



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

SUPPLEMENTARY

THURSDAY, JUNE 25, 2015 AT 2.30 P.M

ORDER OF BUSINESS

PRAYERS

1. Administration of Oath
2. Communication from the Chair
3. Messages
4. Petitions
5. Papers
6. Notices of Motion
7. Statements

**8*. PROCEDURAL MOTION – APPROVAL OF A SITTING AFTER THE
2.30 P.M. SITTING**

(The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 30(3)(b), this House resolves to hold a Sitting today Thursday, June 25, 2015 after the 2.30pm Sitting.

9*. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 27 OF 2015)
(The Chairperson, Departmental Committee on Finance, Planning and Trade)

First Reading

10*. THE EXCISE DUTY BILL (NATIONAL ASSEMBLY BILL NO. 28 OF 2015)
(The Leader of the Majority Party)

First Reading

**11*. THE TAX PROCEDURES BILL (NATIONAL ASSEMBLY BILL NO. 29 OF
2015)**
(The Leader of the Majority Party)

First Reading

**12*. THE MISCELLANEOUS FEES LEVIES BILL (NATIONAL ASSEMBLY BILL
NO. 30 OF 2015)**
(The Leader of the Majority Party)

First Reading

13*. THE BETTING, LOTTERIES AND GAMING (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 31 OF 2015)

(The Leader of the Majority Party)

First Reading

14*. MOTION - THE REPORT OF THE BUDGET AND APPROPRIATIONS
COMMITTEE

(The Chairperson, Budget & Appropriations Committee)

THAT, this House adopts the Report of Budget and Appropriations Committee on the Second Supplementary Budget for the Financial Year 2014/2015, laid on the Table of the House on Tuesday, 23rd June, 2015 and:

- (i) pursuant to Article 223(5) of the Constitution, **approves** expenditure of 15% over and above the sum appropriated for FY 2014/2015; and
- (ii) further **approves** the issuance of the a sum of Kshs. **198,322,650,616** from the Consolidated Fund to meet the expenditure during the year ending 30th June, 2015 in respect of the Votes, as indicated in the Schedule in the Report.

(Resumption of debate interrupted on Wednesday, 24th June, 2015 - Afternoon Sitting)

15*. COMMITTEE OF THE WHOLE HOUSE

The Securities and Investment Analysts Bill (National Assembly Bill No. 21 of 2014)

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

16*. MOTION - NINETEENTH REPORT OF THE PUBLIC INVESTMENTS
COMMITTEE

(The Chairperson, Public Investments Committee)

THAT, this House adopts the Nineteenth Report of the Public Investments Committee on the Audited Financial Statements of State Corporations (Volume I & II), laid on the Table of the House on Tuesday, 31st March, 2015.

(Resumption of debate interrupted on Tuesday, 23rd June, 2015)

17*. MOTION - THE REPORT ON LAND ISSUES IN TAITA TAVETA COUNTY

(The Chairperson, Departmental Committee on Lands)

THAT, this House adopts the Report of the Departmental Committee on Lands on Land issues in Taita Taveta County, laid on the Table of the House on Wednesday, December 03, 2014.

- 18*. **MOTION - THE ADOPTION OF SESSIONAL PAPERS NOS. 3 AND 4 OF 2013**
(The Chairperson, Departmental Committee on Labour and Social Welfare)

THAT, this House adopts the Sessional Papers Nos. 3 and 4 of 2013 on the National Productivity Policy, and the Employment Policy and Strategy for Kenya respectively, laid on the Table of the House on Wednesday, July 17, 2013.

- 19*. **MOTION - THE ADOPTION OF SESSIONAL PAPER NO. 2 OF 2013**
(The Chairperson, Departmental Committee on Labour and Social Welfare)

THAT, this House adopts the Sessional Paper No. 2 of 2013 on the National Industrial Training and Attachment Policy, laid on the Table of the House on December 3, 2013.

- 20*. **MOTION - THE ADOPTION OF SESSIONAL PAPER NO. 5 OF 2014**
(The Chairperson, Departmental Committee on Administration and National Security)

THAT, this House adopts the Sessional Paper No. 5 of 2014 on the National Policy for Peacebuilding and Conflict Management, laid on the Table of the House on Thursday, July 31, 2014.

