



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, AUGUST 06, 2015

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

The Second Chairperson issued the following Communications –

(i) **The Commonwealth Parliamentary Association (Africa Region) Conference**

"Honourable Members,

I wish to remind you that our Parliament will be hosting two important international conferences of the Commonwealth Parliamentary Association (CPA), Africa Region. The first one, the 6th Commonwealth Women Parliamentarians Conference (CWP), is already underway at the Safari Park Hotel, Nairobi, and will be ending on 9th August, 2015. The second conference, the 46th CPA Africa Region Conference is scheduled to take place next week, from 9th – 15th August, 2015, at the same venue.

Honourable Members,

It is important to note that over 200 Members in the National Assembly are members of the CPA Kenya Branch. You are all once again invited to both conferences. Her Excellency the First Lady of the Republic of Kenya will be officially opening the CWP conference on Friday, August 7, 2015. All Members, especially women Parliamentarians, are encouraged to attend. On Tuesday, August 11, 2015, H.E. the President of the Republic of Kenya will open the 46th CPA Conference. You are all welcome to the opening ceremony, and indeed on all other days, as the conference offers an opportunity to showcase our expertise in hosting international conferences.

I thank you."

(ii) Public Accounts Committee meeting with the Attorney General

"Hon. Members,

I wish to inform the House that I have received a letter from the Chairperson of the Public Accounts Committee of the National Assembly which communicates that the Committee has invited the Auditor-General to make a presentation on the 2013/2014 Financial Year Audited Accounts of the Government of Kenya and highlight measures being pursued to guarantee prudent use of public funds. The Committee further seeks the indulgence and presence of Members of the National Assembly during the aforementioned meeting.

Therefore, I wish to invite all interested Hon. Members to the PAC meeting with the Auditor-General on Thursday, 13th August, 2015, at 10.30 a.m. in the Main Chamber of the National Assembly.

Thank you".

(iii) Delegate from the National Assembly of Mauritius

"Honourable Members,

I wish to introduce to you Mrs. Bibi Lotun Safeena, the Clerk of the National Assembly of Mauritius. She is currently seated at the Speaker's Row.

She is in the country to attend the Commonwealth Women Parliamentarians meeting, which is part of the Commonwealth Parliamentary Association (CPA) – Africa Region conference taking place from tomorrow, all through next week. She has been with us since Monday, 3rd August 2015. She has already paid a courtesy call to the Clerk of the National Assembly. On my behalf and that of the Honourable Members, I wish to welcome her to the National Assembly and wish her fruitful engagements.

Thank you."

5. PETITION REGARDING DISCRIMINATION OF AKORINO STUDENTS IN SOME PUBLIC SECONDARY SCHOOLS

The Second Chairperson conveyed the following Petition -

"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 report that I am in receipt of a Petition from the Akurino Students Association regarding alleged discrimination of Akurino students by the Management of some public Secondary Schools in the country for wearing headscarves.

Honourable Members, the Petitioners have highlighted a number of incidences where Akurino students were denied admission in some public secondary schools; forced to remove headscarves, which are part of their religious regalia; or expelled from schools for failure to comply to requirements barring them from wearing headscarves in some schools.

The Petitioners are therefore praying that the National Assembly, through the Departmental Committee on Education, Research and Technology:-

- (a) enacts a law to:-
 - (i) prohibit the management of public secondary school from denying any student admission or expelling a student from school on account of their religious wear; and
 - (ii) clearly prescribe disciplinary action that shall be preferred upon school heads and/or management that engages in such discriminatory practices;
- (b) makes any other recommendations that may be deemed fit in redressing the plight of affected students.

Honourable Members, pursuant to the provisions of Standing Order 227(1), I now commit this Petition to the Departmental Committee on Education, Research and Technology for consideration.

I thank you."

6. **PAPERS LAID**

The following Papers were laid on the Table –

- (i) The Commission on Administrative Justice Bi-Annual Reports for the period January-June 2013 and July-December 2014 (*pursuant to section 8 of the Commission on Administrative Justice Act, 2011*).
- (ii) The Annual Report and Financial Statements of the Competition Authority of Kenya for the year ended 30th June, 2014.
- (iii) The Annual Report and Financial Statements of the Machakos University College for the year ended 30th June, 2013 and the certificate of the Auditor-General therein.
- (iv) The Annual Report and Financial Statements of the Machakos University College for the year ended 30th June, 2014 and the certificate of the Auditor-General therein.
- (v) The Annual Report and Financial Statements of the Ewaso Ng'iro South River Basin Development Authority for the year ended 30th June, 2013 and the certificate of the Auditor-General therein.

