



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – SECOND SESSION

NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, OCTOBER 16, 2014

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

The Speaker conveyed the following Communication –

“Honourable Members,

The Committee system is an important component of parliamentary business around the world. In modern times, the work done by Parliaments has been noted to be not only varied in nature, but also of substantial volume. Indeed, the time at the disposal of the House is usually limited, and only allows for close scrutiny and consideration of just a few matters. It has thus become the norm for Committees, as agents of the House, to take up a large scope of various matters not considered in plenary, review them and later inform or guide the direction to be taken by the House, usually by way of reports.

Honourable Members,

In the case of the United Kingdom, it has been observed that much of the work of the House of Commons and the House of Lords takes place in committees. These committees examine issues in detail, from government policies and proposed new laws, to wider topics like the economy. In our case, we have thirty (30) committees, including the recently established Committee on General Oversight. These Committees have been instrumental in the performance of the role of the National Assembly as provided for in the Constitution. Committees prosecute matters before them through consideration of reports, summoning of witnesses as well as field visits.

Honourable Members,

It has been the practice in the National Assembly that during field visits or investigations by the different Committees of the House, the area Member of Parliament of the region being visited is informed. This has been a matter of courtesy rather than the law. However, some Committees are still visiting Constituencies without the knowledge of the area representative, even in matters directly affecting the Member's electorate. This, by all considerations, is discourteous and portrays the area Member in bad light to the electorate considering that he/she is expected to be in the know on all matters relating to his/her area of representation. Indeed, it is said that courtesy costs nothing, but buys everything, and that it is impossible to practice parliamentary politics without having patience, decency and courtesy.

Honourable Members,

This is therefore to reiterate my earlier guidance to all Committees that it would be prudent and considerate to notify Members of field visits or tours by a committee in their areas.

Thank you".

5. **PETITION - THE UNLAWFUL DISMISSAL ONE, MR. VITALIS OMONDI OTHUON FROM THE NATIONAL WATER CONSERVATION AND PIPELINE CORPORATION**

The Speaker 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 convey to the House that my office has received a Petition from one, Mr. Vitalis Omondi Othuon, a former employee of the Public Service Commission under the National Water Conservation and Pipeline Corporation, regarding unlawful dismissal from service. The Petitioner was allegedly dismissed from service on 4th January 2012 after unearthing some malpractices and mismanagement at the National Water Conservation and Pipeline Corporation that led to financial loss. The Industrial Court found the Petitioner termination to have been unlawful and illegal and ruled on 14th June 2013 that he be reinstated but this has not happened to date. The Petition, signed by Mr. Vitalis Omondi Othuon, is therefore praying that Parliament recommends his reinstatement to the Public Service without loss of benefits.

Honourable Members,

This Petition therefore shall stand committed to the Departmental Committee on Labour and Social Welfare for consideration. The Committee is requested to consider the Petition and report its findings in accordance with Standing Order 227 (2).

Thank you".

6. **PAPERS LAID**

The following Papers were laid on the Table –

- (i) The Report of the Auditor-General on the Financial Statements of Constituencies Development Fund for the year ended 30th June 2013, and the certificate of the Auditor-General therein;
- (ii) The Report of the Auditor-General on the Financial Statements of Constituencies Development Fund Board for the year ended 30th June 2013, and the certificate of the Auditor-General therein;
- (iii) The Report of the Auditor-General on the Financial Statements of Constituencies Development Fund for the year ended 30th June 2012, and the certificate of the Auditor-General therein;
- (iv) The Constituencies Development Fund Board report on projects approvals and disbursement status for the month of August, 2014;
- (v) The Independent Policing Oversight Authority on the Mpeketoni Attacks (15/16 June, 2014);
- (vi) The Annual Report of the Independent Electoral and Boundaries Commission for the period 2013/2014;
- (vii) The Report of the Auditor-General on the Financial Statements of the Central Bank of Kenya for the year ended 30th June 2014 and the certificate of the Auditor-General therein;
- (viii) The Report of the Auditor-General on the Financial Statements of the Kenya Meat Commission for the year ended 30th June 2013 and the certificate of the Auditor-General therein; and
- (ix) The Report of the Auditor-General on the Financial Statements of the Kenya Leather Development Council for the year ended 30th June 2013 and the certificate of the Auditor-General therein.

(The Leader of the Majority Party)

- (x) Report of the Departmental Committee on Finance, Planning and Trade on its consideration of the Securities and Investment Analysts Bill, 2014

(Chairperson, Departmental Committee on Finance, Planning & Trade)

- (xi) The Report of the Select Committee on Implementation for the Period May, 2013-August, 2014

(Chairperson, Select Committee on Implementation)

7. **PERSONAL STATEMENT PURSUANT TO STANDING ORDER 84**

Pursuant to the provisions of Standing Order 84, the Member for Homa Bay Town (Hon. Peter Kaluma) issued a Personal Statement regarding a report appearing in the media regarding discharge by his firearm.

The Member informed the House that the firearm discharged while undergoing safety procedures at the airport and denied press reports that having a firearm is a "status symbol".

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

Pursuant to the provisions 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 October 21, 2014.

9. **ADDRESS OF H.E. THE PRESIDENT – (DAY 2 OF 2)**

Motion made and Question proposed –

THAT, pursuant to the provisions of Standing Order 24(6), the Thanks of the House be recorded for the Exposition of Public Policy contained in the Address of H.E. The President delivered on Monday, October 06, 2014 during the Special Sitting of Parliament.

(The Leader of the Majority Party)

Debate interrupted on Wednesday, October 15, 2014 resumed;

Mover replied;

Question of the Motion deferred;

And the time being forty minutes past Six O'clock, the Deputy Speaker interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders

10. **HOUSE ROSE** - at forty minutes past Six O'clock.

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, October 21, 2014 at 2.30 p.m.

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