- 21*. **MOTION - THE ADOPTION OF SESSIONAL PAPER NO. 2 OF 2014**
(The Chairperson, Departmental Committee on Labour and Social Welfare)

THAT, this House adopts the Sessional Paper No. 2 of 2014 on the National Social Protection Policy, laid on the Table of the House on Tuesday, June 17, 2014.

- 22*. **MOTION - THE ADOPTION OF SESSIONAL PAPER NO. 4 OF 2014**
(The Chairperson, Departmental Committee on Justice and Legal Affairs)

THAT, this House adopts the 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.

- 23*. **MOTION - THE ADOPTION OF SESSIONAL PAPER NO. 9 OF 2013**
(The Chairperson, Joint Committee on National Cohesion and Equal Opportunity)

THAT, this House adopts the Sessional Paper No. 9 of 2013 on the National Cohesion and Integration, laid on the Table of the House on Thursday, July 31, 2014.

*** Denotes Orders of the Day**

N O T I C E S

I. THE SECURITIES AND INVESTMENT ANALYSTS BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2014)

Notice is given that the Chairperson of the Departmental Committee on Finance, Planning and Trade, intends to move the following amendments to the Securities and Investments Analysts Bill, 2014 at the Committee Stage—

CLAUSE 2

THAT, clause 2 be amended by deleting the definition “Registration Board” and substituting therefor the following definition—

“Registration Committee” means the registration and quality assurance committee established under section 13 of this Act;”

CLAUSE 4

THAT, clause 4 be amended in subclause (1) by inserting the words “under section 16 of this Act” immediately after the word “registered”.

CLAUSE 7

THAT, clause 7 be amended in subclause (1) by deleting the word “matter” before the word “provided” and substituting therefor with the word “manner”.

CLAUSE 8

THAT, clause 8 be amended—

- (a) by deleting paragraph (a);
- (b) in paragraph (b) by inserting the word “ethical” before the word “practice”;
- (c) in paragraph (e) by deleting the words “financial, securities and investments” and substituting therefor the words “security and investments”;
- (d) in paragraph (g) by inserting the words “ and integrity” immediately after the word “ethics”.

CLAUSE 10

THAT, clause 10 (1) be amended by deleting the word “boards” and substituting therefor the word “committees”.

CLAUSE 12

THAT, clause 12 be amended by inserting the following new subclause immediately after subclause (1)—

“(1A) The Secretary shall be the Chief executive officer of the Institute.”

CLAUSE 13

THAT, clause 13 be amended—

- (a) in subclause (1), by deleting the words “ Registration and Quality Assurance Board” and substituting therefor the words “Registration Committee”;
- (b) in subclause (2), by—
 - (i) deleting the word “Board” and substituting therefor the word “Committee”;
 - (ii) inserting the word “for” immediately after the word “responsible” appearing in paragraph (b);
- (c) in subclause (3)—
 - (i) by deleting the word “Board” and substituting therefor the word “Committee”;
 - (ii) in paragraph (a) by deleting the word “financial”;
- (d) in subclause (4) by deleting the word “Board” and substituting therefor the word “Committee”;
- (e) in subclause (5) by deleting the word “Board” and substituting therefor the word “Committee”;
- (f) in subclause (6) by deleting the word “Board” appearing after the word “Registration” and substituting therefor the word “Committee”;
- (g) in subclause (7) by deleting the word “Board” and substituting therefor the word “Committee”;
- (h) in subclause (8) by deleting the word “Board” and substituting therefor the word “Committee”;
- (i) in subclause (9) by deleting the word “Board” and substituting therefor the word “Committee”;
- (j) in subclause (10) by deleting the word “Board” and substituting therefor the word “Committee”;

CLAUSE 14**THAT**, clause 14 be amended—

(a) in subclause (1), by —

- (i) deleting the words “ financial, securities and investment” and substituting therefor the words “ securities and investment” ;
- (ii) deleting the word “Board” and substituting therefor the word “Committee”.

