



**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – (THIRD SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**THURSDAY, APRIL 30, 2015 AT 9.30 A.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\*. THE PUBLIC PROCUREMENT AND ASSET DISPOSAL BILL (NATIONAL ASSEMBLY BILL NO. 40 OF 2014)**

(The Leader of the Majority Party)

Third Reading

***(Question to be put)***

**9\*. COMMITTEE OF THE WHOLE HOUSE**

- i) The Retirement Benefits (Deputy President and Designated State Officers) (National Assembly Bill No. 38 of 2013)  
(The Hon. John Mbadi, M.P.)
- ii) The Alcoholic Drinks Control (Amendment) Bill (National Assembly Bill No. 14 of 2014)  
(The Hon. Kimani Ichung'wa, M.P.)

**10\*. MOTION - THE SPECIAL REPORT OF THE PUBLIC INVESTMENTS COMMITTEE**

(The Chairperson, Public Investments Committee)

**THAT**, this House adopts the Special Report of the Public Investments Committee on the Procurement Process of the Kenya Pipeline Company Ltd Line 1 Capacity Enhancement Project (Mombasa – Nairobi Pipeline), laid on the Table of the House on Tuesday, 10<sup>th</sup> February, 2015.

11\*. **MOTION - THE REPORT ON THE UNPAID PENSION DUES TO RETIRED TEACHERS**

(The Chairperson, Departmental Committee on Education, Research and Technology)

**THAT**, this House adopts the Report of the Departmental Committee on Education, Research and Technology on the Unpaid Pension Dues to Retired Teachers (1997 group), laid on the Table of the House on Wednesday, 15<sup>th</sup> April, 2015.

12\*. **THE FISHERIES MANAGEMENT AND DEVELOPMENT BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2014)**

(The Leader of the Majority Party)

Second Reading

*(Resumption of debate interrupted on Thursday, April 23, 2015 )*

13\*. **THE PRIVATE SECURITY REGULATION BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2014)**

(The Leader of the Majority Party)

Second Reading

14\*. **THE TRANSFER OF PRISONERS BILL (NATIONAL ASSEMBLY BILL NO. 25 OF 2014)**

(The Leader of the Majority Party)

Second Reading

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**\* Denotes Orders of the Day**

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# NOTICES

## I. THE RETIREMENT BENEFITS (DEPUTY PRESIDENT AND DESIGNATED STATE OFFICERS) (NATIONAL ASSEMBLY BILL NO. 38 OF 2013)

1. Notice is given that the Chairperson of the Departmental Committee on Finance, Planning and Trade, intends to move the following amendments to the Retirement Benefits (Deputy President and Designated State Officers), 2013 at the Committee Stage—

### CLAUSE 2

**THAT**, clause 2 be amended—

- (a) in the definition of “Designated State Officer”, by inserting the following new paragraph immediately after paragraph (b)—

“(c) Chief Justice”;

- (b) by inserting the following new definitions in their proper alphabetical sequence—

“Chief Justice” means a person appointed as such under Article 166 of the Constitution;

“monthly salary” means the basic salary excluding all allowances, or sixty percent of the gross salary where basic salary is not expressly stated;”

- (c) in the definition of “retired Speaker”, by deleting the phrase “and does not include a person who served as Speaker before the commencement of this Act” appearing immediately after the word “Constitution”;

- (d) in the definition of “retired Vice-President”, by deleting the words “and does not include a person who served as Vice-President before the commencement of this Act” appearing immediately after the word “Constitution”.

### CLAUSE 3

**THAT**, clause 3 is amended by deleting the expression “after the 15<sup>th</sup> January, 2008” appearing immediately before the word “retire”.

**CLAUSE 5**

**THAT**, clause 5 be amended in subclause (1) by—

- (a) deleting the phrase “A retired Speaker of the National Assembly or the Senate” and substituting therefor “ A retired Designated State Officer”;
- (b) deleting the word “eighty” in paragraph (a) and substituting therefor the expression “ sixty-five”;
- (c) deleting the phrase “ one and half years” in paragraph (b) and substituting therefor “one year’s”;
- (d) deleting paragraph (e) and substituting therefor the following new paragraph—

“(e) a fuel allowance equal to ten per cent of the monthly pension payable under paragraph (a)”;
- (e) deleting the words “ First Schedule” in paragraph (g) and substituting therefor the word “Schedule.”

**CLAUSE 6**

**THAT**, clause 6 be amended by—

- (a) deleting the word “eighty” in paragraph (a) and substituting therefor the word “sixty-five”;
- (b) deleting the words “one and half years” in paragraph (b) and substituting therefor the words “one year”;
- (c) deleting the word “four” in paragraph (c) and substituting therefor the word “eight”;
- (d) deleting the word “four” in paragraph (d) and substituting therefor the word “eight”;
- (e) deleting paragraph (e) and substituting therefor the following new paragraph—

“(e) a fuel allowance equal to ten per cent of the monthly pension payable under paragraph (a)”;
- (f) deleting the words “ First Schedule” in paragraph (g) and substituting therefor the word “Schedule.”

