



**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – FOURTH SESSION**

**NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**TUESDAY, JUNE 28, 2016**

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**

The Speaker conveyed the following Communication –

“Honourable Members,

You may recall that on Tuesday, June 21, 2016, the Deputy Speaker conveyed to this House a Message from the Senate regarding its rejection of the Community Land Bill (National Assembly Bill No. 45 of 2015) and the Land Laws (Amendment) Bill (National Assembly Bill No. 55 of 2015) at Second Reading. The two Bills have since been referred to a Mediation Committee.

In this regard, and in consultation with the Leadership of the Majority and Minority Parties in the House, I have appointed the following Members to represent the National Assembly in the Mediation Committee formed to consider the two Bills -

- (i) The Hon. Alex Mwiru, MP;
- (ii) The Hon. Moses Ole Sakuda, MP;
- (iii) The Hon. Francis Nderitu, MP;
- (iv) The Hon. Francis Chachu Ganya, MP; and
- (v) The Hon. Daniel Maanzo, MP.

Honourable Members, recalling that the said Bills had a Constitutional timeline of August 27, 2015, which was extended by one year with no option for a further extension as provided for in Article 261(3)(a) of the Constitution, the Mediation Committee is advised to expeditiously commence the process of attempting to develop agreed versions of the said Bills before August 27, 2016.

I thank you”.

5. **PETITION**

The Speaker conveyed the following Petition –

**Establishment of a Joint Select Committee to investigate the disturbing trend of occurrences of use of excessive force by police and mob violence in the country**

“Honourable Members,

Pursuant to the provisions of Standing Order 225(2) (b), I hereby convey to the House that my office is in receipt of a Petition from one David Gesicho a resident of Kakamega County. The Petition concerns the establishment of a Joint Parliamentary Select Committee to investigate the disturbing trend of incidents of police and mob violence.

Honourable Members, the Petitioner contends that there have been increased cases of police and mob violence instigated by security personnel and members of the public respectively; leaving innocent citizens with life threatening disabilities, while others have lost their lives. He further states that the citizenry needs to be enlightened on the matters concerning justice, and that action should be taken against any perpetrator of ‘mob justice’.

The Petitioner prays that the National Assembly establishes a Joint Parliamentary Select Committee to holistically investigate the disturbing trend of police and mob violence occurrences in the Country and make recommendation to forestall such acts in future. Although the Petitioner’s prayer is for the establishment of a Joint Select Committee, you may wish to note that the matter falls under the purview of the Joint Committee on National Cohesion and Equal Opportunity, whose mandate amongst others, is to monitor and promote measures relating to policy and program initiatives in pursuit of peace and national cohesion. The Joint Committee will act as an arbiter to mitigate the continuous occurrences of police and mob violence.

Honourable Members, this Petition therefore stands committed to the Joint Committee on National Cohesion and Equal Opportunity for consideration. The Committee is requested to consider the Petition and report its findings within sixty days in accordance with Standing Order 227 (2).

Thank you”.

6. **PAPERS LAID**

The following Papers were laid on the Table –

- (i) Reports of the Auditor General on the financial statements in respect of the following institutions for the year ended 30<sup>th</sup> June, 2015 and the certificates therein –
  - (i) Kirinyaga University College
  - (ii) University of Nairobi Press
  - (iii) Water Services Regulatory Board
  - (iv) Kenya Industrial Estates Limited
  - (v) Constituencies Development Fund – Dagoretti North Constituency, and
  - (vi) Kenya Industrial Property Institute

- (ii) Report of the Auditor General on the financial statements of the National Youth Council for the six (6) months ended 30<sup>th</sup> June, 2015 and the certificate therein;
- (iii) The Nominees to the Mt. Elgon Constituency Committee of the National Government Constituency Development Fund

*(The Leader of the Majority Party)*

- (iv) The Report of the Budget and Appropriations Committee on the Second Supplementary Estimates for the Financial Year 2015/2016.

*(Chairperson, Budget and Appropriations Committee)*

- (v) The Reports of the Departmental Committee on Finance, Planning and Trade on –
  - (a) The vetting of nominees to the Privatization Commission; and
  - (b) The vetting of nominees to the Competition Authority of Kenya

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

## 7. **NOTICES OF MOTION**

The following Notices were given –

- (a) **Adoption of the Report on the Second Supplementary Estimates for the Financial Year 2015/2016**  
(Chairperson, Budget and Appropriations Committee)

THAT this House adopts the Report of the Budget and Appropriations Committee on the Second Supplementary Estimates for the Financial Year 2015/2016, laid on the Table of the House today, Tuesday, June 28, 2016.

- (b) **Adoption of the Reports on the Vetting of Nominees to the Privatization Commission Competition Authority of Kenya**  
(Chairperson, Departmental Committee on Finance, Planning and Trade)

THAT, this House adopts the Reports of the Departmental Committee on Finance, Planning and Trade on the vetting of nominees to the Privatization Commission; and the vetting of nominees to the Competition Authority of Kenya, laid on the Table of the House today, Tuesday, June 28, 2016.

