



**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – (THIRD SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**THURSDAY, JUNE 18, 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\*. MOTION - THE REPORT ON STATUS OF IMPLEMENTATION OF HOUSE RESOLUTIONS**

(The Chairperson, Select Committee on Implementation)

**THAT**, this House notes the Report of the Committee on Implementation on Status of Implementation of House Resolutions from May 2013 to February 2015, laid on the Table of the House on Thursday, April 02, 2015.

*(Question to be put)*

**9\*. MOTION - THE REPORT ON THE DISPUTED KAREN LAND (LR 3586/3)**

(The Chairperson, Departmental Committee on Lands)

**THAT**, this House adopts the Report of the Departmental Committee on Lands on the disputed Karen land (LR 3586/3), laid on the Table of the House on Thursday, December 11, 2014.

*(Question to be put)*

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

- (i) Amendments recommended by H. E. the President to the Public Procurement and Asset Disposal Bill (National Assembly Bill No. 40 of 2014)  
(The Leader of the Majority Party)
- (ii) Amendments recommended by H. E. the President to the Public Audit Bill (National Assembly Bill No. 38 of 2014)  
(The Leader of the Majority Party)

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(iii) Amendments recommended by H. E. the President to the Central Bank (Amendment) Bill (National Assembly Bill No. 32 of 2014)  
(The Chairperson, Departmental Committee on Finance, Planning and Trade)

(iv) Amendments recommended by H. E. the President to the Retirement Benefits (Deputy President and Designated State Officers) (National Assembly Bill No. 38 of 2013)  
(The Chairperson, Departmental Committee on Finance, Planning and Trade)

**11\*. MOTION - REPORT ON THE VETTING OF NOMINEES FOR APPOINTMENT AS CHAIRPERSON OF THE BOARD OF DIRECTORS, GOVERNOR & DEPUTY GOVERNOR OF CBK**  
(The Chairperson, Committee on Budget & Appropriation Committee)

**THAT**, this House adopts the Report of the Departmental Committee on Finance, Planning and Trade on the Vetting of Nominees for appointment as Chairperson of the Board of Directors, Governor and Deputy Governor of the Central Bank of Kenya, respectively, laid on the Table of the House on Wednesday, June 17, 2015 and pursuant to the provisions of Sections 11, 13 and 13B of the Central Bank of Kenya Act, **approves** the appointment of **Mr. Jairus Mohammed Nyaoga as the Chairperson of the Board of Directors, Dr. Patrick Ngugi Njoroge as the Governor, and Mrs. Sheila Mmbijewe as the Deputy Governor of the Central Bank of Kenya.**

**12\*. 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), the Table of the House on Tuesday 31<sup>st</sup> March, 2015.

**13\*. THE SPECIAL ECONOMIC ZONES BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2015)**  
The Leader of the Majority Party

Second Reading

**14\*. 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.

**15\*. 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.

**16\*. 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.

**17\*. 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.

**18\*. 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.

**19\*. 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.

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**\* Denotes Orders of the Day**

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## NOTICES

### I . THE PUBLIC PROCUREMENT AND ASSET DISPOSAL BILL (NATIONAL ASSEMBLY BILL NO. 40 OF 2014)

**Amendments recommended by H. E. the President to the Public Procurement and Asset Disposal Bill (National Assembly Bill No. 40 of 2014)**

#### **CLAUSE 51**

**THAT**, Clause 51(3) of the Bill be amended by inserting the words **“and licensed”** immediately after the word **“registered”**.

#### **CLAUSE 124**

**THAT**, Clause 124 of the Bill be amended by deleting subclause (4) and substituting therefor the following new subclause:-

Selection methods for  
requests for proposals.

