



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, OCTOBER 06, 2015

1. The House assembled at Five O'clock
2. The Proceedings were opened with Prayer
3. **PRESIDING** – the Speaker
4. **MESSAGE FROM H.E. THE PRESIDENT**

The Speaker conveyed the following Message on Referral by H.E. the President of the Excise Duty Bill, 2015 -

“Honourable Members,

You may recall that on August 27, 2015, the National Assembly passed the Excise Duty Bill, 2015. Thereafter, the Bill was presented for Assent to H.E. the President in accordance with the provisions of the Constitution and our Standing Orders. However, H.E. the President, by way of Memorandum, has since referred the Bill back to the National Assembly for reconsideration, pursuant to the provisions of Article 115(1)(b) of the Constitution.

Honourable Members,

H.E. the President has expressed reservations on Part 1 of Paragraph 1 of the First Schedule of the Bill. Consequently, the President has recommended amendments to various items in this schedule relating to fruit juices, cigarettes, motor vehicles and motorcycles.

Honourable Members,

Standing Order 154 requires the National Assembly to consider the President's reservations within 21 days, therefore the Memorandum stands committed to the Departmental Committee on Finance, Planning and Trade for consideration. The Committee should table its report by October 20, 2015. In considering the Memorandum, regard will be given to the guidance given by the Speaker in a Communication delivered on July 28, 2015 concerning consideration of Presidential Memorandum and amendments thereto, particularly my guidance, that amendments by a Committee or an individual Member that have the effect of fully accommodating the Presidential reservations will not attract two thirds requirement for passage.

I wish to remind the House and the Committee that only clauses of the Bill that have reservations will be considered. I also direct the Clerk to circulate the memorandum from H. E. the President to all Members so that you can familiarize yourselves with its contents.

I thank you”.

5. **MESSAGE FROM THE SENATE**

The Speaker conveyed the following Message from the Senate -

“Honourable Members,

Pursuant to the provisions of Standing Order 41(4) relating to **Messages from the Senate**, I wish to report that I have received a Message from the Senate regarding the passage by the Senate of the Food Security Bill (Senate Bill No. 23 of 2014).

The Message states, and I quote -

‘THAT, the Food Security Bill (Senate Bill No. 23 of 2014) was published in the Kenya Gazette Supplement No. 81 of May 30, 2014 as a Bill originating in the Senate and was passed by the Senate on Wednesday, September 16, 2015 with amendments and in the form attached hereto.’

Consequently, and in accordance with the provisions of Article 110 of the Constitution, the Senate now seeks the concurrence of the National Assembly to the said Bill.

Honourable Members, I am aware that the Clerk has circulated the Bill in accordance with our Standing Orders. The Bill may now be scheduled for First Reading after which it shall stand committed to the Budget and Appropriations Committee for consideration in accordance with the provisions of Article 114 of the Constitution. Thereafter, the Bill will stand referred to the Departmental Committee on Agriculture, Livestock and Cooperatives for consideration pursuant to the provisions of Standing Order 127, taking into account the recommendations of the Budget and Appropriations Committee.

Thank you”.

6. **PAPERS LAID**

The following Papers were laid on the Table –

- (i) The Public Finance Management (State Officers and Public Officers Motor Car Loan Scheme Fund) Regulations, 2015;
- (ii) The Annual Report of the Ministry of Information, Communication and Technology for the 2014/2015 Financial Year (pursuant to Article 153(4)(b) of the Constitution);
Annual Report and Financial Statements of Kenya Tourism Board for the year ended 30th June, 2013;
- (iii) The Annual Report and Financial Statements of Bukura Agricultural College for the year ended 30th June, 2014;
- (iv) The Annual Report and Financial Statements of the Sacco Societies Regulatory Authority for the period ended 30th June, 2014;

- (v) The Annual Report and Financial Statements of Kenya Coconut Development Authority for the period ended 31st July, 2014; and,
- (vi) The Annual Report and Financial Statements of Kenya Law Reform Commission for the period ended 30th June, 2015.

(The Deputy Leader of the Majority Party)

- (vii) Reports of the Departmental Committee on Justice and Legal Affairs on its consideration of –
 - The Magistrates' Courts Bill, 2015
 - The Small Claims Court Bill, 2015
 - The High Court Organization and Administration Bill, 2015; and
 - The Court of Appeal Organization and Administration Bill, 2015

(Chairperson, Departmental Committee on Justice and Legal Affairs)

7. **MOTION – ADOPTION OF THE REPORT ON EAST AFRICAN COMMUNITY (EAC) PEACE AND SECURITY PROTOCOL, AND THE MUTUAL PEACE AND SECURITY PACT**

Motion made and Question proposed;

THAT, this House adopts the Report of the Committee on Regional Integration on East African Community (EAC) Peace and Security Protocol and the Mutual Peace and Security Pact, laid on the Table of the House on Wednesday, 29th April, 2015 and pursuant to Section 8 of the Treaty Making and Ratification Act, 2012, **approves** the East African Community (EAC) Peace and Security Protocol and the Mutual Peace and Security Pact.

(Chairperson, Committee on Regional Integration – 27.8.2015)

Debate on the Motion having been concluded on Thursday, October 01, 2015;

Question put and agreed to.

8. **THE MAGISTRATES' COURTS BILL (NATIONAL ASSEMBLY BILL NO.41 OF 2015)**

Order for Second Reading read;

Motion made and Question proposed;

THAT, the Magistrates' Courts Bill (National Assembly Bill No.41 of 2015) be now read a Second Time

(The Deputy Leader of the Majority Party – 01.10.2015)

Debate interrupted on Thursday, October 01, 2015 resumed;

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

(No.97)

TUESDAY, OCTOBER 06, 2015

(875)

9. HOUSE ROSE - at thirty minutes past Six O'clock

M E M O R A N D U M

The Speaker will take the Chair on
Wednesday, October 07, 2015 at 9.30 a.m.

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