(Leader of the Majority Party)

- (vi) Reports of the Departmental Committee on Lands on –
 - i. The Sirikwa Settlement Scheme;
 - ii. Land Conflict in Kedong Ranch; and
 - iii. The Petition by Maanoni Dam displaced persons on delayed land and crop compensation.

(Vice-Chairperson, Departmental Committee on Lands)

7. **NOTICE OF MOTION – REPORT ON LAND CONFLICT IN KEDONG RANCH**
(Chairperson, Departmental Committee on Lands)

THAT, this House adopts the Report of the Departmental Committee on Lands on Land conflict in Kedong Ranch, laid on the Table of the House on Thursday, 6th August 2015

8. **NOTICE OF MOTION – REPORT ON SIRIKWA SETTLEMENT SCHEME**
(Chairperson, Departmental Committee on Lands)

THAT, this House adopts the Report of the Departmental Committee on Lands on Sirikwa Settlement Scheme laid on the Table of the House on Thursday, 6th August 2015.

9. **STATEMENT PURSUANT TO STANDING ORDER 44(2)(a)**

Pursuant to the provision of Standing Order 44(2) (a), the Leader of the Majority Party issued a Statement regarding the Business of the House for the week commencing Tuesday, August 18, 2015.

10. **MOTION – ADOPTION OF SESSIONAL PAPER NO.4 OF 2014**

Motion made and Question proposed –

THAT, this House adopts Sessional Paper No. 4 of 2014 on the Governance, Justice, Law and Order Sector (GJLOS) Policy, laid on the Table of the House on Thursday, February 12, 2015

(Chairperson, Departmental Committee on Justice and Legal Affairs – 06.08.2015 (AM))

Debate on the Motion having been concluded on Thursday, 6th August, 2015 (Morning Sitting);

Question put and agreed to.

11. **MOTION - RATIFICATION OF THE CONVENTION ON THE SUPPRESSION OF UNLAWFUL ACTS RELATING TO INTERNATIONAL CIVIL AVIATION**

Motion made and Question proposed –

THAT, this House adopts the Report of the Departmental Committee on Transport, Public Works & Housing on its consideration of the Convention on the Suppression of Unlawful Acts relating to International Civil Aviation and the Protocol Supplementary to the Convention for Suppression of Unlawful Seizure of Aircrafts, laid on the Table of the House on Thursday, 18th June 2015, and pursuant to Section 8 of the Treaty Making and Ratification Act, 2012, approves the ratification of: (i) The Convention on the Suppression of Unlawful Acts relating to International Civil Aviation; and (ii) The Protocol Supplementary to the Convention for suppression of Unlawful Seizure of Aircrafts.

(Vice Chairperson, Departmental Committee on Transport, Public Works & Housing – 06.08.2015 (AM))

Debate on the Motion having been concluded on Thursday, 6th August, 2015 (Morning Sitting);

Question put and agreed to.

12. **MOTION - THE COUNTY GOVERNMENTS (AMENDMENT) (NO. 2) BILL (SENATE BILL NO. 2 OF 2014)**

Order for Second Reading read;

Motion made and Question proposed –

THAT, the County Governments (Amendment) Bill (Senate Bill No.1 of 2014) be now read a Second Time

(Chairperson, Departmental Committee on Justice and Legal Affairs – 06.08.2015 (AM))

Debate on the Motion having been concluded on Thursday, 6th August, 2015 (Morning Sitting);

Question put and agreed to.

13. **MOTION – THE COMPANIES AND INSOLVENCY LEGISLATION (CONSEQUENTIAL AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 25 OF 2015)**

Order for Second Reading read;

Motion made and Question Proposed-

THAT, the Companies and Insolvency Legislation (Consequential Amendments) Bill (National Assembly Bill No. 25 of 2015) be now read a Second Time

(The Leader of the Majority Party – 05.08.2015 (PM))

Debate on the Motion having been concluded on Wednesday, 5th August, 2015 (Afternoon Sitting);

Question put and agreed to.

14. **MOTION - THE INSOLVENCY BILL (NATIONAL ASSEMBLY BILL NO.15 OF 2015)**

Order for Second Reading read;

Motion made and Question Proposed-

THAT, the Insolvency Bill (National Assembly Bill No.15 of 2015) be now read a Second Time

(The Leader of the Majority Party – 4.8.2015)

Debate on the Motion having been concluded on Wednesday, 5th August, 2015 (Afternoon Sitting);

Question put and agreed to.

15. **MOTION - THE SPECIAL ECONOMIC ZONES BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2015)**

Motion made -

THAT, the Special Economic Zones Bill (National Assembly Bill No. 6 of 2015) be now read a Second Time

(The Leader of the Majority Party – 06.08.2015 (PM))

Debate on the Motion having been concluded on Wednesday, 5th August, 2015 (Afternoon Sitting);

Question put and agreed to.