**(4). Subject to the foregoing provisions of this section, in the evaluation of tenders by public entities, the criteria for assessing the technical and financial capability of the tenderers shall as may be prescribed by the accounting officer in the tender documents.**

### II . THE PUBLIC AUDIT BILL (NATIONAL ASSEMBLY BILL NO. 38 OF 2014)

**Amendments recommended by H. E. the President to the Public Audit Bill (National Assembly Bill No. 38 of 2014)**

#### **CLAUSE 4**

**THAT**, Clause 4 (2) of the Bill be amended by deleting the existing sub-clause and substituting therefor the following new sub-clause:-

**(2) The Office shall comprise the Auditor-General as its statutory head and all other staff appointed by the Auditor-General as may be delegated in accordance with Article 234 (5) of the Constitution.**

**CLAUSE 8**

**THAT**, Clause 8 of the Bill be amended by deleting paragraphs (a), (b), (c), (d), (h) and (j) and substituting therefor the following:-

Administrative  
powers of the  
office of the  
Auditor-  
General

- (a) **develop an organization structure and staffing establishment for the office of the Auditor-General, subject to Article 234 (5) of the Constitution;**
- (b) **subject to Article 234 (5) of the Constitution, recruit and promote qualified and competent staff to perform the office's functions;**
- (c) **subject to Article 234 (5) of the Constitution, exercise disciplinary control over staff;**
- (d) **subject to Article 234 (5) of the Constitution, develop human resource of the office;**
- (e) **subject to Articles 230 (4) (b) and 234 of the Constitution, determine the remuneration and benefits of each member of staff;**
- (f) **in addition to what is provided for under any other relevant law, develop and maintain a code of conduct and ethics for the office, specific to auditing, guided by the international code of practice, and code of ethics issued by the International Organization of Supreme Audit Institutions and in consultation with the Public Service Commission and the National Treasury;**

**NEW CLAUSE 11 (A)**

**THAT**, the following new Clause be inserted immediately after Clause 11 of the Bill

Acting  
Auditor -  
General

**11A. (1) Where:-**

- (a) **the office of the Auditor-General becomes vacant;**
- (b) **the Auditor-General has been suspended in accordance with the Constitution;**
- (c) **the appointment of a person as Auditor-General is pending; or**
- (d) **the Auditor-General is, for any reason unable to perform the function of his or her office,**

**then, until a person is appointed to and has assumed the functions of that office in accordance with Section 11 above, or until the Auditor-General has resumed the performance of those functions, the Public Service Commission shall recommend the most senior officer in the office of the Auditor-General to the President to designate such a person as the acting Auditor-General.**

(2) A person designated under subsection (1) shall meet the minimum qualifications for appointment to the office of the Auditor-General and shall serve for a period not exceeding ninety days.

(3) When acting in terms of subsection (1), the acting Auditor-General shall have all the powers of the Auditor-General.

#### **CLAUSE 16**

**THAT**, Clause 16 of the Bill be amended in sub-clause (1) by inserting the expression **“and 234 (5)”** immediately after expression **“230”**.

#### **CLAUSE 19**

**THAT**, Clause 19 (2) of the Bill be amended by:-

(a) inserting the words **“review and”** immediately after the words **“year for”** and

(b) deleting the words **“with the Cabinet Secretary’s comments”**

#### **NEW CLAUSE 40A**

**THAT**, the following new Clause be inserted immediately after Clause 40

Auditor-General  
not to question  
Government  
policy objective.

**40A. Notwithstanding the provisions of this Act, in an examination under this Act, the Auditor-General shall not question the merits of a policy objective of the national government or county government or any other public entity.**

#### **CLAUSE 66**

**THAT**, Clause 66 of the Bill be amended by deleting the words **“Auditor-General”** immediately after the word **“The”** and substitute therefor the words **“Cabinet Secretary responsible for matters relating to finance”**.

### **III. THE CENTRAL BANK (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 32 OF 2014)**

#### **Amendments recommended by H. E. the President to the Central Bank (Amendment) Bill (National Assembly Bill No. 32 of 2014)**

#### **CLAUSE 2**

**THAT**, Clause 2 be amended by deleting subsection (2)

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

**Amendments recommended by H. E. the President to the Retirement Benetis (Deputy President and Deignated State Officers) Bill (National Assembly Bill No. 38 of 2013)**

**LONG TITLE**

**THAT**, the long title of the Bill be amended by deleting expression **“the 15<sup>th</sup> January, 2008”** and substituting therefor the expression **“the 1<sup>st</sup> January, 1993”**.

