

**REPUBLIC OF KENYA****ELEVENTH PARLIAMENT – (FOURTH SESSION)****THE NATIONAL ASSEMBLY****ORDERS OF THE DAY****THURSDAY, OCTOBER 27, 2016 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*. PROCEDURAL MOTION – EXTENSION OF PERIOD FOR
CONSIDERATION OF NOMINEE FOR
APPOINTMENT AS THE CHAIRPERSON OF
THE NATIONAL AUTHORITY FOR
CAMPAIGN AGAINST ALCOHOL AND DRUG
ABUSE (NACAADA)**

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

THAT, pursuant to the provisions of Section 13 of the Public Appointments (Parliamentary Approval) Act, this House resolves to **extend** the period for consideration of approval for appointment of Lt. Col. (Rtd) Julius Ayub Githiri, as the Chairperson of the National Authority for Campaign Against Alcohol and Drug Abuse (NACAADA), **notified** to the House on 18th October, 2016, by a further period of not more than fourteen (14) days from 1st November, 2016.

**9*. MOTION – APPROVAL FOR THE APPOINTMENT OF THE DEPUTY
CHIEF JUSTICE OF THE REPUBLIC OF KENYA**

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

THAT, pursuant to the provisions of Article 166(1)(a) of the Constitution, and Section 8 (1) of the Public Appointments (Parliamentary Approvals) Act, 2011, this House **adopts** the Report of the Departmental Committee on Justice and Legal Affairs

on the Vetting of the Nominee for Appointment as the Chief Justice of the Republic of Kenya, laid on the Table of the House on Wednesday, October 26, 2016, and **approves** the appointment of the **Honourable Lady Justice Philomena Mbete Mwilu** as the Deputy Chief Justice of the Republic of Kenya.

10*. COMMITTEE OF THE WHOLE HOUSE

The Statute Law (Miscellaneous Amendments) Bill (Senate Bill No. 6 of 2014)
(The Chairperson, Departmental Committee on Justice and Legal Affairs)

**11*. THE CONSTITUTION OF KENYA (AMENDMENT) BILL (No. 3)
(NATIONAL ASSEMBLY BILL NO. 18 OF 2015)**

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

Second Reading

(Resumption of debate interrupted on Wednesday, October 26, 2016 – Afternoon Sitting)

**12*. THE PUBLIC PRIVATE PARTNERSHIPS (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 25 OF 2016)**

(The Leader of the Majority Party)

Second Reading

(Resumption of debate interrupted on Wednesday, October 19, 2016)

**13*. THE CONTEMPT OF COURT BILL (NATIONAL ASSEMBLY BILL NO. 32
OF 2016)**

(The Leader of the Majority Party)

Second Reading

**14*. THE COUNTY ASSEMBLY SERVICES BILL (SENATE BILL NO. 27 OF
2014)**

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

Second Reading

15*. THE NATIONAL YOUTH SERVICE BILL (SENATE BILL NO. 26 OF 2014)

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

Second Reading

**16*. THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (SENATE
BILL NO. 24 OF 2014)**

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

Second Reading

17*. **THE NATIONAL HONOURS (AMENDMENT) BILL (SENATE BILL NO. 16 OF 2014)**

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

Second Reading

18*. **THE NATIONAL FLAG, EMBLEMS AND NAMES (AMENDMENT) BILL (SENATE BILL NO. 2 OF 2013)**

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

Second Reading

19*. **THE ELECTION LAWS (AMENDMENT) (No. 3) BILL (NATIONAL ASSEMBLY BILL NO. 63 OF 2015)**

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

Second Reading

(Resumption of debate interrupted on Thursday, June 30, 2016)

20*. **THE PENAL CODE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 13 OF 2016)**

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

Second Reading

21*. **MOTION – ADOPTION OF THE REPORT ON THE INVESTIGATION INTO WILDLIFE POACHING IN KENYA**

(The Chairperson, Departmental Committee on Environment and Natural Resources)

THAT, this House adopts the Report of the Departmental Committee on Environment and Natural Resources on the Investigation into Wildlife Poaching in Kenya, laid on the Table of the House on Thursday, October 01, 2015.

22*. **MOTION – ADOPTION OF THE REPORT ON THE INVESTIGATION INTO THE GARISSA UNIVERSITY COLLEGE TERRORIST ATTACK**

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

THAT, this House adopts the Report of the Departmental Committee on Administration and National Security on the Investigation into the Garissa University College Terrorist Attack, laid on the Table of the House on Tuesday, November 17, 2015.

