

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT

THE NATIONAL ASSEMBLY – (FIFTH SESSION)

COMMUNICATIONS FROM THE CHAIR

FROM JANUARY 2017

CONTENTS

COMMUNICATIONS FROM THE CHAIR	4
No. 001 of 2017	4
ELECTION OF MEMBERS TO THE FOURTH EAST AFRICAN LEGISLATIVE ASSEMBLY ...	4
No. 002 OF 2017	6
ON BUSINESS THAT LAPSED AT THE END OF THE FOURTH SESSION	6
No. 003 of 2017	8
APPOINTMENT OF MEMBERS TO THE MEDIATION COMMITTEES ON THE HEALTH BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2015) AND THE PUBLIC FUNDRAISING APPEALS BILL (SENATE BILL NO. 28 OF 2014)	8
No. 04 of 2017	11
ON THE SEVENTH LEADERSHIP RETREAT OF THE NATIONAL ASSEMBLY.....	11
No. 005 of 2017	13
ON THE WITHDRAWAL OF SECTIONS OF PROPOSED MENDMENTS TO THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL, 2016 AND THE STATUTE LAW (MISCELLANEOUS MENDMENTS) (NO. 2) BILL, 2016	13
No. 006 of 2017	15
ON A REQUEST FOR RECOMMITAL OF A CLAUSE IN THE PRIVATIZATION (AMENDMENT) BILL, 2016	15
No. 007 of 2017	17
ON SUBMISSION OF PROPOSED AMENDMENTS TO THE NATIONAL ASSEMBLY STANDING ORDERS	17
No. 008 of 2017	19
ON SUBMISSION OF ELECTION-RELATED REGULATIONS BY THE IEBC	19
No. 009 of 2017	22
REGARDING A VISITING DELEGATION OF MAU MAU WAR VETERANS ASSOCIATION	22
No. 011 of 2017	24
COMMUNICATION ON THE BUDGET STATEMENT FOR FISCAL YEAR 2017/2018	24
No. 012 of 2017	25

REGARDING A VISITING DELEGATION FROM THE PARLIAMENT OF ZIMBABWE	25
No. 013 of 2017	27
REGARDING A VISITING DELEGATION FROM THE PORTFOLIO COMMITTEE ON FINANCE AND ECONOMIC DEVELOPMENT FROM THE PARLIAMENT OF THE REPUBLIC OF ZIMBABWE	27
No. 014 of 2017	29
REGARDING QUEEN'S BATON RELAY – GOLD COAST COMMONWEALTH GAMES	29
MESSAGE FROM THE PRESIDENT	31
No. 1 of 2017	32
ON THE NOMINEE FOR APPOINTMENT AS CHAIRPERSON OF THE COMMISSION FOR REVENUE ALLOCATION (CRA)	32
MESSAGES TO THE SENATE	35
No. 001 of 2017	36
DECISION OF THE NATIONAL ASSEMBLY ON THE HEALTH BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2015) AND THE PUBLIC FUNDRAISING APPEALS BILL (SENATE BILL NO. 28 OF 2014)	36
No. 002 of 2017	38
PASSAGE OF THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2017)	38
NO. 003 of 2017	40
ESTABLISHMENT OF A JOINT PARLIAMENTARY SELECT COMMITTEE ON ELECTION OF MEMBERS TO THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA)	40
No. 004 of 2017	42
PASSAGE OF THE PUBLIC PRIVATE PARTNERSHIPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 25 OF 2016) AND THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2015)	42
MESSAGES FROM THE SENATE	44
No. 001 of 2017	45
DECISION OF THE SENATE ON THE VETTING OF NOMINEES FOR APPOINTMENT TO THE NATIONAL CLIMATE CHANGE COUNCIL	45
No. 002 of 2017	47
ON THE DECISION OF THE SENATE REGARDING THE CONSTITUTION OF KENYA (AMENDMENT) (NO. 2) BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2013) AND THE CONSTITUTION OF KENYA (AMENDMENT) (NO. 2) BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2015)	47

No. 003 of 2017	49
ON THE DECISION OF THE SENATE REGARDING THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2017)	49
No. 004 of 2017	51
ON THE ESTABLISHMENT OF A JOINT SELECT COMMITTEE ON ELECTION OF MEMBERS TO EALA.....	51
NO. 005 OF 2017	54
APPOINTMENT OF SENATORS TO THE MEDIATION COMMITTEE ON THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2017).....	54

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT - (FIFTH SESSION)

THE NATIONAL ASSEMBLY

COMMUNICATIONS FROM THE CHAIR

No. 001 of 2017

**ELECTION OF MEMBERS TO THE FOURTH EAST AFRICAN
LEGISLATIVE ASSEMBLY**

Honourable Members,

This being my first Communication this year, I take the opportunity to welcome all of you back to the House for the Fifth and ultimately the final Session of the 11th Parliament. I do hope you have invigorated sufficiently to be able to consider and conclude the pending business for the remainder of the term.

Having said that, I now I wish to convey the following communication relating to election of Members to serve during the 4th term of the East African Legislative Assembly.

Honourable Members, pursuant to the provisions of section 3 of the East African Legislative Assembly Elections Act 2011, I have received a notification from the Clerk of the East African Legislative Assembly (EALA) regarding the expiry of the term of the current 3rd East African Legislative Assembly which will come to an end on the 4th day of June 2017. The notification requests that the Parliament of Kenya causes the election of Members to represent the Country in the Assembly.