(b) in subclause (2) by deleting the words “ financial, securities and investment” and substituting therefor the words “ securities and investment”;

(c) in subclause (3) by deleting the word “ Board” and substituting therefor the word “ Committee”;

(d) in subclause (5) by deleting the words “one million” and substituting therefor the words “two hundred thousand”.

CLAUSE 15**THAT**, clause 15 be amended—

(a) in subclause (1) by deleting the words “ financial, securities and investment” and substituting therefor the words “ securities and investment”;

(b) by deleting the word “Board” wherever it occurs and substituting therefor the word “Committee”.

CLAUSE 16**THAT**, clause 16 be amended—

(a) in subclause (1) by inserting the following new paragraph immediately after paragraph (a)—

“(aa) has satisfied the requirements of Chapter Six of the Constitution;”

(b) in subclause (3), by—

- (i) deleting the word “Board” wherever it occurs and substituting therefor the word “Committee”;
- (ii) deleting the words “ financial, securities and investment ” in paragraph (b) and substituting therefor the words “securities and investment”.

CLAUSE 17

THAT, clause 17 be amended by—

(a) inserting the following new paragraphs immediately after paragraph (c)—

“(ca) if such person does not meet the requirements of Chapter Six of the Constitution;

(cb) if such person sits and fails the annual ethics and integrity test administered
by the Institute;”

(b) deleting the word “Board” in subclause (2) and substituting therefor the word “Committee”;

(c) deleting the word “Board” in subclause (3) and substituting therefor the word “Committee”.

CLAUSE 18

THAT, clause 18 be amended by—

(a) deleting the word “Board” in subclause (1) and substituting therefor the word “Committee”.

(b) deleting the word “Board” in subclause (2) and substituting therefor the word “Committee”.

CLAUSE 19

THAT, clause 19 be amended by—

(a) deleting the word “Board” wherever it occurs and substituting therefor the word “Committee”;

(b) inserting the following new paragraph immediately after paragraph (c) in subclause (1)—

“(ca) if such person does not meet the requirements of Chapter Six of the Constitution;

CLAUSE 20

THAT, clause 20 be amended in subclause (1) by—

(a) deleting the words “ financial, securities and investment” and substituting therefor the words “securities and investment”;

(b) deleting the word “Board” and substituting therefor the word “Committee”.

CLAUSE 21

THAT, clause 21 be amended—

- (a) by deleting the phrase “ financial, securities and investment” wherever they occur and substituting therefor the phrase “securities and investment”;
- (b) in subclause (1) by deleting the word “securities” appearing in paragraph (c).

CLAUSE 22

THAT, clause 22 be amended in subclause (1) by deleting the word “Board” and substituting therefor the word “Committee”.

CLAUSE 23

THAT, clause 23 be amended in subclause (1) by deleting the word “Board” and substituting therefor the word “Committee”;

CLAUSE 24

THAT, clause 24 be amended by deleting the word “Board” wherever it occurs and substituting therefor the word “Committee”.

CLAUSE 26

THAT, clause 26 be amended in subclause (1) –

- (a) in paragraph (a) by deleting the words “securities, financial and investment” and substituting therefor the words “securities and investment”;
- (b) by deleting paragraph (p) and substituting therefor the following paragraph—

“(p) is an employee of an institution whose license is granted under the Capital Markets Act or any applicable law in Kenya and fails to keep the funds of a client in a separate account or use such funds for purposes for which they are intended.”

CLAUSE 27

THAT, clause 27 be amended in subclause (3)—

- (a) in paragraph (a) by—
 - (i) deleting the word “four” and substituting therefor the word “three”;
 - (ii) inserting the words “who meets the minimum qualifications for appointment as a Judge of the High Court” immediately after the word “ chairperson”;
- (b) by deleting paragraph (d) and substituting therefor the following new paragraph—

“(d) one nominated by the Institute of Certified Public Secretaries of Kenya;”
- (c) by inserting the following new paragraph immediately after paragraph (d)—

“(da) one nominated by the Capital Markets Authority;” .

CLAUSE 29

THAT, clause 29 be amended in subclause (1) paragraph (f) by deleting the words “one hundred” and substituting therefor the words “five hundred”.

