



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

TUESDAY, JULY 03, 2018 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 CAPITAL MARKETS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 19 OF 2018)

(The Leader of the Majority Party)

First Reading

9*. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2018)

(The Leader of the Majority Party)

First Reading

10*. THE INSURANCE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2018)

(The Leader of the Majority Party)

First Reading

...../12*

11*. MOTION - REPORT OF THE DEPARTMENTAL COMMITTEE ON LANDS ON THE INQUIRY INTO ALLEGED LAND IRREGULARITIES

(The Chairperson, Departmental Committee on Lands)

THAT, this House adopts the Report of Departmental Committee on Lands on the inquiry into the alleged irregularities in the compensation for part of Land LR. No. 7879/4 to M/s. Afrison Import Export Ltd and Huelands Ltd by the National Land Commission, laid on the Table of the House on Thursday, June 7, 2018, *“subject to –*

- (i) deletion of paragraph 6 of the Recommendations on page 31 of the Report”; and*
- (ii) insertion of the words “and Ethics and Anti-Corruption Commission” immediately after the words “Director of Criminal Investigations” wherever they appear in Recommendations 2, 3, 4 and 5 of the Report.”*

(Motion as amended)

(Resumption of debate interrupted on Thursday, June 28, 2018)

12*. THE COUNTY GOVERNMENTS RETIREMENT SCHEME BILL (NATIONAL ASSEMBLY BILL NO. 10 OF 2018)

(The Leader of the Majority Party)

Second Reading

13*. THE LAND VALUE INDEX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2018)

(The Leader of the Majority Party)

Second Reading

14*. THE WAREHOUSE RECEIPTS SYSTEM BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2018)

(The Leader of the Majority Party)

Second Reading

15*. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2018)

(The Leader of the Majority Party)

Second Reading

**16*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL
(NATIONAL ASSEMBLY BILL NO. 12 OF 2018)**

(The Leader of the Majority Party)

Second Reading

**17*. THE HEALTH LAWS (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILL NO. 14 OF 2018)**

(The Leader of the Majority Party)

Second Reading

**18*. MOTION - REPORT ON THE INQUIRY INTO FOREST
RESOURCE MANAGEMENT AND LOGGING
ACTIVITIES IN KENYA**

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

THAT, this House adopts the Report of the Departmental Committee on Environment and Natural Resources on the Inquiry into Forest Resource Management and Logging Activities in Kenya, laid on the Table of the House on Thursday, May 3, 2018.

*** Denotes Orders of the Day**

...../Notices

N O T I C E S

The House resolved on Wednesday, February 14, 2018 as follows-

- I. **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.

 - II. **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.
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NOTICE PAPER I

Tentative business for

Wednesday (Morning), July 04, 2018

(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 Wednesday (Morning), July 04, 2018:-

A. MOTION – ESTABLISHMENT OF SPORTS ACADEMIES IN EVERY CONSTITUENCY

(The Hon. Osotsi Godfrey, M.P.)

(Question to be put)

B. MOTION – PRIORITIZING RECRUITMENT OF NYS GRADUATES INTO THE DISCIPLINED FORCES

(The Hon. Michael Muchira, M.P.)

(Question to be put)

C. MOTION INSTALLATION OF CCTV CAMERAS IN ALL PUBLIC SECONDARY SCHOOLS

(The Hon. Robert Mbui, M.P.)

(Party-Sponsored motion)

D. MOTION – REVIVAL OF THE CASHEWNUTS SUB-SECTOR IN KENYA

(The Hon. Owen Baya, M.P.)

E. MOTION – PROTECTION OF KENYAN TERRITORIES

(The Hon. John Mbadi, M.P.)

F. THE CONSTITUTION OF KENYA (AMENDMENT) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 5 OF 2018)

(The Hon. Chris Wamalwa, M.P.)