16. **COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read;

IN THE COMMITTEE

The Second Chairperson in the Chair

The Companies Bill (National Assembly Bill No. 22 of 2015)

Clauses 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24 & 25
- agreed to

Clause 26 – amendment Proposed

THAT the Bill be amended in clause 26 by deleting the phrase "section 7" and substituting therefor the phrase "section 12".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 26- as amended agreed to.

Clauses 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60 & 61 - agreed to

Clause 62 - amendment proposed

THAT the Bill be amended in clause 62 by deleting paragraph (e).

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 62- as amended agreed to.

Clauses 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76 & 77- agreed to

Clause 78 - amendment proposed

THAT the Bill be amended in clause 78 by deleting sub-clause (6).

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 78- as amended agreed to.

Clauses 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92 & 93 - agreed to

Clause 94 - amendment proposed -

THAT the Bill be amended in clause 94 by deleting sub-clause (1) and substituting therefor the following new subclause—

“(1) Except in so far as the regulations otherwise provide, a company shall ensure that its register of members is—

(a) kept at its registered office; and

(b) lodged with the Registrar.”

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 94- as amended agreed to.

Clause 95 - amendment proposed

THAT the Bill be amended in clause 95 by inserting the words “or imprisonment for a term not exceeding two years, or to both” in sub-clause (5)

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and negatived;

Clause 95 - Agreed to

Clause 96 - **amendment proposed -**

THAT clause 96 of the Bill be amended—

(a) insubclause (1) by inserting the word “public” immediately before the word “company”;and

(b) insubclause (2) by inserting the word “public” immediately before the word “company”wherever it occurs.

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 96-as amended agreed to.

Clause 97 - **amendment proposed -**

THAT clause 97 of the Bill be amended—

(a) in sub clause (1)—

(i)by inserting the words “or decline it by giving sufficient reasons in writing” at the end of paragraph(a);

(ii) in paragraph (b) by deleting the words “for an order under subsection (3);

(b) insubclause (2) by deleting the words “at the hearing of an application for an order under subsection (3)” and

(c) by deleting subclauses (3), (4), (5) and (6).

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 97- as amended agreed to.

Clauses 98, 99, 100, 1001, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117 & 118 - **agreed to**

Clause 119 - amendment proposed

THAT clause 119 of the Bill be amended in sub clause (3)(b) by deleting the phrase "Insolvency Act, 2015" and substituting therefor the phrase "laws relating to insolvency."

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 119- as amended agreed to.

Clauses 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131 and 132 - agreed to

Clause 133 - amendment proposed

THAT the Bill be amended by deleting clause 133.

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the deletion proposed;

Debate arising;

Question put and agreed to;

Clause 133- as amended agreed to.

Clauses 134 & 135- agreed to

Clause 136 - amendment proposed

THAT clause 136 the Bill be amended in sub clause (1) (e) by inserting the word "or" immediately after the word "business."

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 136- as amended agreed to.

Clauses 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171 & 172 - agreed to

Clause 173 - amendment Proposed

THAT clause 173 of the Bill be amended in subclause (3) by deleting the words "section 150" and substituting therefor the words "section 168".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 173- as amended agreed to.

Clauses 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205 & 206 - agreed to

Clause 207 - amendment proposed

THAT clause 207 of the Bill be amended in subclause (5) by deleting the words "a company" appearing before the word "fails".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 207- as amended agreed to.

Clauses 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240 & 241 - agreed to

Clause 242 - Amendment Proposed

THAT clause 242 of the Bill be amended —

(a) by renumbering the first sub clause (3) as (2); and

(b) by deleting the words "section 145" appearing in sub clause (2) (b) and substituting therefor the words "section 144".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 242- as amended agreed to.

Clauses 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328 and 329 - agreed to

Clause 330 - amendment proposed

THAT clause 330 of the Bill be amended by deleting subclause (1) and substituting therefor the following sub clause—

(1) Except as permitted under section 331, a company shall not apply any of its shares or capital money, either directly or indirectly, in payment of any commission, discount or allowance to any person in consideration of the person —

(a) subscribing or agreeing to subscribe, whether absolutely or conditionally, for shares in the company; or

(b) procuring or agreeing to procure subscriptions, whether absolute or conditional, for shares in the company

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 330- as amended agreed to.

Clause 331 - amendment proposed

THAT clause 331 of the Bill be amended—

(a) in subclause (1) by numbering the paragraphs sequentially; and

(b) by deleting sub clause (2).

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 331 as amended agreed to.