Honourable Members, The East African Legislative Assembly is established under Article 9 of the Treaty for the Establishment of the East African Community (EAC) as one of the key organs and institutions of the Community. Articles 50 and 51 of the EAC Treaty provides for Election of Members of the Assembly and the Tenure of Office of Elected Members respectively. Specifically, Article 51(1) provides that an elected member of the Assembly shall hold office for five years and be eligible for re-election for a further term of five years. The current Assembly was elected in 2012. Additionally, section 4(1) and (2) of the East African Legislative Assembly Elections Act, 2011 provides that the election of Members to the Assembly shall be conducted in accordance with the rules of procedure of the Legislatures of the Partner States. The Act also requires that the elections ought to be conducted within ninety (90) days before the expiry of the date of the outgoing Assembly. **The effective date in this case is March 04, 2017.**

Honourable Members, It is my view that the current Elections Rules which were adopted by the National Assembly in April 2012 and published in the *Kenya Gazette* through *Legal Notice* No. 31 of 11th May, 2012, require a review to conform to the bicameral nature of our Parliament. In this regard, a team of officers of the Houses of Parliament has been constituted to propose amendments of the existing Rules forelection of Members of the Assembly, taking into account the bicameral nature of our Parliament and the relative political party majorities. The text of the proposed amendments will be submitted to the two Houses of Parliament for consideration, soonest. The Rules, once adopted by Parliament will thereafter inform the next course of action including the process of nomination of candidates and election procedure. In view of the foregoing, the Leadership of the Political Parties in the House are notified of the process and advised to await direction from the Houses on the rules to be applied upon adoption.

I thank you.

THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY
Tuesday, January 24, 2017

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT

THE NATIONAL ASSEMBLY – (FIFTH SESSION)

COMMUNICATIONS FROM THE CHAIR

No. 002 OF 2017

ON BUSINESS THAT LAPSED AT THE END OF THE FOURTH SESSION

Honourable Members,

This communication relates to pieces of legislation and other business that lapsed upon the conclusion of the Fourth Session, yesterday 23rd January, 2017. Standing Order **141(2)(b)** states that, “*a Bill that has been published, read a first time or in respect of which the Second Reading has not been concluded at the end of **two consecutive Sessions** of Parliament shall lapse at the end of the Second Session and may be republished in the same or different form in accordance with Standing Order 114.*”

In this regard, **Honourable Members**, the following Bills have since lapsed-

- (i) The Two-Third Gender Rule Laws (Amendment) Bill, 2015;
- (ii) The Election Laws (Amendment)(No. 2) Bill, 2015;
- (iii) The Parliamentary Service Bill, 2015;
- (iv) The Constitution of Kenya (Amendment)(No. 3) Bill , 2015;
- (v) The Constitution of Kenya (Amendment)(No. 5) Bill, 2015;
- (vi) The Constitution of Kenya (Amendment) (No. 6) Bill, 2015;
- (vii) The Military Veterans Bill, 2013;

(viii) The Kenya Uwezo Fund Bill, 2015; and

(ix) The International Crimes (Repeal) Bill, 2015.

Honourable Members, it is imperative to note that in accordance with our Standing Orders, the aforementioned Bills may be re-published, whether by the Members who had earlier sponsored them or by any other Member or Committee for consideration by the House. Similarly, **all** notices of motion that had been given in the previous Session have also lapsed. This includes notices of motion relating to adoption of Reports of Committees as well as individual Members' motions which are ordinarily considered on Wednesday mornings. Committee Chairpersons and individual Members who wish to resubmit the motions are free to do so following the usual procedure. The House is accordingly guided.

I thank you.

THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Wednesday, January 25, 2017

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT

THE NATIONAL ASSEMBLY – (FIFTH SESSION)

COMMUNICATIONS FROM THE CHAIR

No. 003 of 2017

**APPOINTMENT OF MEMBERS TO THE MEDIATION COMMITTEES
ON THE HEALTH BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2015)
AND THE PUBLIC FUNDRAISING APPEALS BILL (SENATE BILL NO.
28 OF 2014)**

Honourable Members,

You will recall that on November 24, 2016, this House, while in Committee of the Whole House, rejected several Senate amendments to the Health Bill (National Assembly Bill No. 14 of 2015). In addition, the Public Fundraising Appeals Bill (Senate Bill No. 28 of 2014) was **lost** at Second Reading on October 05, 2016. Accordingly, and in light of the House decisions, the two Bills stand committed to Mediation Committees in accordance with Article 112(2) (b) of the Constitution.

Consequently, in consultation with the Leadership of the Majority and Minority Parties in the House, I hereby appoint the following Members to represent the National Assembly in the Mediation Committees to consider the two Bills:

- (a) Mediation Committee on the Health Bill (National Assembly Bill No. 14 of 2015):-
 - (i) The Hon. (Dr.) Rachael Nyamai, M.P;

- (ii) The Hon. (Dr.) Robert Pukose, M.P;
 - (iii) The Hon. (Dr.) Naomi Shaban, M.P;
 - (iv) The Hon. (Dr.) James Nyikal, M.P; and
 - (v) The Hon. (Dr.) Enoch Kibunguchy, M.P.
- (b) Mediation Committee on the Public Fundraising Appeals Bill (Senate Bill No. 28 of 2014:-
- (i) The Hon. Priscilla Nyokabi M.P;
 - (ii) The Hon. T. J Kajwang, M.P;
 - (iii) The Hon. Stephen Bitok, M.P;
 - (iv) The Hon. Irungu Kang'ata, M.P; and
 - (v) The Hon. (Dr.) Christine Ombaka, M.P.

Hon. Members, it is advisable that in attempting to develop agreed versions of the said Bills; the Committees should confine themselves to the contentious matters. In addition, the Committees should expedite this process to ensure that they submit mediated versions to the respective Houses soonest before Members commence their campaigns for party primaries. I have a special concern for the need to expedite the passage of the Health Bill given the fact that crucial health matters have remained unresolved for quite some time now.

I thank you.

THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Thursday, January 26, 2017

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT

THE NATIONAL ASSEMBLY – FIFTH SESSION

COMMUNICATION FROM THE CHAIR

No. 04 of 2017

ON THE SEVENTH LEADERSHIP RETREAT OF THE NATIONAL ASSEMBLY

Honourable Members, I wish to notify the House that the National Assembly has planned a two-day Retreat for the Leadership of the House, under the theme: *“The Homestretch: Fostering synergy, identifying priorities and improving legislative efficacy.”* The Retreat will be held tomorrow, **Friday 10th and Saturday, 11th February, 2017** at the Serena Beach Hotel in Mombasa. Participants in the retreat will be the Presidium of the House, Leadership of the Majority and Minority Parties, Members of the House Business Committee, Chairpersons of Committees and Commissioners of the Parliamentary Service Commission.