Second Reading

...../Notice Paper II

NOTICE PAPER II

Tentative business for

Wednesday (Afternoon), July 04, 2018

(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 Wednesday (Afternoon), July 04, 2018:-

A. COMMITTEE OF THE WHOLE HOUSE

- (i) The Public Private Partnerships (Amendment) Bill (National Assembly Bill No. 52 of 2017)
(The Leader of Majority Party)
- (ii) The Copyright (Amendment) Bill (National Assembly Bill No. 33 of 2017)
(The Leader of Majority Party)

B. THE LAND VALUE INDEX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2018)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, July 3, 2018)

C. THE WAREHOUSE RECEIPTS SYSTEM BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2018)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, July 3, 2018)

D. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2018)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, July 3, 2018)

**E. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL
(NATIONAL ASSEMBLY BILL NO. 12 OF 2018)**
(The Leader of Majority Party)

Second Reading

(If not concluded on Tuesday, July 3, 2018)

**F. THE HEALTH LAWS (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILL NO. 14 OF 2018)**
(The Leader of Majority Party)

Second Reading

(If not concluded on Tuesday, July 3, 2018)



APPENDIX I

PETITION to be presented on

Tuesday, July 03, 2018

It is notified that, pursuant to Standing Order 225, the following Petition will be presented to the House **today, Tuesday, July 03, 2018:-**

NO.	<u>PETITION TO BE PRESENTED BY</u>	<u>SUBJECT</u>	<u>PETITIONER(S)</u>
	The Hon. Jeremiah Kioni, MP <i>(pursuant to Standing Order 225(2)(a))</i>	De- gazettement of forest land	Residents of Ndaragwa Constituency

APPENDIX II

THE NATIONAL ASSEMBLY

SCHEDULE of Questions for

Tuesday, July 03, 2018

It is notified that pursuant to Standing Orders 191 and 216, the Cabinet Secretaries for Labour and Social Protection; National Treasury and Planning; Transport, Infrastructure, Housing and Urban Development will appear before the following Departmental Committees on Tuesday, July 3, 2018 at the times hereunder:-

<u>Departmental Committee</u>	<u>Cabinet Secretary</u>	<u>Time</u>	<u>Venue</u>
(i) Labour and Social Welfare	<i>Cabinet Secretary for Labour and Social Protection</i>	10.00 am – 11.00 am	<i>Mini Chamber, County Hall</i>
(ii) Finance and National Planning	<i>Cabinet Secretary for National Treasury and Planning</i>	11.00 am – 12.00 noon	<i>Mini Chamber, County Hall</i>
(iii) Transport, Public Works and Housing	<i>Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development</i>	10.00 am -12.00 noon	<i>National Assembly Chamber</i>

The Committees' Agenda has been determined as follows-

AGENDA

1. Prayers
 2. Communication from the Chairperson(s)
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I. QUESTIONS UNDER THE DEPARTMENTAL COMMITTEE ON LABOUR AND SOCIAL WELFARE

Questions to the Cabinet Secretary for Labour and Social Protection:-

- (i) **Question No. 044/2018 by the Member for Gem Constituency (Hon. Elisha Odhiambo, MP):-**

Appreciating that the Older Persons Cash Transfer (OPCT) programme aims at supporting overall poverty reduction of identified vulnerable populations, could the Cabinet Secretary inform the Committee on the number of beneficiaries of the Fund in Gem Constituency, and outline the reasons for frequent delays in the transfer of the said funds to the beneficiaries in Gem Constituency?

(ii) Question No. 047/2018 by the Member for Rabai Constituency (Hon. Kamoti Mwamkale, M.P.):-

Aware that the Labour Institutions Act, 2007 provides for regulation of minimum wages; further aware that Section 43 of the Act gives the Cabinet Secretary responsible for Labour the power to establish the General Wages Council and the Agricultural Wages Council whose mandate is provided for in Section 44; and noting that the Cabinet Secretary uses the recommendations of the respective Councils to make Regulation of Wages Orders, Could the Cabinet Secretary inform the Committee on the following:

- (a) Whether draft Regulation of Wages (General) (Amendment) Order, 2017 made on 16th May, 2017 (L.N. 112/2017) were published and circulated before Gazettement as provided for under Section 45 of the Labour Institutions Act, 2007?
- (b) Whether the Ministry made appropriate consultations on the Regulations before making the said Regulations as provided for under Section 5 of the Statutory Instruments Act, 2013?
- (c) Whether the Cabinet Secretary complied with the provisions of Labour Institutions Act, 2007, and the Statutory Instruments Act, 2013 when making Regulations?
- (b) Why the said Regulations legalizes discrimination in the basic salaries for employees doing similar jobs but who reside in different towns?

