make rules under section 28.

Delegation by  
Cabinet  
Secretary.

(2) Any delegation under this section shall not prevent the Cabinet Secretary from personally exercising or performing such delegated function or power.

(3) A delegation made under subsection (1) may—

(a) be made subject to such conditions, limitations or restrictions as may be specified in the instrument of delegation; and

(b) be revoked or varied.

*(Chairperson, Departmental Committee on Defence & Foreign Relations)*

Motion made and Question proposed –

THAT, the New Clause 20A be read a Second Time

Debate arising;

Question put and agreed to;

Motion made and Question proposed –

THAT, the New Clause 20A be part of the Bill

Question put and agreed to;

Motion made and Question proposed –

THAT, the New Clause 3A be part of the Bill

Question put and agreed to;

Schedule - agreed to

Clause 2 - amendment proposed –

**THAT**, clause 2 of the Bill be amended in subclause(1) by inserting the following new definitions in their proper alphabetical sequence-

“anti-handling device” means a device intended to protect a mine and which is part of, linked to, attached to or placed under the mine and which activates when an attempt is made to tamper with or otherwise intentionally disturb the mine;

"anti-personnel mine" means a mine that is designed, altered or intended to be exploded by the presence, proximity or contact of a person and that is capable of incapacitating, injuring or killing one or more persons. Mines that are designed, altered or intended to be detonated by the presence, proximity or contact of a vehicle as opposed to a person, and that are equipped with anti-handling devices are not considered to be anti-personnel mines as a result of being so equipped;

"Convention" means the Convention on the Prohibition of the Use, Stockpiling, Production and Transfer of Anti-Personnel Mines and on their Destruction, set out in the Schedule to this Act, as amended from time to time in accordance with Article 13 of the Convention therein;

"mine" means a munition designed, altered or intended to be placed under, on or near the ground or other surface area and to be exploded by the presence, proximity or contact of a person or a vehicle;

"transfer", in respect of anti-personnel mines, includes, in addition to the physical movement of anti-personnel mines, the transfer of title to and control over anti-personnel mines, but does not include the transfer of territory containing emplaced anti-personnel mines;

*(Chairperson, Departmental Committee on Defence & Foreign Relations)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 2 - as amended agreed to

Clause 1 - amendment proposed –

**THAT**, clause 1 of the Bill be amended by –

(a) deleting the words "and shall come into operation on such day as the Cabinet Secretary may, by notice in the Gazette, appoint" appearing immediately after the expression "2014";

(b) deleting the words "and commencement" appearing immediately after the word "title" in the margin note.

*(Chairperson, Departmental Committee on Defence & Foreign Relations)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 1 - as amended agreed to

Title - agreed to

Bill to be reported **with** amendments.

(ii) **The Fisheries Management and Development Bill (National Assembly Bill No. 20 of 2014)**

Clause 3 - amendment proposed –

**THAT**, Clause 3 of the Bill be amended by deleting sub-clause (2).

*(Chairperson, Departmental Committee on Agriculture Livestock & Fisheries)*

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—

(a) in sub-clause (1) by inserting the words “to uplift the living standards of the fishing communities and to introduce fishing to traditionally non-fishing communities and to enhance food security” immediately after the words “sustainable development”;

(b) in sub-clause (2) by—

- (i) inserting the word “and” immediately after the words “allocation of” in paragraph (b);
- (ii) inserting the word “and” immediately after the word “biodiversity” in paragraph (e);
- (iii) deleting the words “general the” appearing in paragraph (g) and substituting therefor the words “the general”
- (iv) inserting the words “replenishing natural habitats through diversification from capture fisheries” immediately after the words “food security” in paragraph (m);
- (v) deleting paragraph (p) and substituting therefor the following new paragraph—

“(p) effective implementation of international agreements and relevant international laws in conformity with the Treaty Making and Ratification Act, 2013”;

- (vi) deleting the word “arrangements” appearing in paragraph (q);
- (vii) inserting the following new paragraph immediately after paragraph (q)—

“(r) ensuring that the livelihood of fishers is enhanced”.

(c) in sub-clause (2) by

- (i) renumbering the existing sub-clause (2) as sub-clause (3); and
- (ii) deleting the words "sub paragraph (1)(a)" and substituting therefor the words " sub paragraph (2)(a)"

*(Chairperson, Departmental Committee on Agriculture Livestock & Fisheries)*

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—

(a) in sub-clause (1) by—

- (i) deleting the words "the Cabinet Secretaries responsible for" appearing immediately after the words "consist of"
- (ii) deleting paragraphs "(a), (b), (c), (d), (e), (f) (g), (h), (i) ,(j), (k), (l), (m), (n) and (o) and substituting with the following new paragraphs-
  - (a)the Cabinet Secretary responsible for fisheries;
  - (b)the Cabinet Secretary responsible for interior and coordination of national government;
  - (c)the Cabinet Secretary responsible for transport and infrastructure;
  - (d)the Cabinet Secretary responsible for national treasury;
  - (e)the Cabinet Secretary responsible for foreign affairs and international trade;
  - (f) a representative from a university or a research institution with expertise in fisheries and who shall be nominated by the university Council;
  - (g)a representative from the consumer federation nominated by the national consumers federation;
  - (h) a designate from the Council of Governors with expertise in fisheries who shall be nominated by the Council of Governors; and
  - (i) a representative of fishers nominated by a national umbrella body of fishers."

