



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – FOURTH SESSION

NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, JULY 06, 2016

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

The Member for Igembe Central (Hon. Kubai Iringo) presented a Petition on behalf of the residents of Igembe constituency regarding non-issuance of title deeds to residents of Athiru Ruujine/Ndoleli Area in Igembe Central Constituency;

Petition referred to the relevant Departmental Committee pursuant to Standing Order 227(1).

5. **MOTION – ESTABLISHMENT OF A JOINT PARLIAMENTARY SELECT COMMITTEE ON MATTERS RELATING TO THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION**

Motion made and Question proposed -

THAT, acknowledging that the sovereign power of the People of Kenya may be exercised directly or indirectly through their democratically elected representatives and that the People's sovereign power shall be exercised only in accordance with the Constitution; recognizing that through pronouncements, sections of the Kenyan society have raised issues on the credibility, impartiality, integrity and independence of the Independent Electoral and Boundaries Commission, the electoral processes and the electoral law; appreciating the need to have the August 2017 general elections conducted by a body enjoying the broad confidence of most Kenyans; now therefore in accordance with the provisions of Article 1(1) and (2) of the Constitution of Kenya and Rule 9 of the Houses of Parliament (Joint Sittings) Rules, the National Assembly **resolves** that: -

- (i) The two Houses of Parliament establish a Joint Select Committee consisting of fourteen (14) members, seven (7) each from the two Coalitions in Parliament.
- (ii) The mandate of the said joint select committee shall be to:
 - (a) Inquire into the allegations against the Independent Electoral and Boundaries Commission (IEBC) Commissioners and the Secretariat;

- (b) On the findings of (a) above may recommend legal mechanisms for the vacation from office of the current Commissioners of the Independent Electoral and Boundaries Commission and Secretariat in accordance with the Constitution;
- (c) Recommend legal, policy and institutional reforms to strengthen the Independent Electoral and Boundaries Commission and improve the electoral system and processes so as to ensure that the August, 2017 elections are free and fair and are administered in an impartial, efficient, simple, accurate, verifiable, secure, accountable and transparent manner; and
- (d) On the basis of the findings and recommendations in (a), (b) & (c) prepare a report and a draft Bill or draft Bills.

The National Assembly further resolves THAT:-

- (i) The Joint Select Committee shall report to Parliament within 30 days;
- (ii) The leaders of the two coalitions agree to issue statements separately to support the final report and Draft Bill or Bills;
- (iii) The Majority and Minority leaders in Parliament will signify the approval of the final report and draft Bill or Bills by affixing their signatures thereon prior to presentation to Parliament;
- (iv) The joint select committee shall have two Co-chairs each appointed by the respective Coalitions;
- (v) The Coalitions shall provide joint rapporteurs to the Joint Select Committee, but the official record will be the parliamentary hansard;
- (vi) The joint select committee and each coalition may engage experts, professionals and such other technical resource persons as they may deem necessary;
- (vii) The parliamentary Clerk's office shall provide secretarial services in accordance with the Standing Orders;
- (viii) The Committee shall receive views from experts, members of the public, the business community, civil society, religious groups, political parties, county governments and any other persons on matters relating to the Independent Electoral and Boundaries Commission and the electoral process;
- (ix) Each member of the joint select committee shall have one vote. Decisions in the select committee shall be made by two-thirds majority vote;
- (x) The Committee shall formulate its own rules of procedure; and
- (xi) The Joint Select Committee shall comprise the following members drawn from the two Coalitions in Parliament:
 - 1. Hon. (Dr.) Naomi Shaban
 - 2. Hon. (Eng.) Mohamud Mohamed Maalim
 - 3. Hon. Jimmy Angwenyi
 - 4. Hon. Moses Kuria
 - 5. Hon. David Eseli Simiyu
 - 6. Hon. Junet Mohammed

7. Hon. Mishi Mboko
8. Sen. Kiraitu Murungi (Co-chair)
9. Sen. James Orengo (Co-chair)
10. Sen. Kipchumba Murkomen
11. Sen. Beatrice Elachi
12. Sen. Johnson Muthama
13. Sen. Mutula Kilonzo Jnr
14. Sen. (Dr.) Boni Khalwale

(The Leader of the Majority Party – 05.07.2016)

Debate on the Motion having been concluded on Tuesday, July 05, 2016;

Question put and agreed to.

6. **COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read;

IN THE COMMITTEE

The First Chairperson in the Chair

The Value Added Tax (Amendment) Bill (National Assembly Bill No.7 of 2016)

Clause 2 - agreed to

Schedule - agreed to

Title - agreed to

Clause 1 - agreed to

Bill to be reported without amendments;

7. **HOUSE RESUMED** – the Deputy Speaker in the Chair

The Value Added Tax (Amendment) Bill (National Assembly Bill No.7 of 2016)

Bill reported without amendments;

Motion made and Question proposed –

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

Question put and agreed to.

Motion made and Question proposed –

THAT, Value Added Tax (Amendment) Bill (National Assembly Bill No.7 of 2016) be now read a Third Time.

(Hon. Wafula Wamunyinyi)

Question of the Third Reading **deferred** to another day.

8. **MOTION - ESTABLISHMENT OF FISHERIES TRAINING INSTITUTIONS AND FISH PROCESSING PLANTS**

Motion made and Question proposed –

THAT, aware that Kenya's high seas and inland fresh water bodies are a key resource for diversification of the country's economy through fishing; noting that most fishermen and women use traditional methods of fish harvesting, preservation and processing; conscious that there are few training institutions that offer studies in fisheries, oceanography and maritime technology in Kenya; further noting that huge losses are incurred due to lack of proper post-harvest management and inadequate fish processing plants in the country; concerned that this lacuna has contributed to relegation of the otherwise lucrative fishing industry to a *jua kali* sector; deeply worried that lack of training and inadequate fish processing facilities have resulted in meagre earnings for many Kenyans, including women who depend on fishing; this House **urges** the Government to establish both inland and coastal training institutions and processing plants with a view of building capacity for fishing communities to maximize their returns from the lucrative fishing sector.

(Hon. Rose Nyamunga)

Debate arising;

(Change of Chair from the Deputy Speaker to the Second Chairperson of Committees)

Debate ongoing;

And the time being One O'clock, the Second Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

9. **HOUSE ROSE** - at One O'clock

M E M O R A N D U M

The Speaker will take the Chair today,
Wednesday, July 06, 2016 at 2.30 p.m.

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