**CLAUSE 2**

**THAT**, Clause 2 of the Bill be amended by-

- (a) deleting the expression **“the 15<sup>th</sup> January, 2008”** and substituting therefor the expression **“the 1<sup>st</sup> January, 1993”**; and
- (b) deleting the definition of **“retired Deputy Prime Minister”**

**CLAUSE 3**

**THAT**, Clause 3 of the Bill be amended by deleting the expression **“the 15<sup>th</sup> January, 2008”** and substituting therefor the expression **“the 1<sup>st</sup> January, 1993”**.

**CLAUSE 4**

**THAT**, Clause 4 of the Bill be amended by adding the following new paragraph immediately after paragraph (c):-

- (c) has, since ceasing to hold office, held office in, or actively engaged in the activities of any political party:**

**Provided that this provision shall come into operation on the date of commencement of this Act.**

**CLAUSE 5**

**THAT**, Clause 5(1) (b) of the Bill be amended by deleting the words **“one and a half years’ salary”** and substituting therefor the words **“one year’s salary”**.

**CLAUSE 6**

**THAT**, Clause 6 (b) of the Bill be amended by deleting the words “**one and half years’ salary**” and substituting therefor the words “**one year’s salary**”.

**CLAUSE 7**

**THAT**, Clause 7 (b) of the Bill be amended by deleting the words “**one and half years’ salary**” and substituting therefor the words “**one year’s salary**”.

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

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.

VI. **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

Tuesday, June 23, 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 Tuesday, June 23, 2015:-

**A. THE SPECIAL ECONOMIC ZONES BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2015)**

The Leader of the Majority Party

Second Reading

*(If not concluded on Thursday, June 18, 2015)*

**B. THE HEALTH BILL (NATIONAL ASSEMBLY BILL NO.14 OF 2015)**

The Leader of the Majority Party)

Second Reading

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

(The Chairperson, Departmental Committee on Lands)

**D. MOTION - THE ADOPTION OF SESSIONAL PAPERS NOS. 3 AND 4 OF 2013 ON THE NATIONAL PRODUCTIVITY POLICY, & THE EMPLOYMENT POLICY & STRATEGY FOR KENYA RESPECTIVELY**

(The Chairperson, Departmental Committee on Labour and Social Welfare)

*(If not concluded on Thursday, June 18, 2015)*

**E. MOTION - THE ADOPTION OF SESSIONAL PAPER NO. 9 OF 2013 ON THE NATIONAL COHESION AND INTEGRATION**

(The Chairperson, Joint Committee on National Cohesion and Equal Opportunity)

*(If not concluded on Thursday, June 18, 2015)*

**F. MOTION - THE ADOPTION OF SESSIONAL PAPER NO. 2 OF 2013 ON THE NATIONAL INDUSTRIAL TRAINING AND ATTACHMENT POLICY**

(The Chairperson, Departmental Committee on Labour and Social Welfare)

*(If not concluded on Thursday, June 18, 2015)*

**G. MOTION - THE ADOPTION OF SESSIONAL PAPER NO. 5 OF 2014 ON THE NATIONAL POLICY FOR PEACEBUILDING AND CONFLICT MANAGEMENT**

(The Chairperson, Departmental Committee on Administration and National Security)

*(If not concluded on Thursday, June 18, 2015)*

**H. MOTION - THE ADOPTION OF SESSIONAL PAPER NO. 2 OF 2014 ON THE NATIONAL SOCIAL PROTECTION POLICY**

(The Chairperson, Departmental Committee on Labour and Social Welfare)

*(If not concluded on Thursday, June 18, 2015)*

**I. MOTION - THE ADOPTION OF SESSIONAL PAPER NO. 4 OF 2014 ON THE GOVERNANCE, JUSTICE, LAW AND ORDER SECTOR (GJLOS) POLICY**

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

*(If not concluded on Thursday, June 18, 2015)*

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

(The Chairperson, Public Investments Committee)

*(If not concluded on Thursday, June 18, 2015)*

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