



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, SEPTEMBER 30, 2015

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 REGARDING A VISIT BY MEMBERS OF THE PUBLIC WHO WON A RADIO COMPETITION DURING THE PARLIAMENT WEEK**

The Speaker conveyed the following Communication –

“Honourable Members,

I wish to introduce to you members of the public who are seated in the Speaker's Row. The delegation comprises of the following -

Mr. Christopher Gisiri
Ms. Faith Kariuki
Bishop Evans Mkala
Pastor Serah Wairimu Mkala
Ms. Michelle Rita
Mr. Sidney Bukulu
Mr. Stephen Wanjala

Honourable Members,

These are guests invited to Parliament after winning a competition dubbed “Know Your Parliament” that ran from 21st to 25th September 2015, during the Parliament Week, on the Classic 105 radio station. On my own behalf and that of the House, I welcome them to the National Assembly.

I thank you”.

5. **PETITIONS**

- (i) The Speaker conveyed the following Messages -

"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. Wachira Kariuki Musa praying for the amendment of the Accountants Act No. 15 of 2008.

The Petitioner prays that the Accountants Act, be amended in section (7) which provides for election of the Chairperson of the Institute of Certified Public Accountants of Kenya, to further, provide that *either the Chairperson or Vice-chair of the Institute shall be a holder of a Foreign Accountancy Qualification on a rotational basis*. The Petitioner contends that the amendment will forestall any practices that may bring disrepute to the profession or unduly disadvantage foreign accountancy qualification holders such as ACCA graduates.

The Petitioner also prays that the National Assembly amends section 11 of the Act which provides for the Membership of the Institute of the Certified Public Accounts Council, to provide for a *representative from the Foreign Accountancy Qualification (F.A.Q) holders*.

Honourable Members,

This Petition now stands committed to the Departmental Committee on Finance, Planning and Trade 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). The Committee is at liberty to introduce a Bill to the House, proposing to amend the Accountant Act No.15 of 2008 in the manner prayed by the Petitioner.

Thank you".

- (ii) The Member for Luanda (Hon. Christopher Omulele) presented a Petition on behalf of residents of Maseno area of Kisumu County regarding longstanding boundaries dispute between Vihiga and Kisumu Counties and discrimination of the residents.

Petition referred to the Departmental Committee on Justice and Legal Affairs pursuant to Standing Order 227(1)

- (iii) The Member for Saku (Hon. Ali Dido Rasso) regarding the removal and revocation of the appointment of Mr. David Mulato as the Chief of Dakabaricha Location, Saku Constituency, Marsabit County.

Petition was referred to the Departmental Committee on Administration and National Security pursuant to Standing Order 227 (1)

6. PAPERS

The following papers were laid on the floor of the House by the following: -

a. The Leader of Majority

- (i) The East African Community Electronic Transactions Bill, 2014.
- (ii) The East African Community Creative and Cultural Industries Bill, 2015.
- (iii) The East African Community Gender and Development Bill, 2015.

- (iv) The Report of the Committee on General Purpose on the Oversight Activity on the Legal Framework and Implementation of Policies on the Rights of the Child in the EAC Partner States.
- (v) The Report of the Committee on Agriculture, Tourism and Natural Resources on Regional Parliamentarian's Policy Workshop on Climate Change and Gender.
- (vi) The Report of the Committee on Communication, Trade and Investments on the Workshop on Investment Policies and Strategies in EAC Region (23rd- 24th April, 2015).
- (vii) Resolution of the Assembly to Congratulate the Republic of Uganda Upon Acquiring 3rd Generation National Identity Cards and Encourage Partner States which are still in the Process to Finalize on Time.
- (viii) Resolution to support East African Athletes from the Republic of Kenya and Congratulate them for their Exemplary Performance in the Ongoing World Athletics Championships in Beijing, China.
- (ix) Resolution of the Assembly to Call for Urgent Action to Prevent Trafficking in Persons, Protect Victims of the Crime of Trafficking in Persons and Prosecution of Perpetrators of Trafficking in Persons in the East African Community.