Clauses 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347 & 348 - agreed to

Clause 349 - amendment proposed

THAT clause 349 of the Bill be amended in subclause (5) by deleting the words "section 350" and substituting therefor the words "section 348".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 349- as amended agreed to.

Clauses 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404 & 405 - agreed to

Clause 406 - amendment proposed

THAT clause 406 of the Bill be amended in subclause (3) by deleting the word "this" appearing immediately before the word "subsection".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 406 as amended agreed to.

Clauses 407, 408, 409, 410 & 411 - agreed to

Clause 412 - amendment proposed

THAT clause 412 of the Bill be amended in subclause (1) by inserting the number "411" immediately after the word "section" appearing in paragraph (a).

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 412- as amended agreed to.

Clauses 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 467, 468, 469, 470, 471, 472, 473, 474, 475 & 476- agreed to

Clause 477 - amendment proposed

THAT clause 477 of the Bill be amended—

(a) insubclause (2) in paragraph (a) by deleting the words “an appropriate national newspaper” and substituting therefor the words “a newspaper of nationwide circulation in Kenya”; and

(b) by deleting subclause (3).

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 477- as amended agreed to.

Clause 478 - amendment proposed

THAT clause 478 of the Bill be amended in subclause (2) (a)—

(a) in subparagraph (i) by deleting the words “section 465(1)” and substituting therefor the words “section 477(1)”; and

(b) in subparagraph (ii) by deleting the words “section 465(2)” and substituting therefor the words “section 477(2)”.

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 478- as amended agreed to.

Clauses 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518 & 519 - agreed to

Clause 520 - amendment proposed

THAT clause 520 of the Bill be amended in subclause (1) by deleting the word "share" appearing immediately before the words "that are to be redeemed" and substituting therefor the word "shares".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 520 as amended agreed to.

Clauses 521 & 522 - agreed to

Clause 523 - amendment proposed

THAT clause 523 of the Bill be amended by inserting the following new subclauses immediately after subclause (2)—

(2a) Where in pursuance of this section, a company has redeemed or is about to redeem any preference shares, it shall have power to issue shares up to the nominal value of the shares redeemed or to be redeemed as if those shares had never been issued, and accordingly the share capital of the company shall not for the purpose of any enactments relating to stamp duty be deemed to be increased by the issue of shares in pursuance of this subsection.

(2b) Despite subsection (2a), where new shares are issued before the redemption of the old shares, the new shares shall not, so far as relates to stamp duty, be deemed to have been issued in pursuance of this subsection unless the old shares are redeemed within one month after the issue of the new shares.

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 523- as amended agreed to.

Clauses 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534 & 535- **agreed to**

Clause 536 - Amendment Proposed

THAT clause 536 of the Bill be amended in sub clause (5) (b) (i) by deleting the words "section 568" and substituting therefor the words "section 566".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 536 as amended agreed to.

Clauses 537, 538, 539, 540, 541, 542, 543, 544, 545 & 546 - agreed to

Clause 547 - amendment proposed

THAT clause 547 of the Bill be amended in subclause (1) by deleting the words "under section 780" and substituting therefor the words "to require a person to provide information about their interests in the company's share".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 547 as amended agreed to.

Clauses 548 & 549 - agreed to

Clause 550 - Amendment Proposed

THAT clause 550 of the Bill be amended by renumbering clauses (9), (10) and (11) as (8), (9) and (10) respectively.

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 550 as amended agreed to.

Clause 551 - **amendment proposed**

THAT clause 551 of the Bill be amended in subclause (4) by deleting the word "be" appearing immediately after the words "the register is".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 551 as amended agreed to.

Clauses 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596 & 597 -agreed to

Clause 598 - **Amendment Proposed**

THAT clause 598 of the Bill be amended in the marginal note by deleting the words "section 609" and substituting therefor the words "section 597".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 598 - as amended agreed to.

Clauses 599, 600, 601, 602, 603, 604, 605 & 606 -agreed to

Clause 607 - **amendment proposed**

THAT clause 607 of the Bill be amended in subclause (4) by deleting the words "section 618" and substituting therefor the words "section 606".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 607- as amended agreed to.

Clauses 608, 609, 610, 611, 612, 613, 614, 615, 616 and 617 -agreed to

Clause 618 - amendment proposed

THAT clause 618 of the Bill be amended in subclause (3) by deleting the words "section 611(6)" and substituting therefor the words "section 613(6)".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 618 as amended agreed to.

