



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (FIFTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, FEBRUARY 09, 2017 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*. THE PREVENTION OF TORTURE BILL (NATIONAL ASSEMBLY BILL NO. 47 OF 2016)

(The Leader of the Majority Party)

Second Reading
(*Question to be put*)

9*. MOTION – ADOPTION OF THE REPORT ON RATIFICATION OF THE AGREEMENT BETWEEN THE GOVERNMENTS OF THE REPUBLIC OF KENYA AND THE U.S.

(The Chairperson, Departmental Committee on Health)

THAT, this House adopts the Report of the Departmental Committee on Health on the Ratification of the Agreement between the Government of the Republic of Kenya and the Government of the United States of America concerning Cooperation in Threat Reduction Biological Engagement Programs, laid on the Table of the House on Tuesday, November 22, 2016, and pursuant to the provisions of section 8 of the Treaty Making and Ratification Act, 2012, **approves** the ratification of the Agreement between the Government of the Republic of Kenya and the Government of the United States of America concerning Co-operation in Threat Reduction Biological Engagement Programs.

(*Question to be put*)

10*. COMMITTEE OF THE WHOLE HOUSE

- (i) The Division of Revenue Bill (National Assembly Bill No. 2 of 2017)
(Chairperson, Budget and Appropriations Committee)
- (ii) The Privatization (Amendment) Bill (National Assembly Bill No. 27 of 2016)
(The Leader of the Majority Party)

11*. THE MOVABLE PROPERTY SECURITY RIGHTS BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2016)

(The Leader of the Majority Party)

Second Reading

(Resumption of debate interrupted on Wednesday, February 08, 2017 – Afternoon Sitting)

12*. MOTION – THE REPORT OF THE PUBLIC INVESTMENTS COMMITTEE ON THE PROCUREMENT AND FINANCING OF THE NSSF TASSIA II PROJECT

(Chairperson, Public Investments Committee)

THAT, this House adopts the Special Report of the Public Investments Committee on the Procurement and Financing of the National Social Security Fund Tassia II Infrastructure Development Project, laid on the Table of the House on Wednesday, 30 April, 2014.

13*. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2016)

(The Leader of the Majority Party)

Second Reading

14*. THE BETTING, LOTTERIES AND GAMING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 49 OF 2016)

(The Hon. Jakoyo Midiwo, M.P.)

Second Reading

14*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS)(NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 48 OF 2016)

(The Leader of the Majority Party)

*** Denotes Orders of the Day**

N O T I C E S

THE PRIVATIZATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 27 OF 2016)

- 1) Notice is given that the Chairperson of the Departmental Committee on Finance, Planning and Trade, intends to move the following amendments to the Privatization (Amendment) Bill, 2016 at the Committee Stage—

CLAUSE 2

THAT, clause 2 be amended by inserting the following new paragraph immediately after paragraph (b)—

“(c) in the definition of the word “privatization”, by inserting the words “but excludes sale of new shares to existing shareholders through a rights issue or any balance sheet reorganization which may lead to dilution of the percentage of shares held by a public entity” immediately after the words “ a state corporation”.

CLAUSE 6

THAT, the Bill be amended by deleting clause 6 and substituting therefor the following new clause—

Amendment of First
Schedule to No.2 of
2005.

6. The First Schedule to the Privatization Act, 2005, is amended—

(a) in paragraph 2, by deleting subparagraph (3) and replacing it with the following subparagraph—

“(3) The quorum for the conduct of business at a meeting of the Commission shall be at least two-thirds of the members of the Commission”;

(b) in paragraph 3, by inserting the expression “(b) and (c)” immediately after the expression “described in section 5(1)”.

NEW CLAUSE

THAT, the Bill be amended by inserting the following new clause immediately after clause 5—

Amendment of
section 37 of No. 2 of
2005.

5A. The Privatization Act, 2005, is amended in section 37 by inserting the words “and any other objections and appeals relating to implementation of the privatization programme” immediately after the words “under section 36”.

NEW CLAUSE

THAT, the Bill be amended by inserting the following new clause immediately after clause 6—

Amendment of
Second Schedule to
No.2 of 2005.

7. The Second Schedule to the Privatization Act, 2005, is amended in paragraph 2 by—

- (a) inserting the words “or any other objection relating to implementation of the privatization programme” in subparagraph (1) at the end thereof;
- (b) deleting subparagraph (2) and substituting therefor the following subparagraph—

“(2) An objection to what has been determined and published under section 36 may not be filed later than five working days after the publication”.
- (c) deleting subparagraph (3) and substituting therefor the following subparagraph—

“(3) The Commission shall make a decision with respect to the objection to what has been determined and published under section 36 or any other objection relating to implementation of the privatization programme and give a copy of its decision to the objector within five working days after receiving that objection”.

2) Notice is given that the Member for Kanduyi (The Hon. Wafula Wamunyinyi), intends to move the following amendments to the Privatization (Amendment) Bill, 2016 at the Committee Stage—

CLAUSE 3

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

Amendment of
section 5 of No.2 of
2005

“3. The Privatization Act is amended in section 5(1)(d) by inserting the words “through a competitive process” immediately after the word “Minister”

CLAUSE 5

THAT clause 5 of the Bill be amended by inserting the following new subsection immediately after the proposed new subsection (2) —

“(3) The Cabinet Secretary shall submit a report in form of a Sessional Paper on a privatization proposal approved by the Cabinet to the National Assembly for consideration”.

“(4) Upon laying before the National Assembly, a report under subsection (3) shall stand referred to the relevant committee”.

CLAUSE 6

THAT clause 6 of the Bill be deleted.

(No.012)

THURSDAY, FEBRUARY 09, 2017

(065)

The House resolved on Wednesday, January 25, 2017 as follows:-

- I. **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** 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 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.

 - II. **THAT**, notwithstanding the provisions of Standing Order 97(4), this House orders that, each speech in a debate on a **Report of a Committee**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House, 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 be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.
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NOTICE PAPER

Tentative business for

Tuesday, February 14, 2017

(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 Tuesday, February 14, 2017:-

A. COMMITTEE OF THE WHOLE HOUSE

- (i) The Public Finance Management (Amendment) Bill (National Assembly Bill No. 4 of 2015)
(The Leader of the Majority Party)
- (ii) The Public Appointments (County Assemblies Approval) Bill (Senate Bill No. 20 of 2014)
(The Chairperson, Departmental Committee on Justice and Legal Affairs)
- (iii) The County Early Childhood Education Bill (Senate Bill No. 23 of 2014)
(The Chairperson, Departmental Committee on Education, Research and Technology)

B. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2016)

(The Leader of the Majority Party)

Second Reading

C. MOTION –THE REPORT OF THE PUBLIC INVESTMENTS COMMITTEE ON THE PROCUREMENT AND FINANCING OF THE NSSF TASSIA II PROJECT

(Chairperson, Public Investments Committee)