The above papers were referred to the Committee on Regional Integration.

b. Vice Chairperson, Departmental Committee on Health

Report of the Departmental Committee on Health on its consideration of the Health Records and Information Managers Bill, 2015.

7. THE FISHERIES MANAGEMENT AND DEVELOPMENT BILL (NATIONAL ASSEMBLY BILL NO.20 OF 2014)

Motion made and Question proposed-

THAT, the Fisheries Management and Development Bill (National Assembly Bill No.20 of 2014) be now read a Third Time

(Chairperson, Departmental Committee on Agriculture Livestock & Fisheries – 29.9.2015)

Debate on the motion having been concluded on Tuesday, September 29, 2015;

Question put and agreed to.

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

8. COMMITTEE OF THE WHOLE HOUSE

Order for Committee read

IN THE COMMITTEE

The Second Chairperson of Committees in the Chair

The Senate Amendments to the Statute Law (Miscellaneous Amendments) (No.2) Bill (National Assembly Bill No.33 of 2013)

Resumption of Business interrupted on Tuesday, September 29, 2015;

Schedule - amendment proposed -

THAT the Bill be amended in the Schedule in the proposed amendments to the Kenya Agricultural and Livestock Research Act, 2013 –

(a) in the proposed amendment to section 6(1) by deleting subparagraph (i) and (ii) in the proposed new paragraph (i) and substituting therefor the following new subparagraphs –

- (i) one farmer representing the interests of livestock farmers;
- (ii) one farmer representing the interests of crop farmers;

(b) by deleting the proposed amendment to section 6(3);

(The Leader of the Majority Party)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Schedule - as amended agreed to

Consideration to be reported without amendments;

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

The Senate Amendments to the Statute Law (Miscellaneous Amendments) (No.2) Bill (National Assembly Bill No.33 of 2013)

Considerations reported without amendments;

Motion made and Question proposed –

THAT, the House do agree with the Committee in the said Report

(The Leader of the Majority Party)

Question put and agreed to.

Motion made and Question proposed –

THAT, the Senate Amendments to the Statute Law (Miscellaneous Amendments) (No.2) Bill (National Assembly Bill No.33 of 2013) be considered

(The Leader of the Majority Party)

Debate arising;

Question put and agreed to.

10. **THE POLITICAL PARTIES (AMENDMENT) BILL (SENATE BILL NO.3 OF 2014)**

Order for Second Reading read;

Motion made –

THAT, the Political Parties (Amendment) Bill (Senate Bill No.3 of 2014) be now read a Second Time

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Mover moved;

There being no Member wishing to Second;

Bill referred to a Mediation Committee pursuant to Article 112 of the Constitution.

11. **THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (SENATE BILL NO.6 OF 2014)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Statute Law (Miscellaneous Amendments) Bill (Senate Bill No.6 of 2014) be now read a Second Time

(Vice-Chairperson, Departmental Committee on Justice & Legal Affairs)

Debate arising;

Mover replied;

Question of the Second Reading deferred to another day.

12. **MOTION – ADOPTION OF THE REPORT ON THE RESETTLEMENT OF SQUATTERS IN MURI; MATHENGETA; TUMUTUMU; RIAKANAU; DRAKE & KASEKU FARMS**

Motion made and Question proposed;

THAT, this House adopts the Report of the Departmental Committee on Lands on the Resettlement of Squatters in Muri; Mathengeta; Tumutumu/Riakanau Farm & Drake and Kaseku Farms, laid on the Table of the House on Thursday, June 12, 2014

(Chairperson, Departmental Committee on Lands)

Debate arising;

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

13. **HOUSE ROSE** - at thirty-four minutes past Six O'clock

M E M O R A N D U M

The Speaker will take the Chair on
Thursday, October 01, 2015 at 2.30 p.m.