Honourable Members, the retreat, which is convened at a time when the Eleventh Parliament is approaching the sunset of its term, presents a unique opportunity for participants to review the progress made in realizing National Assembly’s constitutional mandate. As part of the National Assembly’s legacy report to be bequeathed to the successive Parliaments, participants will also engage in a candid assessment of the National Assembly’s present legislative business processes. The retreat will also present an opportunity for participants to engage with the Hon. Chief

Justice of the Republic of Kenya and President of the Judiciary to on a discourse on areas for synergy with the Judiciary whilst upholding the respective institutional independence of the Legislature and the Judiciary

Honourable Members, appreciating that the August 2017 general elections are fast approaching, participants will be apprised by the Independent Electoral & Boundaries Commission on the state of preparedness for the elections and share insights on election related matters. At the end of the retreat, the Leadership will identify possible areas of National Assembly's legislative processes that require re-engineering for increased efficacy in succeeding Houses and agree on priority business for the remainder of the term of the National Assembly. As a practice, the resolutions of the retreat will be presented to the House soonest thereafter. Finally, Honourable Members, it is my sincere hope that the leadership of the House will find time to attend this important retreat of the National Assembly

I thank you.

THE HON. JUSTIN B. N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Thursday, February 9, 2017

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT
THE NATIONAL ASSEMBLY – (FIFTH SESSION)

COMMUNICATIONS FROM THE CHAIR

No. 005 of 2017

**ON THE WITHDRAWAL OF SECTIONS OF PROPOSED MENDMENTS
TO THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL,
2016 AND THE STATUTE LAW (MISCELLANEOUS MENDMENTS)
(NO. 2) BILL, 2016**

Honourable Members, the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 45 of 2016) and the Statute Law (Miscellaneous Amendments)(No. 2) Bill (National Assembly Bill No. 48 of 2016) were published on November 11, 2016 as *Kenya Gazette Supplements* No. 185 and 188 respectively. The Bills were aimed at effecting minor amendments, which do not warrant the publication of separate Bills, to various legislations. The Bills were sponsored by the Leader of the Majority Party.

Honourable Members, I wish to inform the House that I have since received a letter from the Leader of the Majority Party, requesting to **withdraw** proposed amendments contained in the two Bills as follows:

- (1) **The Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 45 of 2016)** - Proposed amendments to:-
 - (i) The Sexual Offences Act, 2006;
 - (ii) The Proceeds of Crime and Anti-Money Laundering Act, 2009;

- (iii) The Treaty-Making and Ratification Act, 2012; and
- (iv) The Independent Policing Oversight Authority (IPOA) Act, 2011.

(2) The Statute Law (Miscellaneous Amendments)(No.2) Bill (National Assembly Bill No. 48 of 2016) - Proposed amendments to:-

- (i) The Copyright Act, 2001.

In this regard, **Honourable Members**, the consideration of the two Bills at *Committee of the House* for the Statute Law (Miscellaneous Amendments) Bill, 2016 and at *Second Reading* for the Statute Law (Miscellaneous Amendments)(No. 2) Bill, 2016 will proceed as though the withdrawn sections were not part of the Bills as published. The House is accordingly guided.

I thank you!

THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY
Thursday, February 09, 2017

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT THE NATIONAL ASSEMBLY – (FIFTH SESSION)

COMMUNICATION FROM THE CHAIR

No. 006 of 2017

ON A REQUEST FOR RECOMMITAL OF A CLAUSE IN THE PRIVATIZATION (AMENDMENT) BILL, 2016

Honourable Members, on Thursday, February 09, 2017, the House considered *the Privatization (Amendment) Bill, 2016 (National Assembly Bill No. 27 of 2016)* in Committee of the Whole House. The Bill is therefore due for *Third Reading* in accordance with our procedures. However, I have since received a request, in the form of a motion from the Leader of the Majority Party, for the House to rescind its decision on the agreement with the report of the Committee of the Whole House on the consideration of the Privatization (Amendment) Bill, 2016.

Honourable Members, the essence of the request is that as currently carried, the law requires the approval of “...*the relevant committee of Parliament...*” in the appointment of the members of the Privatization Commission. This poses two technicalities. First, approval for appointments is by practice the jurisdiction of the House and not a committee of the House. Secondly, though the law had been passed prior to the bicameral legislature where Parliament and the National Assembly referred to one and the same thing, the meaning of Parliament in the current scenario presupposes both Houses. It would therefore be prudent to clearly state the intention of the law as envisioned by its drafters in 2005.

Consequently **Honourable Members**, pursuant to the provisions of Standing Order 49(2)(a), I have allowed the Leader of the Majority Party to move the motion for rescission and re-committal of the clause as indicated in the Supplementary Order Paper.

I thank you!

THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Tuesday, February 14, 2017

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT

THE NATIONAL ASSEMBLY – (FIFTH SESSION)

COMMUNICATION FROM THE CHAIR

No. 007 of 2017

**ON SUBMISSION OF PROPOSED AMENDMENTS TO THE
NATIONAL ASSEMBLY STANDING ORDERS**

Honourable Members,

I wish to notify the House that the Procedure and House Rules Committee has commenced the process of reviewing the Standing Orders as is the practice at the end of every term of Parliament. Standing Order 264 provides that at least once in every term of Parliament, not later than six months to the end of the term, the Procedure and House Rules Committee shall review the Standing Orders and make a report to the House recommending the Standing Orders, if any, to be amended.

Honourable Members,

You are therefore requested to submit any proposal for amendments to the Standing Orders, on your own behalf or through your respective Committees, to the Office of the Clerk on or before Tuesday, March 21, 2017. The Committee will then review and harmonize the amendments with a view to presenting a Report for consideration by the House before the end of the term of this Parliament.

I thank you.

THE HON. JUSTIN B. N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Thursday, February 23, 2017

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT

THE NATIONAL ASSEMBLY – (FIFTH SESSION)

COMMUNICATION FROM THE CHAIR

No. 008 of 2017

ON SUBMISSION OF ELECTION-RELATED REGULATIONS BY THE IEBC

Honourable Members,

As you may have just heard, the Independent Electoral and Boundaries Commission (IEBC) has submitted the final drafts of **five sets** of election-related regulations. I am aware that the Committee on Delegated Legislation has had several formal engagements with the IEBC between 13th February and 22nd February 2017 to consider earlier drafts of the regulations. The IEBC has therefore done its part by providing the final draft regulations for tabling and ultimate consideration by the House, through the Committee on Delegated Legislation, within the timelines specified in Section 109(3) of the Elections Act.