23*. MOTION – ADOPTION OF REPORT ON THE INQUIRY INTO THE PROCUREMENT OF THE APRON BUSES BY THE KENYA AIRPORTS AUTHORITY

(The Chairperson, Departmental Committee on Transport, Public Works and Housing)

THAT, this House adopts the Report of the Departmental Committee on Transport, Public Works and Housing on the Inquiry into the Procurement of the Apron Buses by the Kenya Airports Authority, laid on the Table of the House on Thursday, November 19, 2015.

24*. MOTION – ADOPTION OF THE REPORT ON THE INQUIRY INTO THE IMPORTATION OF A CONSIGNMENT OF FERTILIZER BY THE MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES THROUGH THE NATIONAL CEREALS AND PRODUCE BOARD

(The Chairperson, Departmental Committee on Agriculture, Livestock and Co-operatives)

THAT, this House adopts the Report of the Departmental Committee on Agriculture, Livestock and Co-operatives on the Inquiry into the Importation of a Consignment of Fertilizer by the Ministry of Agriculture, Livestock and Fisheries through the National Cereals and Produce Board, laid on the Table of the House on Tuesday, November 24, 2015.

*** Denotes Orders of the Day**

N O T I C E S

I. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (SENATE BILL NO. 6 OF 2014)

1. NOTICE is given that the Chairperson, Departmental Committee on Transport, Public Works and Housing intends to move the following amendments to the Statute Law Miscellaneous (Amendment) Bill, 2014 at the Committee Stage—

CLAUSE 2

THAT, clause 2 of the Bill be amended in the schedule to the proposed amendments to the National Transport and Safety Authority Act by deleting—

- (a) paragraph (a) of the proposed amendment to section 4(1);
- (b) paragraph (a) of the proposed amendment to section 6(1); and
- (c) the proposed new section .

2. NOTICE is given that the Chairperson, Departmental Committee on Administration and National Security, intends to move the following amendments to the Statute Law Miscellaneous (Amendments) Bill, 2014 at the Committee Stage—

SCHEDULE

THAT, the Bill be amended in clause 2 in the Schedule in the proposed amendments to the National Authority for the Campaign Against Alcohol and Drug Abuse Act, No. 14 of 2012—

- (a) in the proposed amendments to section 5—
 - (i) by deleting paragraph (b); and
 - (ii) by deleting paragraph (c);
- (b) by deleting the proposed amendments to section 6.

3. NOTICE is given that the Chairperson, Departmental Committee on Agriculture, Livestock and Cooperatives intends to move the following amendments to the Statute Law Miscellaneous (Amendments) Bill, 2014 at the Committee Stage—

CLAUSE 2

THAT, clause 2 of the Bill be amended in the Schedule by deleting the proposed amendments to the Pyrethrum Act, No. 22 of 2013 and substituting therefor the following new amendments—

The Pyrethrum Act,
No. 22 of 2013

Section 6(2)

(a) renumber paragraph (c) as paragraph (e) appearing immediately after paragraph (d);

(b) delete the word “two” and substitute therefor the word “one” in subparagraph (i) of paragraph (e);

(c) insert the following new sub paragraph immediately after subparagraph (i) in paragraph (e)—

“(ia) one person shall be nominated by the Council of Governors;”

Section 6(3)

Insert the following new subsections immediately after subsection (3)—

(3A) In nominating and appointing members under this section the nominating persons and bodies' shall uphold the principle of one-third gender representation.

(3B) Appointments to the Board shall take into account the national values referred to in Article 10 of the Constitution and the principle that the composition of the Board taken as a whole shall reflect the regional and ethnic diversity of the people of Kenya.

I. **ADJOURNMENT OF THE HOUSE IN ACCORDANCE WITH THE CALENDAR OF THE NATIONAL ASSEMBLY(2016)**

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 and notwithstanding the earlier resolution of the House of 18th February, 2016 on the Calendar of the Assembly (Regular Sessions), this House adjourns until Tuesday, November 15, 2016.

The House resolved on Wednesday, February 10, 2016 as follows:-

- II. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on any **Motion**, including a Special motion 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.
- 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 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.

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- 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 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 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), 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 fifteen (15) days, the debate shall be limited to a maximum of thirty minutes (30), and shall be strictly confined to the question of the adjournment.

APPENDIX

PETITION to be presented on

Thursday, October 27, 2016

It is notified that, pursuant to Standing Orders 225, the following Petition will be presented to the House **today, Thursday, October 27, 2016:-**

| NO. | <u>PETITION TO BE PRESENTED BY</u> | <u>SUBJECT</u> | <u>PETITIONER(S)</u> |
|------------|--|---|---|
| | The Member for Kiambu (The Hon. Jude Njomo, M.P.), <i>Pursuant to Standing Order 225(2)(a)</i> | Pollution and establishment of a dumpsite in Hekima Estate, Kiambu County | Residents of Indian Bazaar in area in Kiambu County |