(b) in sub-clause (2) by—

- (i) inserting the word 'national" immediately after the word "government".
- (ii) deleting the word "of" appearing in paragraph (b) and substituting thereforthe word "and";

(c) by inserting the following new sub-clauses immediately after sub-clause (2)—

"(2A) The Chairperson of the Council shall be appointed by the President from persons nominated under clause 6 (2) not being a Cabinet Secretary, upon recommendation by the Cabinet Secretary responsible for fisheries;"

"(2B) The Vice Chairperson of the Council shall be elected by members of the Council at their first sitting, provided that the Chair and the Vice Chairperson shall not be of the same gender;"

"(2C) in making appointments of the members to the Council, the Cabinet Secretary shall observe regional, gender, age, disability and ethnic balance;"

(d) in sub-clause (3) by inserting the word "to" immediately after the words "relevant"

*(Chairperson, Departmental Committee on Agriculture Livestock & Fisheries)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 6 - as amended agreed to

Clauses 7 & 9 - agreed to

Clause 9 - amendment proposed –

**THAT**, clause 9 of the Bill be amended by—

- (a) inserting the words "development of standards on" immediately after the words "conservation" in paragraph (a);
- (b) deleting the word "implement" appearing in paragraph (b) and substituting therefor the words "monitor the implementation of";
- (c) deleting the word "manage" appearing in paragraph (c) and substituting therefor the words "develop standards for the management of";
- (d) deleting the words "prepare and implement" appearing in paragraph (d) and substituting therefor the words "develop guidelines for the preparation of";
- (e) in paragraph (e)—
  - (i) by deleting the words "and extension services" appearing after the word "education"
  - (ii) by deleting the words "and relevant policies" appearing immediately after the words "sustainable use".
- (f) deleting the words "collaborate in and," appearing in paragraph (g) and substituting therefor the words "either alone or in collaboration with other institutions nationally or internationally"
- (g) deleting the words "for fisheries conservation, management, development and aquaculture production" appearing in paragraph (i);
- (h) inserting the words "subject to the Treaty Making and Ratification Act, 2013" immediately before the words "act on behalf" appearing in paragraph (k);

- (i) inserting the words "pursuant to the Treaty Making and Ratification Act, 2013" immediately after the words "Cabinet Secretary" appearing in paragraph (l);
- (j) inserting the words "and the Constitution" immediately after the words "this Act" appearing in paragraph (n);
- (k) inserting the words "that relates to its mandate under this Act and the Constitution" immediately after the words "infrastructure" appearing in paragraph (o);
- (l) inserting the words "and County governments" immediately after the word "departments" appearing in paragraph (p);
- (m) inserting the words "County governments" immediately after the words "agencies" appearing in paragraph (q);
- (n) inserting the words "in collaboration with County governments and the Fish Marketing Authority established under section 201" at the beginning of paragraph (s); and
- (o) inserting the word "aquaculture" immediately after the words "coastal fisheries" appearing in paragraph (u).

*(Chairperson, Departmental Committee on Agriculture Livestock & Fisheries)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 9 - as amended agreed to

Clause 10 - amendment proposed –

**THAT**, clause 10 of the Bill be amended—

(a) in sub-clause (1)—

- (i) by inserting the word "standards" appearing in paragraph (b) immediately after the word "management";
- (ii) by deleting the words "to the Cabinet" appearing in paragraph (f) and substituting therefor the word "to Parliament";
- (iii) by deleting the words "approve a" appearing in paragraph (g) and substituting therefor the words "establish an open, competitive,";
- (iv) by inserting the words "open, competitive" immediately after the word "transparent" in paragraph (h);

(b) in sub-clause (3)—

- (i) by deleting paragraph (b) and substituting therefor following new paragraph—  
"(b) comply with the provisions of this Act";

- (ii) paragraph (d) by inserting the words "and other government entities" immediately after the words "Director-General";

*(Chairperson, Departmental Committee on Agriculture Livestock & Fisheries)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 10 - 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

*(Chairperson, Departmental Committee on Agriculture, Livestock and Fisheries)*

Question put and agreed to.