- (c) **Approval of Nominees to Mt. Elgon Constituency Committee**  
(Chairperson, Select Committee on the National Government Constituency Development Fund)

THAT, Pursuant to the Provisions of Section 34(4) of the National Government Constituencies Development Fund Act, 2015, this House approves the nominees listed hereunder to the Mt. Elgon Constituency Committee of the National Government Constituency Development Fund, laid on the Table of the House today, Tuesday, 28th June, 2016.

8. **MOTION – THE PRESIDENT’S RESERVATIONS TO THE ENGINEERING TECHNOLOGISTS AND TECHNICIANS BILL, 2015**

Motion made and Question proposed –

THAT, the House does agree with the Report of the Committee of the whole House on its consideration of the President’s Reservations to the Engineering Technologists and Technicians Bill (National Assembly Bill No.7 of 2015)

*(Chairperson, Departmental Committee on Education, Research & Technology)*

Debate on the Motion having been concluded on Thursday, June 23, 2016;

Question put and agreed to.

9. **PROCEDURAL MOTION – REDUCTION OF PUBLICATION PERIOD FOR A BILL**

Motion made and Question proposed –

THAT, pursuant to Standing Order 120, this House resolves to reduce the publication period of the Appropriation Bill (National Assembly Bill No.22 of 2016) from 7 to 4 days.

*(The Leader of the Majority Party)*

Question put and agreed to.

10. **PROCEDURAL MOTION – EXTENSION OF TIMELINE FOR CONSIDERATION OF THE NOMINEES FOR APPOINTMENT**

Motion made and Question proposed –

THAT, pursuant to the provisions of Section 13 of the Public Appointments (Parliamentary Approval) Act, this House resolves to extend the period for consideration of the nominees for appointment as Members of the Privatization Commission and the Competition Authority of Kenya referred to the House during the current Second Part of the Fourth Session, by a further seven (7) days, from 28<sup>th</sup> June, 2016

*(Chairperson, Departmental Committee on Finance, Planning & Trade)*

Question put and agreed to.

11. **THE APPROPRIATION BILL (NATIONAL ASSEMBLY BILL NO.22 OF 2016)**

*(Chairperson, Budget and Appropriations Committee)*

Order for First Reading read;

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

12. **THE APPROPRIATION BILL (NATIONAL ASSEMBLY BILL NO.22 OF 2016)**

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Appropriation Bill (National Assembly Bill No.22 of 2016) be now read a Second Time

*(Chairperson, Budget and 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;

Thereupon the House resolved into Committee.

13. **COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read;

**IN THE COMMITTEE**

The Second Chairperson in the Chair

(i) **The County Allocation of Revenue Bill (National Assembly Bill No.3 of 2016)**

Clauses 3, 4, 5, 6, 7, 8, 9, 10, 11, & 12 - agreed to

First Schedule - agreed to

Second Schedule - agreed to

First Schedule - agreed to

Third Schedule - agreed to

Fourth Schedule - agreed to

Clause 2 - agreed to

Title - agreed to

Clause 1 - agreed to

Bill to be reported without amendments.

(ii) **The Appropriation Bill (National Assembly Bill No.22 of 2016)**

Clauses 2 & 3 - agreed to

Schedule - agreed to

Title - agreed to

Clause 1 - agreed to

Bill to be reported without amendments.

14. **HOUSE RESUMED** – the Deputy Speaker in the Chair(i) **The County Allocation of Revenue Bill (National Assembly Bill No.3 of 2016)**

Bill reported without amendments;

Motion made and Question proposed –

THAT, the House does agree with the Committee in the said report

*(Chairperson, Budget and Appropriations Committee)*

Question put and agreed to.

Motion made and Question proposed –

THAT, the County Allocation of Revenue Bill (National Assembly Bill No.3 of 2016) be now read a Third Time.

*(Chairperson, Budget and Appropriations Committee)*

Question put and agreed to.

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

(ii) **The Appropriation Bill (National Assembly Bill No.22 of 2016)**

Bill reported without amendments;

Motion made and Question proposed –

THAT, the House does agree with the Committee in the said report

*(Chairperson, Budget and Appropriations Committee)*

Question put and agreed to.

Motion made and Question proposed –

THAT, the Appropriation Bill (National Assembly Bill No.22 of 2016) be now read a Third Time

*(Chairperson, Budget and Appropriations Committee)*

Question put and agreed to.

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

15. **MOTION - RATIFICATION OF THE EAST AFRICAN COMMUNITY PROTOCOL ON SANITARY AND PHYTOSANITARY MEASURES**

Motion made and Question proposed –

THAT, this House adopts the Report of the Departmental Committee on Agriculture, Livestock and Co-operatives on its consideration of the East African Community (EAC) Protocol on Sanitary and Phytosanitary (SPS) Measures, laid on the Table of the House on Wednesday, June 22, 2016 and pursuant to Section of the Treaty Making and Ratification

Act, 2012, approves the ratification of the East African Community Protocol on Sanitary and Phytosanitary (SPS) Measures.

*(Chairperson, Departmental Committee on Agriculture, Livestock and Co-operatives)*

Debate arising;

Mover replied;

Question deferred to another day.

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

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

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**MEMORANDUM**

The Speaker will take the Chair on  
Wednesday, June 29, 2016 at 9.30 a.m

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