Clauses 619, 620, 621, 622 & 623 - agreed to**Clause 624 - amendment proposed—**

THAT clause 624 of the Bill be amended in subclause (3) —

(a) in paragraph (a) by deleting the words "seven hundred and twenty" and substituting therefor the word "fifty";

(b) in paragraph (b) by deleting the words "three hundred and sixty " and substituting therefor the word "twenty".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed -

THAT, clause 624 of the Bill be amended—

(a) in subclause (3) by—

(i) deleting the words "seven hundred and twenty million" appearing immediately after the words "not more than" in paragraph (a) and substituting therefor the words "five million";

(ii) deleting the words "three hundred and sixty million" appearing immediately after the words "not more than" in paragraph (b) and substituting therefor the words "two million five hundred thousand";

(iii) deleting the word "fifty" appearing immediately after the words "not more than" in paragraph (c) and substituting therefor the word "twenty";

(b) by inserting the following new subclause immediately after subclause (3)—

“(3A) The Cabinet Secretary responsible for the National Treasury may, by notice in the Gazette, revise—

(a) the turnover limit set out under section (3)(a) based on the prevailing economic environment; and

(b) the value of a company’s net assets set out under section (3)(b) on the basis of the prevailing economic environment.”

(Hon. Abdullswamad Nassir)

Proposed amendment withdrawn;

Clause 624 - as amended agreed to.

Clause 625 - amendment proposed

THAT clause 625 of the Bill be amended in subclause (4)—

(a) in paragraph (a) by deleting the words “seven hundred and twenty million shillings net or eight hundred and sixty-five million shillings gross” and substituting therefor the words “fifty million shillings”; and

(b) in paragraph (b) by deleting the words “three hundred and sixty” and substituting therefor the word “twenty”.

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed -

THAT, clause 625 of the Bill be amended in subclause (4) by—

(a) deleting the words “seven hundred and twenty million shillings net or eight hundred and sixty-five million shillings gross” appearing immediately after the words “not more than” in paragraph (a) and substituting therefor the words “five million shillings”;

(b) deleting the words “three hundred and sixty million” appearing immediately after the words “not more than” in paragraph (b) and substituting therefor the words “two million five hundred thousand”

(c) deleting the word “fifty” appearing immediately after the words “not more than” in paragraph (c) and substituting therefor the word “twenty”;

(Hon. Abdullswamad Nassir)

Proposed amendment withdrawn

Clause 625 as amended agreed to.

Clauses 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653 & 654 -agreed to

Clause 655 - **amendment proposed** -

THAT clause 655 of the Bill be amended—

(a) insubclause (4 (b) (i) by inserting the word "impact" immediately after words "includingthe"; and

(b) by renumbering subclause (8) and (7) as (7) and (8) respectively.

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 655- as amended agreed to.

Clauses 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676 & 677 - agreed to

Clause 678 - **amendment proposed**

THAT clause 678 of the Bill be amended by deleting the words "section 686" and substituting therefor the words "section 676".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 678 as amended agreed to.

Clauses 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703 & 704 - agreed to

Clause 705 - amendment proposed -

THAT clause 705 of the Bill be amended in subclause (3) by inserting a new paragraph as follows—

“(c) financial statements or exemption statement, where applicable.”

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Amendment withdrawn;

Clause 705- Agreed to.

Clause 706 - amendment proposed -

THAT, Clause 706 of the Bill be amended in sub-clause 1(c) by inserting a new paragraph as follows –

(c) “financial statements or exemption statement where applicable”.

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 706- as amended agreed to.

Clauses 707, 708, 709 & 710 - agreed to**Clause 711** - amendment proposed -

THAT clause 711 of the Bill be amended—

(a) insubclause (2)—

(i) in paragraph (b) by deleting the words “seven hundred and twenty million” and substituting therefor the words “fifty million”;

(ii) in paragraph (c) by deleting the words “three hundred and sixty” and substituting therefor the words “twenty”;

(b) by renumbering the repeated subclause (4) as subclause (5).

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed –

THAT, clause 711 of the Bill be amended in subclause (2) by—

(a) deleting the words “seven hundred and twenty million” appearing immediately after the words “not more than” in paragraph (b) and substituting therefor the words “five million”;

(b) deleting the words “three hundred and sixty million” appearing immediately after the words “not more than” in paragraph (c) and substituting therefor the words “two million five hundred thousand shillings”;

(Hon. Abdullswamad Nassir)

Proposed amendment withdrawn;

Clause 711- as amended agreed to.

Clauses 712, 713 & 714 - agreed to

Clause 715 - Amendment Proposed

THAT clause 715 of the Bill be amended by deleting the words “section 551” and substituting therefor the words “section 714”.

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Amendment withdrawn;

Question put and agreed to;

Clause 715- as amended agreed to.

Clauses 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 734 & 735 - agreed to

Clause 736 - amendment proposed -

THAT the Bill be amended by deleting clause 736

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the deletion proposed;

Debate arising;

Question put and agreed to;

Clause 736- as amended agreed to.