11. **HOUSE RESUMED** - Third Chairperson in the Chair

**Consideration of the Fisheries Management and Development Bill (National Assembly Bill No 20 of 2014)**

**Progress reported -**

THAT, the Committee of the whole House has considered the Fisheries Management and Development Bill (National Assembly Bill No.20 of 2014) and seeks leave to sit again today

*(Chairperson, Departmental Committee on Agriculture, Livestock and Fisheries)*

Question put and agreed to.

12. **PROCEDURAL MOTION – EXTENSION OF SITTING TIME**

Motion made and Question proposed;

THAT, notwithstanding the provisions of Standing Order 30(3)(a), this House resolves to extend its sitting today until 7.30 p.m.

*(The Leader of the Majority Party)*

Debate arising

Question put and negatived;

Thereupon the House resolved into Committee;

13. COMMITTEE OF THE WHOLE HOUSE

Order for Committee read;

IN THE COMMITTEE

The First Chairperson in the Chair

**Resumption of consideration of the Fisheries Management and Development Bill**  
**(National Assembly Bill No 20 of 2014)**

Clause 11 - amendment proposed –

**THAT**, clause 11 of the Bill be amended—

(a) in sub-clause (1) by—

- (i) deleting sub paragraph(iv),the repeated paragraph (vi) and(v) of paragraph (b);
- (ii) deleting paragraph (c);
- (iii) deleting the words “competitively recruited” appearing in paragraph (d)and substituting with the words “openly appointed” ;
- (iv) deleting paragraph (e) .

(b) by deleting sub-clause (3) and substituting therefor the following new sub-clause —

“(3) The members of the Board shall at their first meeting after appointment, elect a deputy Chairperson from amongst their number provided that the Chairperson and the deputy Chairperson shall not be of the same gender.”;

(c) in sub-clause (4) by

- (i) deleting the expression “or (e)” appearing immediately after the expression “(1) (d)”;
- (ii) inserting the words “age, regional and ethnic balance” immediately after the word “parity.”

(d) in sub-clause (5) by—

- (i) deleting the expression “or (e)” appearing immediately after the expression “(1) (d)”;
- (ii) deleting the word “oceanography” appearing in paragraph (e) and substituting therefor the words “aquatic science”.

*(Chairperson, Departmental Committee on Agriculture Livestock & Fisheries)*

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 of the Bill be amended—

(a) in sub-clause (1)—

- (i) by deleting paragraph (b);
- (ii) by deleting the words " the permission of" appearing in paragraph (c ) (i) and substituting therefor the words "notifying the";
- (iii) by deleting sub-paragraph (v) of paragraph (c), and substituting therefor the following new sub-paragraph—;

"(v) is unable, by reason of mental or physical infirmity to discharge functions as a member of the Board".

(b) in sub-clause (2) by deleting the word "Minister" appearing in paragraph (a) and substituting therefor the words "Cabinet Secretary".

*(Chairperson, Departmental Committee on Agriculture Livestock & Fisheries)*

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 of the Bill be amended—

(a) by deleting sub-clause (1) and substituting therefor the following new sub-clause—

"(1) A member of the Board shall declare his or her interest in any matter falling within the functions of the Board in which the member of the Board knows or ought to have reasonably known that an interest exists, as described in subsection (5);

(b) by deleting sub-clause (2);

(c) in sub-clause 5 by deleting the word "or" appearing in sub-paragraph (iii) of paragraph (a);

(d) in sub-clause (6) by deleting paragraph (c) and substituting therefor the following new paragraph—

"(c) "family member" shall mean a parent, brother, sister, spouse, cousin, aunt, uncle, nephew, niece or child, including a person who is adopted legally or for whom care was given by the member such that there exists a relationship in the nature of parent and child, and shall also mean a spouse of any person referred to in this definition and their children, and any other member of a person's immediate family;"

*(Chairperson, Departmental Committee on Agriculture Livestock & Fisheries)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 13 - 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.

14. **HOUSE RESUMED** - Fourth Chairperson in the Chair

(i) **Consideration of the Fisheries Management and Development Bill (National Assembly Bill No. 20 of 2014)**

**Progress reported -**

THAT, the Committee of the whole House has considered the Fisheries Management and Development Bill (National Assembly Bill No.20 of 2014) and seeks leave to sit again tomorrow.

*(Chairperson, Departmental Committee on Agriculture, Livestock and Fisheries)*

Question put and agreed to.

(ii) **The Prohibition of Anti-Personnel Mines Bill (National Assembly Bill No.7 of 2014)**

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 Prohibition of Anti-Personnel Mines Bill (National Assembly Bill No.7 of 2014) 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 thirty minutes past Six O'clock, the Fourth Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

15. HOUSE ROSE - at thirty minutes past Six O'clock

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MEMORANDUM

The Speaker will take the Chair on  
Thursday, August 27, 2015 at 9.30 a.m.

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