**CLAUSE 7**

**THAT**, clause 7 be amended—

- (a) by deleting the word “eighty” in paragraph (a) and substituting therefor the word “ sixty-five”;
- (b) by deleting the words “ one and half years” in paragraph (b) and substituting therefor the words “one year”;
- (c) in paragraph (c), by deleting the word “four” and substituting therefor the word “six”;

- (d) in paragraph (d), by deleting the word “four” and substituting therefor the word “six”;
- (e) by deleting paragraph (e) and substituting therefor the following new paragraph—
  - “(e) a fuel allowance equal to ten per cent of the monthly pension payable under paragraph (a)”;
- (f) by deleting the words “Third Schedule” in paragraph (g) and substituting therefor the word “Schedule.”

**FIRST SCHEDULE**

**THAT**, the First Schedule be deleted and replaced with the following new Schedule—

**SCHEDULE           (ss. 5(1)(g), 6(g) and 7(g))**

**ADDITIONAL RETIREMENT BENEFITS FOR A RETIRED  
DEPUTY PRESIDENT, A RETIRED PRIME MINISTER, A  
RETIRED VICE-PRESIDENT OR A RETIRED DESIGNATED  
STATE OFFICER**

- (a) two drivers;
- (b) one personal assistant;
- (c) one secretary;
- (d) one senior support staff;
- (e) two armed security guards who shall be provided on request by the entitled person;
- (f) diplomatic passports for the entitled person and his spouse;
- (g) maintenance expenses for the vehicles provided pursuant to this Act;
- (h) access to the V.I.P. lounge at all airports within Kenya.

**SECOND SCHEDULE**

**THAT**, the Second Schedule be deleted.

**THIRD SCHEDULE**

**THAT**, the Third Schedule be deleted.

**LONG TITLE**

**THAT**, the long title be amended by deleting the phrase “and Deputy Prime Minister” and substituting therefor the phrase “or Designated State Officer”.

2. Notice is given that the Chairperson, Budget and Appropriation Committee intends to move the following amendments to the Retirement Benefits (Deputy President and Designated State Officers) Bill, 2013. (National Assembly Bills No.38 of 2013) at the Committee Stage—

**LONG TITLE**

**THAT**, the Bill be amended by deleting the Long Title and substituting therefor the following-

**“AN ACT of Parliament to provide for the granting of pension and other retirement benefits to persons who hold the office of the Deputy President and persons, who have served as Prime Minister, Vice President or Speaker after the 15<sup>th</sup> of January, 2008 and for connected purposes.”**

**CLAUSE 2**

**THAT**, clause 2 of the Bill be amended-

(a) by deleting the definition of “Designated State Officer”

(b) by deleting the definition of “retired Designated State Officer”

(c) by deleting the definition of “retired Speaker” and substituting therefor the following definition—

“retired Speaker” means a person who, having held the office of the Speaker of the National Assembly or Speaker of the Senate any time after the 15<sup>th</sup> of January, 2008 has ceased to hold office as such in the manner specified in the Constitution.

(d) by deleting the definition of “Speaker”

**CLAUSE 3**

**THAT**, the Bill be amended by deleting clause 3 and substituting therefor the following new clause—

“Subject to sections 5(3) and 15, the persons entitled to the benefits conferred by this Act shall be persons who at any time after the 15<sup>th</sup> of January, 2008 retire as Deputy President, Prime Minister, Vice President or Speaker and do not engage in elective politics”.

3. **Notice is given that the Leader of the Majority Party (Hon. Aden Duale), intends to move the following amendments to the Retirement Benefits (Deputy President and Designated State Officers) Bill, 2013 at the Committee Stage—**

**CLAUSE 2**

**THAT**, clause 2 be amended by inserting the following new definition in its proper alphabetical sequence—

“elective politics” means—

- (a) the holding of a position or office in a political party; or
- (b) the participation in any activity that agitates for—

- (i) the holding or election of a person to any elective position or seat or the appointment of a person to public office by any person; or
- (ii) the voting in a particular manner in an election under the Elections Act, or a referendum on any question contemplated in the Constitution.

**NEW CLAUSE**

**THAT**, the following new clause be inserted immediately after clause 16—

Amendment of  
section 22 of No.  
24 of 2011

**17.** The Elections Act, 2011 is amended in section 22(1) by inserting the following new paragraph immediately after paragraph (b)—

“(c) is neither entitled to nor receiving retirement benefits pursuant to the Retirement Benefits (Deputy President and Designated State Officers) Act.”