Clauses 737, 738, 739, 740, 741, 742 & 743 - agreed to

Clause 744 - amendment proposed -

THAT clause 744 of the Bill be amended in subclause (6) by deleting the words "section 269(4)" and substituting therefor the words "section 267(4)".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 744 as amended agreed to.

Clauses 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761 & 762 - agreed to

Clause 763 - amendment proposed -

THAT clause 763 of the Bill be amended by deleting the words "section 764" and substituting therefor the words "section 762".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 763 -as amended agreed to.

Clauses 764, 765, 766, 767, 768, 769, 770, 771 & 772 - agreed to

Clause 773 - amendment proposed -

THAT the Bill be amended by deleting clause 773 and substituting therefor the following clause—

773. A natural person or firm is eligible for appointment as an auditor only if the person, or each partner of the firm—

(a) is the holder of a practicing certificate issued under section 21 of the Accountants Act;

(b) has a valid annual license issued under section 22 of the Accountants Act.

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 773 as amended agreed to.

Clauses 774, 775, 776, 777, 778 - **agreed to**

Clause 779 - **amendment proposed** -

THAT, clause 779 of the Bill be amended in subclause (1) by inserting the words "on the recommendation of the Institute of Certified Public Accountants of Kenya and" immediately after the words "Cabinet Secretary may"

(Hon. George Omondi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 779- as amended agreed to.

Clauses 780, 781, 782, 783, 784, 785, 786, 787, 788 & 789 - **agreed to**

Clause 790 - **Amendment Proposed**

THAT clause 790 of the Bill be amended in subclause (3) by inserting the word "the" immediately after the words "direction requiring".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 970 as amended agreed to.

Clauses 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814 & 815 - **agreed to**

Clause 816 - **amendment proposed** -

THAT clause 816 of the Bill be amended in subclause (5) by inserting the word "of" immediately after the word "end".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 816 as amended agreed to.

Clause 817 - amendment proposed -

THAT clause 817 of the Bill be amended in subclause (3) by deleting the word "it" appearing at the beginning of paragraph (b).

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 817 as amended agreed to.

Clauses 818, 819, 820, 821, 822 & 823 - agreed to

Clause 824 - Amendment Proposed

THAT clause 824 of the Bill be amended in subclause (1) by deleting the word "this" appearing immediately after the word "company" and substituting therefor the word "that".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 824 as amended agreed to.

Clauses 825 & 826 - agreed to

Clause 827 - amendment proposed -

THAT clause 827 of the Bill be amended in subclause (1) by deleting the word "right" appearing immediately after the words "other securities in" in paragraph (d) and substituting therefor the word "respect".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 827 - as amended agreed to.

Clause 828 - agreed to

Clause 829 - **amendment proposed** -

THAT clause 829 of the Bill be amended in subclause (4) by deleting the words "section 841(6) or(8)" and substituting therefor the words "section 828(6) or (8)".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 829 - as amended agreed to.

Clauses 830 & 831 - **agreed to**

Clause 832 - **amendment proposed** -

THAT clause 832 of the Bill be amended by deleting sub clause (1) and substituting therefor the following sub clause-

"(1) There is established the Office of the Registrar of Companies."

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 832 - as amended agreed to.

Clauses 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 843, 844, 845, 846, 847, 848, 849, 850 & 851 - **agreed to**

Clause 852 - **amendment proposed** -

THAT clause 852 of the Bill be amended in the marginal note by deleting the word "elapse" and substituting therefor the word "lapse".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 852 - as amended agreed to.

Clauses 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891 & 892 - agreed to

Clause 893 - Amendment Proposed

THAT clause 893 of the Bill be amended in subclause (3) by deleting the word "the" appearing immediately after the words "to which".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 893 as amended agreed to.

Clauses 894, 895, 896, 897 & 898 - agreed to

Clause 899 - amendment proposed -

THAT clause 899 of the Bill be amended in subclause (2)(b) by deleting the word "are" appearing immediately after the words "that subsection" and substituting therefor the word "is".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 899 - as amended agreed to.

Clauses 900, 901 & 902 - agreed to

Clause 903 - amendment proposed -

THAT clause 903 of the Bill be amended—

(a) in subclause (1) by deleting the words "sections 904 and 905" and substituting therefor the words "sections 901 and 902"; and

(b) insubclause (3) by deleting the words "sections 904 and 905" and substituting therefor the words "sections 901 and 902".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 903 - as amended agreed to.

Clause 904 - amendment proposed -

THAT clause 904 of the Bill be amended in subclause (1) by deleting the expressions "Part IX of" and "Part VIII of" wherever they occur.

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 904 as amended agreed to.

