



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – THIRD SESSION

NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, APRIL 16, 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. **PAPERS LAID**

The following Papers were laid on the Table -

- (i) The Protocol to the Constitutive Act of the African Union Relating to the Pan African Parliament ***(pursuant to section 8 of the Treaty Making and Ratification Act, 2012)***;
- (ii) The Basic Education Regulations, 2015;
- (iii) The Ministry of Energy and Petroleum Performance Report for the period July 2014-December 2014 ***(pursuant to Article 153 (4) (b) of the Constitution)***;
- (iv) The Report of the Auditor-General on the Financial Statements of the Kenya Medical Laboratory Technicians and Technologists Board for the year ended 30th June 2014, and the certificate of the Auditor-General therein;
- (v) The Report of the Auditor-General on the Financial Statements of Kenya Medical Supplies Authority for the year ended 30th June 2014, and the certificate of the Auditor-General therein;
- (vi) The Report of the Auditor-General on the Financial Statements of the Kenya Medical Research Institute (KEMRI) for the year ended 30th June 2014, and the certificate of the Auditor-General therein;
- (vii) The Report of the Auditor-General on the Financial Statements of the Ministry of Mining 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 LAPSET Corridor Development Authority for the year ended 30th June 2014, and the certificate of the Auditor-General therein.
- (ix) The Report of the Auditor-General on the Financial Statements of the Kenya School of Monetary Studies for the year ended 30th June 2014, and the certificate of the Auditor-General therein.

- (x) The Report of the Auditor-General on the Financial Statements of the Insurance Regulatory Authority for the year ended 30th June 2014, and the certificate of the Auditor-General therein.

(The Leader of the Majority Party)

- (xi) The Report of the Budget and Appropriations Committee on the Senate amendments to the Division of Revenue Bill, 2015

(The Chairperson, Budget & Appropriations Committee)

- (xii) The Report of the Departmental Committee on Administration and National Security on the Petition by residents of Bura Constituency seeking the removal of five commissioners of the National Police Service Commission (NPSC).

(The Chairperson, Administration & National Security Committee)

5. **NOTICE OF MOTION - REPORT ON THE SENATE AMENDMENTS TO THE DIVISION OF REVENUE BILL, 2015**

(The Chairperson, Budget & Appropriations Committee)

THAT, this House adopts the Report of the Budget and Appropriations Committee on the Senate amendments to the Division of Revenue Bill, 2015, laid on the Table of the House today Thursday, April 16, 2015.

6. **NOTICE OF MOTION -REPORT ON THE PETITION FOR REMOVAL OF FIVE COMMISSIONERS OF THE NATIONAL POLICE SERVICE COMMISSION**

(Chairperson, Administration & National Security Committee)

THAT, this House adopts the Report of the Departmental Committee on Administration and National Security regarding a Petition for removal of five Commissioners of the National Police Service Commission, laid on the Table of the House today, Thursday, April 16, 2015

7. **STATEMENT - STATUS OF GOVERNMENT REGULATIONS**

The Chairperson of the Committee on Delegated Legislation (Hon. William Cheptumo) gave a Statement on the Status of *the Basic Education Regulations, 2015, the National Police Service Commission (Recruitment and Appointment) Regulations, 2015 and the Equalization Fund Regulations, 2015* as sought by Hon. Jamleck Kamau on Wednesday, April 15, 2015. The Chairperson updated the House as follows:-

- (i) The Basic Education Regulations, 2015 were published on April 8, 2015 and transmitted to the Office of the Clerk on Wednesday, April 15, 2015 for tabling in the House as required. Therefore, the Committee was yet to consider them.
- (ii) The National Police Service Commission (Recruitment and Appointment) Regulations, 2015: - The Committee considered and approved the regulations. Consequently, its resolutions were conveyed to the National Police Service Commission by the Clerk of the National Assembly pursuant to Standing Order 210 (4) (a).
- (iii) The Equalization Fund Regulations, 2015:- The Committee was in the process of considering the regulations.

8. **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 April 21, 2015.

9. **THE WAREHOUSE RECEIPTS SYSTEM BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2015)**

(The Leader of the Majority Party)

Order for the First Reading read;

Bill read a First time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1).

10. **THE FAIR ADMINISTRATIVE ACTION BILL (NATIONAL ASSEMBLY BILL NO. 10 OF 2015)**

(The Chief Whip of Majority Party – 15.04.2015)

Debate on the Bill having been concluded on Wednesday, April 15, 2015 (Afternoon Sitting);

Question put and **agreed to.**

Bill read a Second Time and committed to the Committee of the whole House **tomorrow.**

11. **MOTION: - ADOPTION OF THE REPORT ON THE PRIVATIZATION OF THE PUBLIC SECTOR OWNED/CONTROLLED SUGAR COMPANIES**

Motion made and Question proposed;

THAT, this House adopts the Report of the Departmental Committee on Finance, Planning and Trade on the Privatization of the Public Sector Owned/Controlled Sugar Companies (*Nzoia Sugar Company, South Nyanza Sugar Company, Chemilil Sugar Company, Muhoroni Sugar Company and Miwani Sugar Company*), laid on the Table of the House on Tuesday, December 2, 2014.

(Chairperson Departmental Committee on Finance, Planning & Trade – 25.02.2015)

Debate interrupted on Wednesday April 15, 2015 resumed;

Question of an Amendment proposed;

THAT, the motion be amended by deleting the full stop immediately after the figure “2014” and inserting the words, **“subject to the insertion of the following new Recommendations after Recommendation (ii) on page 16:**

- i. **That any ancestral land currently held by any of the sugar companies remains under the ownership of the local community; and**

- ii. **That further consultations on the privatization process should be held between the Government, the sugar farmers and other key stakeholders, including the County Governments, before embarking on the implementation of the proposed recommendations.”**

(Hon. Opiyo Wandayi)

Debate arising;

Question put and agreed to;

Debate on the Motion as amended resumed;

Further amendment proposed;

THAT, the motion be amended by deleting the full stop immediately after the figure “2014” and inserting the words, **“subject to the insertion of the following new Recommendations after Recommendation (ii) on page 16:**

- (iii) **The Government should competitively hire qualified management consultants to take over the management of the companies to restructure and prepare them for competitive privatization, taking cognizance of the fact that related land (nucleus estates), being public land compulsorily acquired from the respective communities at inception of the factories, ought to remain community land under respective county Governments.**

(Hon. Ferdinand Wanyonyi)

Proposed further amendment withdrawn by the Mover;

Debate on the Motion as amended resumed;

Mover replied;

Question of the Motion deferred to another day.

12. **MOTION - ADOPTION OF THE SPECIAL REPORT OF THE PUBLIC INVESTMENTS COMMITTEE**

Order deferred to another day by leave of the House

13. **MOTION: ADOPTION OF THE REPORT OF THE FIFTH ORDINARY SESSION OF THE PAN-AFRICAN PARLIAMENT**

Motion made and Question proposed -

THAT, this House adopts the Report of the Fifth Ordinary Session of the Pan-African Parliament and the Annual Speakers’ Conference (2014), together with the Revised Protocol to the Constitutive Act of the African Union Relating to the Pan-African Parliament, laid on the Table of the House on Thursday, February 12, 2015.

(The Second Chairperson of Committees)

Debate arising;

Mover replied;

Question of the Motion deferred to another day.

And the time being thirty-three minutes past Six o'clock, the Third Chairperson of Committees interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

14. **HOUSE ROSE** - at thirty three minutes past Six o'clock.

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, April 21, 2015 at 2.30 p.m.

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