II. THE ALCOHOLIC DRINKS CONTROL (AMENDMENT) BILL  
(NATIONAL ASSEMBLY BILL NO. 14 OF 2014)

**Notice is given that the Member for Kikuyu (Hon. Kimani Ichung'wah), intends to move the following amendment to the Alcoholic Drinks Control (Amendment) Bill, 2014 at the Committee Stage-**

**THAT**, Clause 4 of the Bill be amended by renumbering the proposed provision as subsection (1) and inserting a new subsection (2) as follows-

(2) Notwithstanding the provision of any other law, the Cabinet Secretary responsible for the National Treasury shall grant remission of excise duty at ninety per centum with respect to beer made from sorghum, millet or cassava grown in Kenya, if that licensed manufacturer-

- (a) manufactures beer that has at least seventy five per centum content of sorghum, millet, or cassava, excluding sugar; and,
  - (b) packs the beer in a pasteurized container of at least thirty litres or such other container and quantity as the Cabinet Secretary may approve.
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## N O T I C E S

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

- III. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on any **Motion**, including a Special motion shall be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each 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 ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking 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.
- IV. **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.
- V. **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 forty 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.

# NOTICE PAPER

Tentative business for

Thursday, April 30 (Afternoon), 2015

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*(Published pursuant to Standing Order 38(1))*

It is notified that the House Business Committee, at their last meeting, approved the following **tentative** business to appear in the Order Paper for Thursday (Afternoon) April 30, 2015:-

**A. THE FISHERIES MANAGEMENT AND DEVELOPMENT BILL  
(NATIONAL ASSEMBLY BILL NO. 20 OF 2014)**

(The Leader of the Majority Party)

Second Reading

*(Resumption of debate interrupted on Thursday, April 23, 2015 )*

**B. MOTION - THE SPECIAL REPORT ON THE PROCUREMENT PROCESS  
OF KENYA PIPELINE LTD LINE 1 CAPACITY ENHANCEMENT  
PROJECT**

(The Chairperson, Public Investments Committee)

**C. MOTION - THE REPORT ON THE UNPAID PENSION DUES TO RETIRED  
TEACHERS**

(The Chairperson, Departmental Committee on Education, Research and Technology)

**D. THE PRIVATE SECURITY REGULATION BILL (NATIONAL ASSEMBLY  
BILL NO. 4 OF 2014)**

(The Leader of the Majority Party)

Second Reading

**E. ADJOURNMENT OF THE HOUSE IN ACCORDANCE WITH THE CALENDER  
OF THE NATIONAL ASSEMBLY(2015)**

(The Leader of the Majority Party)

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**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – (THIRD SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**THURSDAY, APRIL 30, 2015 AT 2.30 P.M**

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(NATIONAL ASSEMBLY BILL NO. 20 OF 2014)**

(The Leader of the Majority Party)

Second Reading

*(Resumption of debate interrupted on Thursday, April 23, 2015 )*

**9\*. MOTION - THE SPECIAL REPORT OF THE PUBLIC INVESTMENTS  
COMMITTEE**

(The Chairperson, Public Investments Committee)

**THAT**, this House adopts the Special Report of the Public Investments Committee on the Procurement Process of the Kenya Pipeline Company Ltd Line 1 Capacity Enhancement Project (Mombasa – Nairobi Pipeline), laid on the Table of the House on Tuesday, 10<sup>th</sup> February, 2015.

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TEACHERS**

(The Chairperson, Departmental Committee on Education, Research and Technology)

**THAT**, this House adopts the Report of the Departmental Committee on Education, Research and Technology on the Unpaid Pension Dues to Retired Teachers (1997 group), laid on the Table of the House on Wednesday, 15<sup>th</sup> April, 2015.

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(The Leader of the Majority Party)

Second Reading

12\*. **THE TRANSFER OF PRISONERS BILL (NATIONAL ASSEMBLY BILL NO. 25 OF 2014)**

(The Leader of the Majority Party)

Second Reading

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\* Denotes Orders of the Day

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**N O T I C E S**

**I. ADJOURNMENT OF THE HOUSE IN ACCORDANCE WITH THE CALENDER OF THE NATIONAL ASSEMBLY( 2015)**

The Speaker will today call upon the Leader of the Majority Party to move a Motion for Adjournment of the House to a day other than the next normal Sitting Day, in accordance with the Calendar of the Assembly (Regular Sessions).

*(Thereafter, the House to adjourn without question put)*

**MOTION – (The Leader of the Majority Party)**

**THAT, pursuant to the provisions of Standing Order 28, this House adjourns until Tuesday, June 09, 2015 in accordance with the Calendar of the Assembly (Regular Sessions).**

...../Notices(cont'd)

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 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.
- III. 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 forty 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.
- IV. THAT**, notwithstanding the provisions of Standing Order 97(4), the debate on any Motion for the **Adjournment** of the House to a day other than the next normal Sitting Day in accordance with the Calendar of the Assembly, shall be limited to a maximum of three (3) hours with not more than five (5) minutes for each Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of ten (10) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

Provided that, when the period of Recess proposed by any such motion does not exceed ten (10) days, the debate shall be limited to a maximum of thirty minutes (30), and shall be strictly confined to the question of the adjournment.

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