Clauses 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924 & 925 - agreed to

Clause 926 - amendment proposed -

THAT clause 926 of the Bill be amended by deleting the words "section 923" and substituting therefor the words "section 925".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 926 - as amended agreed to.

Clauses 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938 & 939 - agreed to

Clause 940 - amendment proposed -

THAT clause 940 of the Bill be amended in subclause (4) by deleting the words "section 642" and substituting therefor the words "section 652".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 940 as amended agreed to.

Clauses 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951 & 952 - agreed to

Clause 953 - amendment proposed -

THAT clause 953 of the Bill be amended in subclause (2) by deleting the words "section 923" appearing in paragraph (a) and substituting therefor the words "section 925"

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 953 as amended agreed to.

Clause 954 - agreed to

Clause 955 - amendment proposed -

THAT clause 955 of the Bill be amended in subclause (4) by deleting the words "section 665" and substituting therefor the words "section 652".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 955 - as amended agreed to.

Clauses 956, 957, 958, 959, 960, 961, 962, 963, 964 & 965 - agreed to

Clause 966 - amendment proposed -

THAT clause 966 of the Bill be amended in subclause (4)(a) by deleting the words "or civilpartner".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 966 as amended agreed to.

Clauses 967, 968, 969, 970, 971, 972, 973, 974 & 975 - agreed to**Clause 976 - amendment proposed -**

THAT, clause 976 of the Bill be amended –

(a) by deleting subclause (2) and substituting therefor the following subclause—

"(2) The Registrar shall approve the application for registration and register the company by entering its name and other particulars in the ForeignCompanies Register if the application—

(a) contains the information prescribed by the regulations for the purposes of this section;

(b) demonstrates that at least thirty percent of the company's shareholding is held by Kenyan citizens by birth;

(c) is accompanied by the prescribed fee, if any, and the required documents; and

(d) complies with the requirements of this Part with respect to the company's name and the appointment of a local representative"

(b) in subclause (3) (c) by inserting the words "and shareholders" immediately after the word "directors".

(Hon. Wesley Korir)

Question of the amendment proposed;

Debate arising;

PROGRESS REPORT

Motion made and Question proposed -

THAT, the Committee of the whole House do report progress and seeks leave to sit again

(Chairperson, Committee on Justice and Legal Affairs)

Question put and agreed to.

17. **HOUSE RESUMED** - Second Chairperson in the Chair

Progress reported -

THAT, the Committee of the whole House has considered the Companies Bill (National Assembly Bill No.22 of 2015) and seeks leave to sit again

(Chairperson, Committee on Justice and Legal Affairs)

Question put and agreed to.

18. **PROCEDURAL MOTION - EXTENSION OF SITTING TIME**

Motion made and question proposed;

THAT, pursuant to the provisions of Standing Order 30(3)(a), this House resolves to extend the sitting time of the House until the conclusion of business appearing under Order No. 14 and the business relating to the adjournment of the House to a specific date appearing as Item 3 on page 709 of today's Order Paper.

(Leader of the Majority Party)

There being no Member willing to contribute;

Question put and agreed to;

19. **COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read;

IN THE COMMITTEE

The Second Chairperson in the Chair

The Companies bill (National Assembly Bill No.22 of 2015)**Clause 976 - amendment proposed -**

THAT, clause 976 of the Bill be amended –

(a) by deleting subclause (2) and substituting therefor the following subclause—

“(2) The Registrar shall approve the application for registration and register the company by entering its name and other particulars in the Foreign Companies Register if the application—

(a) contains the information prescribed by the regulations for the purposes of this section;

(b) demonstrates that at least thirty percent of the company's shareholding is held by Kenyan citizens by birth;

(c) is accompanied by the prescribed fee, if any, and the required documents; and,

(d) complies with the requirements of this Part with respect to the company's name and the appointment of a local representative"

(b) insubclause (3) (c) by inserting the words "and shareholders" immediately after the word "directors".

(Hon. Wesley Korir)

Debate resumed;

Question put and agreed to;

Clause 976 - as amended agreed to.

Clauses 977, 978 & 979 - agreed to

Clause 980 - Amendment Proposed

THAT clause 980 of the Bill be amended in subclause (4) by inserting the word "offence" immediately after the word "further";

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 980 as amended agreed to.

Clauses 981, 982, 983, 984, 985, 986 & 987 - agreed to

Clause 988 - amendment proposed -

THAT clause 988 of the Bill be amended in subclause (9) by deleting the word "my" appearing immediately after the words "date as" and substituting therefor the word "may".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 988 as amended agreed to.

Clauses 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000 & 1001
agreed to

Clause 1002 - amendment proposed-

THAT clause 1002 of the Bill be amended by capitalizing the word "court" wherever it occurs.