NEW PART

THAT, the Bill be amended by introducing a new PART IVA- FINANCIAL PROVISIONS immediately after Part IV.

PART IVA— FINANCIAL PROVISIONS

Funds of the Institute

31A. The funds of the Institute shall consist of —

- (a) such fees, monies or assets as may accrue to or vest in the Institute in the course of the exercise of its powers or the performance of its functions under this Act or under any other written law;
- (b) such gifts as may be given to the Institute; and
- (c) all monies from any other source provided for or donated to the Institute.

Financial year

31B. Unless otherwise provided, the financial year of the Institute shall be the period for twelve months ending on the thirty-first day of December in each year.

Annual estimates

31C. (1) At least three months before the commencement of each financial year, the Institute shall cause to be prepared estimates of revenue and expenditure for that year.

(2) The annual estimates shall be approved by the Council before the commencement of the financial year to which they relate.

(3) The Council shall cause to be kept all proper books and records of accounts of the income, expenditure and assets of the Institute.

(4) Within a period of four months from the end of each financial year, the Council shall submit to its auditors the accounts of the Institute for audit.

(5) Within six months before the end of the financial year, the Council shall lay the audited accounts before the annual general meeting of its members together with any reports made by the auditors.

CLAUSE 34

THAT, clause 34 of the Bill be deleted.

CLAUSE 35

THAT, clause 35 be amended in subclause (4) by deleting the word “five” and substituting therefor the word “one”.

FIRST SCHEDULE

THAT, the First Schedule be amended in paragraph 1 by deleting subparagraph (3) and substituting therefor the following new subparagraph—

“(3) A person who holds the office of chairperson is not eligible for re- election until after the expiry of a period of at least two years since he or she vacated the office.”

THIRD SCHEDULE

THAT, the Third Schedule of the Bill be amended-

- (a) in the heading by deleting the words “ Registration and Quality Assurance Board” and substituting therefor the words “Registration Committee”;
 - (b) by deleting the word “Board” wherever it occurs and substituting therefor the word “Committee”.
-

The House resolved on Wednesday, February 11, 2015 as follows:-

- II. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on **Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** shall be limited as follows:- A maximum of fourty five (45) minutes for the Mover, in moving and fifteen minutes (15) in replying, a maximum of thirty (30) minutes for the Chairperson of the relevant Committee (if the Bill is not sponsored by the relevant Committee), and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen Minutes (15) each (if the Bill is not sponsored by either of them); and that priority in speaking shall be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that Order.
 - III. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on a **Report of a Committee**, including a Report of a Joint Committee of the Houses of Parliament, a Sessional Paper or any other Report submitted to the House, shall be limited as follows: - A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that Order.
-

NOTICE PAPER

Tentative business for

Thursday, June 25, 2015 (After the 2.30P.M. Sitting)

(Published pursuant to Standing Order 38(1))

It is notified that the following tentative business will appear in the Order Paper for Thursday, June 25, 2015 (After the 2.30pm Sitting):-

- A. PROCEDURAL MOTION – REDUCTION OF PUBLICATION PERIOD OF THE SUPPLEMENTARY APPROPRIATION BILL (NO. 2), 2015)**
(The Chairperson, Budget and Appropriations Committee)

THAT, pursuant to Standing Order 120, this House resolves to reduce the Publication Period of the Supplementary Appropriation Bill (No. 2) (National Assembly Bill, 2015) from 7 days to 1 day.

- B. THE SUPPLEMENTARY APPROPRIATION BILL (NO. 2) (NATIONAL ASSEMBLY BILL, 2015)**
(The Chairperson, Budget and Appropriations Committee)

First Reading

- C. THE SUPPLEMENTARY APPROPRIATION BILL (NO. 2) (NATIONAL ASSEMBLY BILL, 2015)**
(The Chairperson, Budget and Appropriations Committee)

Second Reading

- D. COMMITTEE OF THE WHOLE HOUSE**

The Supplementary Appropriation Bill (No. 2) (National Assembly Bill, 2015)
(The Chairperson, Budget and Appropriations Committee)