Honourable Members,

I urge the Committee to expeditiously consider the regulations to allow the IEBC to publish the final regulations within stipulated timelines. The Committee is also reminded that pursuant to Sections 18 of the Statutory Instruments Act, a desire to annul a statutory instrument requires the approval of the House, and would need to be fast-tracked to ensure adherence to the statutory deadlines. Once the Committee has considered the regulations, it is expected that a comprehensive brief will be given

to the House on the content of the final regulations, given the importance of this matter.

I thank you.

THE HON. JUSTIN B. N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Thursday, March 2, 2017

REPUBLIC OF KENYA



**ELEVENTH PARLIAMENT
THE NATIONAL ASSEMBLY – (FIFTH SESSION)**

COMMUNICATIONS FROM THE CHAIR

No. 009 of 2017

**REGARDING A VISITING DELEGATION OF MAU MAU WAR
VETERANS ASSOCIATION**

Honourable Members,

I wish to recognize a delegation of members of the Mau Mau War Veterans Association from across the country who are seated in the Speaker's Gallery. The delegation is led by the Secretary General of the Association, Shujaa Hon. Dr. Gitu Wa Kahengeri and comprises of the following members:-

S/No.	Name	County
(1)	M'Mburugu M'Marete	Meru
(2)	Mungai Kimani	Kiambu
(3)	Francis Mutiso	Machakos
(4)	J. Nkaiwartei Larus	Narok
(5)	Grace Nyambura Ngugi	Kiambu
(6)	A. Rwamba Nyaga	Embu
(7)	Mwaura Muchiri	Murang'a
(8)	Annah Ngichu	Kajiado

(9)	Henry MundiaKahari	Kiambu
(10)	Simon Ntoruru John	Meru
(11)	MusembiMutiaKungu	Machakos
(12)	T. WaweruKihia	Nyeri
(13)	Kanyuiro	Kirinyaga
(14)	Grace WanjiruKinyua	Laikipia
(15)	Jared Odera Auko	Siaya
(16)	Jacob Wamacheche	Bungoma
(17)	Ndung'uKariuki	Trans Nzoia
(18)	Samuel OnsareKobira	Kisii
(19)	NjokiWachira	Nakuru
(20)	D. Macharia	Nairobi
(21)	Lucy NgendoMuigai	Turkana
(22)	KamothoKamau	Nyandarua

Honourable Members, you will recall that on June 24, 2014, I conveyed a petition from the Mau Mau War Veterans Association which sought to have the government recognize and adequately compensate the country's freedom fighters and/or their dependents. The Departmental Committee on Justice and Legal Affairs considered the petition and tabled a report on April 13, 2016 which largely recommended the actualization of the prayers of the petitioners. The membership of the Association wishes to express their gratitude to the Committee and indeed the House for the recommendations made with regard to their prayers.

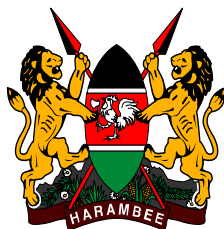
Now therefore, on my own behalf and that of the House, I wish to welcome them to the National Assembly and accept their gratitude and promise to continue to engage for the betterment of our nation.

I thank you!

THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Tuesday, March 14, 2017

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT
THE NATIONAL ASSEMBLY – (FIFTH SESSION)

COMMUNICATIONS FROM THE CHAIR

No. 011 of 2017

COMMUNICATION ON THE BUDGET STATEMENT FOR FISCAL
YEAR 2017/2018

Honourable Members,

That pursuant to the provisions of Standing Order 241 on “*pronouncement of Budget highlights and revenue raising measures before the Budget and Appropriations Committee*”, the Cabinet Secretary to the National Treasury will present to the National Assembly the **Budget Highlights and Revenue raising measures for the National Government** for the **Fiscal Year 2017/2018** on **Thursday, 30th March 2017** at **2.30pm**.

Honourable Members,

In this regard, this is therefore to inform the House about the event and invite all Members to be present as it is an ordinary Sitting of the House. In addition Members are requested to remove any vehicles parked at the front Courtyard popularly referred to as “Ministers’ parking” which is currently reserved for the House Leadership. This is because the area will be used for a Reception after the delivery of Budget Highlights by the Cabinet Secretary. Your co-operation in this regard will be highly appreciated.

I thank you!

THE HON. JUSTIN B. MUTURI, E.G.H., MP
SPEAKER OF THE NATIONAL ASSEMBLY

Tuesday, 28th March 2017

REPUBLIC OF KENYA



**ELEVENTH PARLIAMENT
THE NATIONAL ASSEMBLY – (FIFTH SESSION)**

COMMUNICATION FROM THE CHAIR

No. 012 of 2017

**REGARDING A VISITING DELEGATION FROM THE PARLIAMENT
OF ZIMBABWE**

Honourable Members,

I wish to introduce to you a delegation of Members of the **Portfolio** Committee on Justice, Legal and Parliamentary Affairs and the **Thematic** Committee on Human Rights from Parliament of Zimbabwe. The delegation is seated at the Speaker's gallery and comprises of the following:-

- | | |
|--|----------------------------|
| 1. The Hon. Rtd. Gen. Michael Nyambuya | - Leader of the Delegation |
| 2. The Hon. Chief Milton Ntabeni | - Member |
| 3. The Hon. Judith Mawire | - Member |
| 4. The Hon. Violet Moeketsi | - Member |
| 5. The Hon. Bheki Sibanda | - Member |
| 6. The Hon. Priscilla Mushonga | - Member |
| 7. The Hon. Innocent Gonese | - Member |
| 8. The Hon. Ziyambi Ziyambi | - Member |
| 9. The Hon. Tafanana Zhou | - Member |
| 10. The Hon. Mayor Wadyajena | - Member |

- | | |
|----------------------------|---|
| 11. Mr. Johane Gandiwa | - Assistant Clerk |
| 12. Mr. Shepherd Manhivi | - Committee Clerk |
| 13. Mrs. Precious Mudzvova | - Committee Clerk |
| 14. Mr. Nesbert Samu | - Parliamentary Programmes
Coordinator |

The Delegation is in the country to exchange ideas and share experiences with their counterparts in the Departmental Committee on Justice and Legal Affairs and other stakeholders in the Justice Sector on issues relating to Justice and Human Rights. On my own behalf and that of the House, I wish to welcome them to the National Assembly and wish them fruitful deliberations during their stay in the Country.