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 1002 - as amended agreed to.

Clause 1003 - agreed to.

Clause 1004 - amendment proposed -

THAT clause 1004 of the Bill be amended in subclause (11) by deleting the words "Insolvency Act, 2015" and substituting therefor the words "laws relating to insolvency".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 1004 as amended agreed to.

Clauses 1005, 1006, 1007, 1008 & 1009 - agreed to

Clause 1010 - amendment proposed -

THAT clause 1010 of the Bill be amended in subclause (1) by deleting the words "otherwise than in bound books".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 1010 - as amended agreed to.

Clauses 1011, 1012, 1013, 1014, 1015, 1016, 1017, 1018, 1019 & 1020 - agreed to

Clause 1021 - Amendment Proposed

THAT clause 1021 of the Bill be amended in subclause (2 (a) by deleting the words "or civilpartner".

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 1021 as amended agreed to.

Clauses 1022, 1023, 1024, 1025, 1026 & 1027 - agreed to

New Clause 252A - Proposed Amendment

THAT the Bill be amended by inserting the following new clause immediately after clause 252—

Offence to include misleading, false or deceptive particulars in register of secretaries.

252A. A person who knowingly or recklessly authorizes or permits the inclusion of misleading, false or deceptive particulars in a register of secretaries commits an offence and is liable on conviction to imprisonment for a term not exceeding two years or a fine not exceeding one million shillings, or to both.

Motion made and Question Proposed –

THAT the New Clause 252A be read a Second Time;

Debate arising;

Question put and agreed to;

Motion made and Question Proposed –

THAT, the New Clause 252A be part of the Bill

Question put and agreed to;

First Schedule - agreed to

Second Schedule - agreed to

Third Schedule - agreed to

Fourth Schedule - agreed to

Fifth Schedule - agreed to

Sixth Schedule - agreed to

Clause 3 - amendment proposed -

THAT, the Bill be amended in clause 3 —

(a) by inserting the following definition in its proper alphabetical sequence—
“auditor” means—

(a) a person or firm appointed as an auditor of a company under Part XXVII;
or

(b) a person or firm appointed as an auditor of a body of a kind prescribed by
the regulations for the purposes of this definition;

(c) in the definition of the phrase “prescribed financial accounting standards” by
deleting the words “such body or bodies as may be prescribed by the
regulations for the purpose of this Act” and substituting therefor the words “a
professional body or bodies in accounting and finance recognized by law in
Kenya.”;

(d) by deleting the definition of the phrase “statutory auditor” ;

(e) by deleting the definition of the phrase “working day” and substituting
therefor the following new definition—

“working day” means any day between Monday and Friday, but does not
include a public holiday;

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 3 as amended agreed to.

Clause 2 - agreed to

Title - agreed to

Clause 1 - agreed to

Bill to be reported with amendments.

20. **HOUSE RESUMED** - the Second Chairperson in the Chair

Bill reported with amendments;

Motion made and Question proposed –

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

(The Leader of the Majority Party)

Debate arising;

Amendment proposed –

THAT, the Motion for agreement with the Report of the Committee of the whole House be amended by inserting the words “subject to re-committal of Clause 95 of the Bill”.

(Hon. (Dr.) Robert Pukose)

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Thereupon, the House resolved into Committee

21. **COMMITTEE OF THE WHOLE HOUSE**

Order for Committee read;

IN THE COMMITTEE

The First Chairperson in the Chair

The Companies Bill (National Assembly Bill No.22 of 2015)

Resumption of consideration interrupted in Committee today;

Clause 95 - amendment proposed-

THAT, the Bill be amended in Clause 95 by inserting the words “or imprisonment for a term not exceeding two years, or to both” in sub-clause (5)

(Chairperson, Departmental Committee on Justice and Legal Affairs)

Proposed amendment withdrawn;

Clause 95 - agreed to

22. **HOUSE RESUMED** - the Second Chairperson in the Chair

Bill reported with 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 Companies Bill (National Assembly Bill No.22) of 2015 be now read a Third Time

(The Leader of the Majority Party)

Debate arising;

Question of the Third Reading deferred to another day.

23. **ADJOURNMENT OF THE HOUSE TO A SPECIFIED DAY**

Motion made and Question proposed –

THAT, pursuant to the provisions of Standing Order 31, this House adjourns until Tuesday, August 18, 2015 to enable Members of Parliament participate in the 46th Commonwealth Parliamentary Association (Africa Region) Conference, hosted by the Parliament of Kenya from 9th to 15th August, 2015

(The Leader of the Majority Party)

Debate arising;

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

24. **HOUSE ROSE** - at fifteen minutes to Seven O'clock

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, August 18, 2015 at 2.30 p.m.

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