I thank you!

THE HON. JUSTIN B. N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY
Tuesday, March 28, 2017

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT
THE NATIONAL ASSEMBLY – (FIFTH SESSION)

COMMUNICATION FROM THE CHAIR

No. 013 of 2017

REGARDING A VISITING DELEGATION FROM THE PORTFOLIO
COMMITTEE ON FINANCE AND ECONOMIC DEVELOPMENT
FROM THE PARLIAMENT OF THE REPUBLIC OF ZIMBABWE

Honourable Members, I am pleased to introduce to you a visiting delegation of Members of the Portfolio Committee on Finance and Economic Development from the Parliament of the Republic of Zimbabwe. The delegation is seated at the Speaker's gallery and comprises of the following:-

- | | |
|---|-----------------------------|
| 15. The Hon. David Chapfika, MP | - Leader of the Delegation; |
| 16. The Hon. Felix T. Mhona, MP | - Member; |
| 17. The Hon. Francis G. Mukwangwariwa, MP | - Member; |
| 18. The Hon. Washington Musvaire, MP | - Member; |
| 19. The Hon. Terence Mukupe, MP | - Member; |
| 20. The Hon. Tapiwa Mashakada, MP | - Member; |
| 21. The Hon. Dorcas Sibanda, MP | - Member; |
| 22. The Hon. Tose W. Sansole, MP | - Member; and |
| 23. Mr. Christian Ratsakatika | - Principal Committee Clerk |

Honourable Members, the Delegation is in the country to share experiences and exchange ideas with their counterparts in the Departmental Committee on Finance,

Planning and Trade; Budget and Appropriations Committee and Public Investments Committee on an array of issues relating to planning and economic development. On my own behalf and that of the House, I wish to welcome them to the National Assembly and wish them fruitful engagements during their stay in the Country.

I thank you!

THE HON. JUSTIN B. N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Tuesday, April 4, 2017

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT THE NATIONAL ASSEMBLY – (FIFTH SESSION)

COMMUNICATION FROM THE CHAIR

No. 014 of 2017

REGARDING QUEEN'S BATON RELAY – GOLD COAST COMMONWEALTH GAMES

Honourable Members, I am in receipt of a Communication from the National Olympic Committee of Kenya informing Parliament of the Queen's Baton Relay - Gold Coast 2018. As you may be aware, the Queen's Baton Relay, similar to the Olympic Torch Relay, is a sports event around the world held prior to the beginning of the Commonwealth Games. The Baton carries a message from the Head of the Commonwealth, currently Queen Elizabeth II. The Relay traditionally begins at Buckingham Palace in London as part of the city's Commonwealth Day festivities. The Queen entrusts the Baton to the first Relay runner and at the end of the Opening Ceremony of the games, the final relay runner hands the baton to the Queen or her representative who reads the message aloud to officially open the Games.

Honourable Members, The Baton was therefore launched on 15th March, 2017 at the Buckingham Palace by Her Majesty Queen Elizabeth II and commenced its journey in the international Sector by covering the African Region. The Baton will travel for 388 days spending time in every nation and territory of the Commonwealth. In this regard therefore, the Queen's Baton is expected to arrive in Kenya from Lagos, Nigeria today, Wednesday, 5th April, 2017 since Kenya is a Member of the Commonwealth countries and has a profound athletics record in the Commonwealth games.

Honourable Members, H.E. the President will receive the Queen's Baton at KICC on Thursday, April 06, 2017 at 10:00am. Thereafter, the Relay-Baton will be received

Parliament Buildings. This is therefore to request you, Honourable Members, to accompany me, the Chairperson of the Departmental Committee on Labour and Social Welfare and the Chairperson of the Bunge Sports Club, the Hon. Wafula Wamunyinyi, MP to receive the baton in Parliament and conduct a short relay at the Parliament Gardens. Therefore all Members are invited to congregate at the Main Gate, facing KICC for a mock Relay at 10:45 am, tomorrow, Thursday, April 6th, 2017.

I thank you!

THE HON. JUSTIN B. N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY
Wednesday, April 05, 2017

MESSAGE FROM THE PRESIDENT

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT (FIFTH SESSION) THE NATIONAL ASSEMBLY

MESSAGES

MESSAGE FROM THE PRESIDENT

No. 1 of 2017

ON THE NOMINEE FOR APPOINTMENT AS CHAIRPERSON OF THE COMMISSION FOR REVENUE ALLOCATION (CRA)

Honourable Members,

Pursuant to the provisions of Standing Order No. 42(1) of the National Assembly Standing Orders, I wish to report to the House that I have received a Message from His Excellency the President, seeking the National Assembly's approval of the nominee for appointment as Chairperson of the Commission on Revenue Allocation (CRA). In the Message, His Excellency the President conveys that, in exercise of powers vested in him under Article 215(2)(a) of the Constitution and pursuant to the provisions of sections (3) and (5) of the Parliamentary Appointments (Parliamentary Approval) Act, 2011, he has nominated **Dr. Jane W. Kiringai** for appointment as the Chairperson of the Commission on Revenue Allocation (CRA).

Honourable Members,

Section 8 of the said Act provides that the relevant Committee of the House will consider the suitability or otherwise of the nominee and table its report for consideration by the House within fourteen (14) days from the date when the notification of nomination is conveyed to the House. Further, the Act requires that the public be given seven (7) days notification to submit their views regarding the suitability or otherwise of the nominee proposed for appointment to an office requiring Parliamentary approval.

In this regard, and in accordance with the provision of Article 259(5)(a) of the Constitution as read together with section 5 of the said Act, the seven (7) days' notification to the public shall start running on the day following the day when the notice is published in the dailies.

Honourable Members, given the critical role played by the Commission for Revenue Allocation (CRA) within the framework of issues of Division of Revenue, which are currently under consideration within the budget process, it is advisable that the concerned Committee expeditiously proceeds to notify the nominee and the public. Indeed, it should be noted that the House approved the Commissioners of the CRA on December 20, 2016, and their swearing-in has been stayed, pending the appointment of a substantive Chairperson.

In this regard, the Committee should commence the approval hearings after the seven day notification period, and table a Report **on or before Wednesday, February 15, 2017**, to enable the House to consider the matter within the statutory timelines. This Message, together with the resume of the nominee stand committed to the Departmental Committee on Finance, Planning and Trade for consideration.

I thank you.

THE HON. (DR.) JOYCE LABOSO, MGH, MP
DEPUTY SPEAKER OF THE NATIONAL ASSEMBLY

Wednesday, February 1, 2017

MESSAGES TO THE SENATE

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT-FIFTH SESSION

THE NATIONAL ASSEMBLY

MESSAGES

MESSAGE TO THE SENATE

No. 001 of 2017

**DECISION OF THE NATIONAL ASSEMBLY ON THE HEALTH BILL
(NATIONAL ASSEMBLY BILL NO. 14 OF 2015) AND THE PUBLIC
FUNDRAISING APPEALS BILL (SENATE BILL NO. 28 OF 2014)**

PURSUANT to the provisions of Standing Orders 41 and 142 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –

WHEREAS, the Health Bill (National Assembly Bill No. 14 of 2015) was published *vide* Kenya Gazette Supplement No. 44 of 17th August 2015 to align health laws and policy to the provisions of the Fourth Schedule to the Constitution of Kenya 2010 relating to the respective functions assigned to national and county governments and to provide a framework for coordination between the two levels of government in the provision of health services and management of health facilities;

WHEREAS, the said Bill was passed on 30th March 2016 and referred to the Senate for consideration and thereafter returned with amendments by the Senate;

WHEREAS, on 23rd and 24th November 2016, the National Assembly considered Senate amendments to the Health Bill and **negative** the Senate's amendments to several clauses, save for the amendments to **clauses 2, 7, 12, 27** and **49** of the Bill that were agreed to;

AND WHEREAS, the Public Fundraising Appeals Bill (Senate Bill No. 28 of 2014), published *vide* Kenya Gazette Supplement No. 99 of 27th June 2014 as a Bill originating in the Senate was passed by the Senate on Tuesday 12th May, 2015 and referred to the National Assembly for concurrence;

FURTHER WHEREAS, the Public Fundraising Appeals Bill (Senate Bill No. 28 of 2014) Bill was lost at Second Reading on 5th October 2016, thereby committing it to a mediation committee;

NOW THEREFORE, in accordance with the provisions of Article 112 of the Constitution and Standing Order 149 of the National Assembly Standing Orders, I hereby **convey** the said decisions of the National Assembly to the Senate and seek the appointment of Senators to the Mediation Committees in respect of the two Bills.

THE HON. JUSTIN B. N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Tuesday, February 14, 2017

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT-FIFTH SESSION

THE NATIONAL ASSEMBLY

MESSAGES

MESSAGE TO THE SENATE

No. 002 of 2017

PASSAGE OF THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2017)

PURSUANT to the provisions of Standing Orders 41 and 142 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –

WHEREAS, the Division of Revenue Bill (National Assembly Bill No. 2 of 2017) was published *vide* Kenya Gazette Supplement No. 2 of 6th January 2017 to provide for the equitable division of revenue raised nationally between the national and county governments in the 2017/2018 financial year;

WHEREAS, on 9th and 14th February 2017, the National Assembly considered and **passed** the said Bill **without amendments** and in the form attached hereto;

NOW THEREFORE, in accordance with the provisions of Article 110(4) of the Constitution and Standing Order 41 of the National Assembly Standing Orders, I hereby refer the Bill to the Senate for consideration.

THE HON. JUSTIN B. N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Wednesday, February 15, 2017

REPUBLIC OF KENYA



THE NATIONAL ASSEMBLY

ELEVENTH PARLIAMENT - FIFTH SESSION

MESSAGES

MESSAGE TO THE SENATE

NO. 003 of 2017

**ESTABLISHMENT OF A JOINT PARLIAMENTARY SELECT
COMMITTEE ON ELECTION OF MEMBERS TO THE EAST AFRICAN
LEGISLATIVE ASSEMBLY (EALA)**

PURSUANT to the provisions of Standing Order 41 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly

—

WHEREAS, Article 9 of the Treaty for the Establishment of the East African Community establishes the East Africa Legislative Assembly (EALA) as one of the key organs and institutions of the Community responsible for the Community's legislative matters;

WHEREAS Article 50 of the Treaty provides for the election of Members of EALA by respective Partner States' Legislatures in accordance with their parliamentary procedures for a term of five years, and further that the five-year term of the current 3rd East African Legislative Assembly is due to expire on June 04, 2017;

AND WHEREAS the current Election Rules as adopted by the National Assembly in April, 2012 do not take cognizance of the bicameral nature of the Kenyan Parliament, and further that the House Business Committee of the

National Assembly, following advice of the Clerks of the House of Parliament, proposed to form a Joint Committee to consider, *inter alia*, review of the procedure and rules for election of Members of EALA in light of Kenya's bicameral nature, suggest appropriate timelines for purposes of notifications, nominations and elections, and consider nominees, oversee the election process and report to the House within the timelines stipulated in the Elections Rules;

FURTHER WHEREAS, the National Assembly, by a resolution passed on Wednesday, March 01, 2017, pursuant to the provisions of Rule 9 of the Houses of Parliament (Joint Sittings) Rules and Standing Order 213 of the National Assembly Standing Orders, **approved** the following seven (7) Members to form part of the Joint Committee on the Election of Members of EALA and related matters:

1. The Hon. Katoo Ole Metito, EGH, MP - Co-Chairperson
2. The Hon. Samuel Chepkong'a, MP;
3. The Hon. Wanjiku Muhia, MP;
4. The Hon. Ali Wario, MP;
5. The Hon. Florence Kajuju, MP;
6. The Hon. Daniel Maanzo, MP; and
7. The Hon. Wafula Wamunyinyi, MP.

NOW THEREFORE, in accordance with the said provisions of the Standing Orders and the Houses of Parliament (Joint Sittings) Rules, I hereby convey the National Assembly's resolution to the Senate and invite the Senate to also expedite the establishment of the Joint Committee.

THE HON. JUSTIN MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY
Thursday, March 2, 2017

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT-FIFTH SESSION
THE NATIONAL ASSEMBLY
MESSAGES

MESSAGE TO THE SENATE

No. 004 of 2017

**PASSAGE OF THE PUBLIC PRIVATE PARTNERSHIPS (AMENDMENT)
BILL (NATIONAL ASSEMBLY BILL NO. 25 OF 2016) AND THE PUBLIC
FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILL NO. 4 OF 2015)**

PURSUANT to the provisions of Standing Orders 41 and 142 of the National Assembly Standing Orders, I hereby convey the following Message from the National Assembly –

WHEREAS, the Public Private Partnerships (Amendment) Bill (National Assembly Bill No. 25 of 2016) was published *vide* Kenya *Gazette* Supplement No. 96 of 24th June 2016 to amend the Public Private Partnership Act, 2013 by making provisions to recognize county governments as distinct contracting authorities for public-private partnership projects;

AND WHEREAS the Public Finance Management (Amendment) Bill (National Assembly Bill No. 4 of 2015) was published *vide* Kenya *Gazette* Supplement No. 15 of 12th February 2015 to amend the Public Finance Management Act, 2012;

FURTHER WHEREAS the National Assembly considered and **passed** the said Bills **with amendments** and in the forms attached hereto on February 16, 2017 and February 21, 2017 respectively;

NOW THEREFORE, in accordance with the provisions of Article 110(4) of the Constitution and Standing Order 142 of the National Assembly Standing Orders, I hereby refer the two Bills to the Senate for consideration.

THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Thursday, March 15, 2017

MESSAGES FROM THE SENATE

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT - FIFTH SESSION

THE NATIONAL ASSEMBLY

MESSAGES

MESSAGE FROM THE SENATE

No. 001 of 2017

**DECISION OF THE SENATE ON THE VETTING OF NOMINEES FOR
APPOINTMENT TO THE NATIONAL CLIMATE CHANGE COUNCIL**

Honourable Members,

I wish to report to the House that I have received a Message from the Senate dated, February 22, 2017 regarding the decision of the Senate on the *vetting of nominees for appointment to the National Climate Change Council*.

The Message states, and I quote:

“That the Senate, on Tuesday, February 21, 2017 ... approved the appointment of Messrs. Patel Suresh and John Koli as Members of the National Climate Change Council and rejected the proposed appointment of Ms. Cynthia Wechabe and Dr. Jane Mutheu Mutune to the National Climate Change Council.”

Honourable Members,

You will recall that on Tuesday, December 20, 2016, this House did approve the appointment of Messrs. Patel Suresh and John Koli as members of the National

Climate Change Council and rejected the proposed appointment of Ms. Cynthia Wechabe and Dr. Jane Mutheu Mutune. This was after joint vetting by the National Assembly Departmental Committee on Environment and Natural Resources and the Senate Standing Committee on Land and Natural Resources.

Honourable Members,

Following the conclusion of the bicameral consideration of the appointments, the necessary notification to the appointing authority may now be commenced.

I thank you!

THE HON. JUSTIN B.N. MUTURI, EGH, M.P
SPEAKER OF THE NATIONAL ASSEMBLY
Tuesday, February 28, 2017

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT- FIFTH SESSION

THE NATIONAL ASSEMBLY

MESSAGES

MESSAGE FROM THE SENATE

No. 002 of 2017

**ON THE DECISION OF THE SENATE REGARDING THE
CONSTITUTION OF KENYA (AMENDMENT) (NO. 2) BILL
(NATIONAL ASSEMBLY BILL NO. 26 OF 2013) AND THE
CONSTITUTION OF KENYA (AMENDMENT) (NO. 2) BILL
(NATIONAL ASSEMBLY BILL NO. 2 OF 2015)**

Honourable Members, pursuant to the provisions of Standing Order 41, I wish to report to the House that I have received a Message from the Senate regarding *the decision of the Senate on the Constitution of Kenya (Amendment)(No. 2) Bill (National Assembly Bill No. 26 of 2013) and the Constitution of Kenya (Amendment)(No. 2) Bill (National Assembly Bill No. 2 of 2015)*.

The Message reads in part, and I quote, that ***“...the Constitution of Kenya (Amendment)(No. 2) Bill (National Assembly Bill No. 2 of 2015) and the Constitution of Kenya (Amendment)(No. 2) Bill (National Assembly Bill No. 26 of 2013) were rejected at Second Reading on Wednesday, 22nd February, 2017.”***

Honourable Members, *The Constitution of Kenya (Amendment)(No. 2) Bill (National Assembly Bill No. 26 of 2013)* was sponsored by the Hon. Lati Lelelit, MP and sought to amend the Constitution of Kenya (Article 204) to transfer the disbursement of the Equalization Fund from the purview of the National Government to Constituencies in with marginalized areas. On the other hand, *The Constitution of Kenya (Amendment)(No. 2) Bill (National Assembly Bill No. 2 of 2015)*, which was sponsored by the Hon. Peter Kaluma, MP, sought to amend the Constitution of Kenya to prohibit courts from interfering with matters which are active before Parliament, County Assemblies and/or their committees. The two Bills were passed by the National Assembly on October 01, 2015 and April 27, 2016 respectively.

Honourable Members, Article 256(1) of the Constitution provides that –

“A bill to amend the Constitution ... (d) shall have been passed by Parliament when each House of Parliament has passed the Bill, in both its Second and Third Readings, by not less than two-thirds of all the members of that House.”

My reading of this Article is that the Constitution does not envisage a mediation process in respect of a Bill to amend the Constitution. This decision of the Senate therefore brings to an end the life of these two Bills, as it implies that Parliament has declined to pass the Bills as required by the Article 256 of the Constitution. The House and indeed the public is accordingly notified.

I thank you.

THE HON. JUSTIN B.N. MUTURI, EGH, MP

SPEAKER OF THE NATIONAL ASSEMBLY

Wednesday, March 01, 2017

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT-FIFTH SESSION THE NATIONAL ASSEMBLY

MESSAGE

MESSAGE FROM THE SENATE

No. 003 of 2017

ON THE DECISION OF THE SENATE REGARDING THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2017)

Honourable Members, Standing Order 41(4) requires the Speaker to report to the House any Message(s) received from the Senate at the first convenient opportunity. In this regard, I wish to report to the House that, on Thursday, March 2, 2017, I received a Message regarding the decision of the Senate on the Division of Revenue Bill (National Assembly Bill No. 2 of 2017).

Honourable Members, the Message reads in part, and I quote, “...on Wednesday, March 1, 2017, the Senate considered the Division of Revenue Bill (National Assembly Bill No.2 of 2017) and **passed** the said Bill **with amendments**.”

Honourable Members, you may wish to note that in accordance with the requirements of Standing Order 145, the Clerk has published the notification on today's Order Paper showing the Senate amendments and also the schedule as passed by the National Assembly for your information.

Honourable Members, with that decision of the Senate, the Senate's amendments to the Bill are referred to the Budget and Appropriations Committee for consideration. Due to the urgency of the passage of this Bill, I hereby direct the Committee to expeditiously consider the amendments proposed by the Senate and report to the House within seven (7) days in order to guide the House accordingly.

I thank you.

THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

TUESDAY, MARCH 14, 2017

REPUBLIC OF KENYA



ELEVENTH PARLIAMENT
(FIFTH SESSION)

THE NATIONAL ASSEMBLY
MESSAGES

MESSAGE FROM THE SENATE

No. 004 of 2017

ON THE ESTABLISHMENT OF A JOINT SELECT COMMITTEE ON
ELECTION OF MEMBERS TO EALA

Honourable Members,

Pursuant to the provisions of Standing Order 41, I wish to report to the House that I have received a Message from the Senate regarding *its decision on the establishment of a Joint Parliamentary Select Committee on Election of Members to the East African Legislative Assembly (EALA)*.

Honourable Members,

The Messages reads in part, and I quote, “... cognizant that the five-year term of the current 3rd East African Legislative Assembly (EALA) is due to expire on June 04, 2017; in accordance with Rule 9 of the Houses of Parliament (Joint Sittings) Rules and Senate Standing Order 216, the Senate, by a resolution passed on Thursday, March 02, 2017, resolved to establish a Joint Committee comprising of the following seven (7) Senators, to consider certain matters related to the election of Members of EALA in the light of Kenya’s bicameral nature”:-

1. Sen. Kimani Wamatangi;
2. Sen. Peter Mositet;
3. Sen. Kipchumba Murkomen;
4. Sen. Mshenga Mvita;
5. Sen. Mutula Kilonzo Jnr;
6. Sen. Elizabeth Ongoro; and
7. Sen. Henry Ole Ndiema.

Honourable Members,

You will recall that this House by a resolution passed on Wednesday, March 01, 2017, the National Assembly, **appointed** seven (7) Members to form part of the Joint Committee on the Election of Members of EALA and related matters.

Following the appointment of Members to the Joint Select Committee by both Houses, the Committee is urged to fast-track consideration of the Election Rules to

enable the process of notifications, nominations and elections to be conducted and concluded within the timelines proposed in the Elections Rules. I am informed that the first sitting of the Committee was scheduled to take place today, Tuesday, March 14, 2017. This ought to be prioritized given that the House will be proceeding on a long recess in April 2017.

I thank you.

THE HON. JUSTIN B.N. MUTURI, EGH, MP
SPEAKER OF THE NATIONAL ASSEMBLY

Tuesday, March 14, 2017

REPUBLIC OF KENYA



**ELEVENTH PARLIAMENT - (FIFTH SESSION)
THE NATIONAL ASSEMBLY**

MESSAGES

MESSAGE FROM THE SENATE

NO. 005 OF 2017

ON

**APPOINTMENT OF SENATORS TO THE MEDIATION COMMITTEE
ON THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL
NO. 2 OF 2017)**

Honourable Members,

Pursuant to the provisions of Standing Order 41, I wish to report to the House that I am in receipt of correspondence from the Senate, dated 31st March 2017, conveying that the Senate has appointed the following Senators to represent the Senate in the Mediation Committee to consider the Division of Revenue Bill (National Assembly Bill No. 2 of 2017):-

1. Sen. Billow Kerrow, MP;
2. Sen. Mutula Kilonzo Junior, MP;
3. Sen.(Dr.) Agnes Zani, MP;
4. Sen. Beatrice Elachi, MP; and
5. Sen. Mutahi Kagwe, MP.

Honourable Members, you will recall that, on Tuesday, March 28, 2017, the National Assembly **negatived** all the Senate's amendments to the Division of Revenue Bill (National Assembly Bill No. 2 of 2017), effectively committing the Bill to a Mediation Committee in terms of Article 112(2)(b) of the Constitution. Subsequently, I appointed five Members to represent the National Assembly in the Mediation Committee and conveyed the National Assembly's decision to the Senate. With the appointment of Senators, the Mediation Committee is now fully constituted and may now commence the process of attempting to develop an agreed version of the Bill in accordance with the provisions of Article 113.

Honourable Members, you will agree with me that the Division of Revenue Bill is critical to the process of vertical sharing of revenue between the two levels of Government. Indeed Article 218 of the Constitution provides that the Bill ought to be passed at least two months before the end of the subsisting Financial Year. I therefore implore upon the Mediation Committee to expeditiously consider the contested sections of the Bill and submit a mediated version of the Bill to both Houses of Parliament within the timeline contemplated under Article 113(3) of the Constitution.

I thank you!

THE HON. JUSTIN B. N. MUTURI, EGH, MP

SPEAKER OF THE NATIONAL ASSEMBLY

Tuesday, April 4, 2017