II. QUESTIONS UNDER THE DEPARTMENTAL COMMITTEE ON FINANCE AND NATIONAL PLANNING

Questions to the Cabinet Secretary for the National Treasury and Planning:

(i) Question No. 026/2018 by the Member for Molo Constituency (Hon. Kimani Kuria, MP):-

Could the Cabinet Secretary apprise the Committee on the existence of Crypto-currency (Bitcoins) in Kenya; provide the identity of the founders of the currency and how it operates in the financial markets; and further explain to the Committee the regulations, if any, on the said currencies and the risks associated with crypto-currency?

(ii) Question No. 038/2018 by the Nominated Member (Hon. Gideon Keter, MP):-

Considering that section 157 of the Public Procurement and Disposal Act, 2015 provides that every procuring entity shall ensure that at least thirty (30) percent of its procurement value in every financial year is allocated to the youth, women and persons with disability; that, an accounting officer of a procuring entity shall, when processing procurement, reserve a prescribed percentage of its procurement budget, which shall not be less than thirty (30) percent, to the disadvantaged group and comply with the provisions of the Act and the regulations in respect of preferences and reservations; and, that, the Public Procurement Regulatory Authority shall make a report to Parliament after every six months for consideration by the relevant Committee responsible for equalization of opportunities for youth, women and persons with disability, which report shall contain details of the procuring entities and how they have complied with the provisions of this section, could the Cabinet Secretary for National Treasury inform the Committee on the compliance status to the said provisions of the Act, the number of disadvantaged groups that have benefited since the operationalization of the Act, and challenges faced in implementing the Act.

(iii) Question No. 039/2018 by the Nominated Member (Hon. Godfrey Osotsi, MP):-

Considering that Project Management tools are available in the management of projects to assist in accomplishing tasks and executing responsibilities of projects effectively and efficiently both in the public and private sectors; and aware that most projects in the Country are implemented without due regard to nationally accepted operating standards occasioning massive waste of funds in both the public and private sectors; could the Cabinet Secretary apprise the Committee on the measures the Government has put in place to ensure best project management practices in projects to guarantee accountability, timely delivery and value for money in both private and public sectors? Could the Cabinet Secretary also apprise the Committee as to whether there exists a Standardized Project Management Framework in the Country to guide efficient and effective management of Projects?

III. QUESTIONS UNDER THE DEPARTMENTAL COMMITTEE ON TRANSPORT, PUBLIC WORKS & HOUSING

Questions to the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development:

- (i) **Question No. 032/2018 by the Member for Teso South Constituency (Hon. Geoffrey Omuse, MP): -**

Could the Cabinet Secretary inform the Committee when the tarmacking of the Busia–Malaba Road, launched by His Excellency the President Uhuru Kenyatta in 2016 is expected to commence, and when is the project expected to be completed?

- (ii) **Question No. 043/2018 by the Member for Ruiru Constituency (Hon. Simon King'ara, MP): -**

Recognizing that motorcycles are a popular means of transport across the country due to their flexibility; and concerned that this mode of transport has become a safety and security concern that requires urgent attention owing to among other reasons, the total disregard of traffic rules and regulations on the roads and which has resulted in high number of accidents, could the Cabinet Secretary inform the Committee on the measures the Ministry has put in place, if any, to ensure strict adherence and implementation of motor cycle regulations to ensure order in the sector?

- (iii) **Question No. 041/2018 by the Member for Gem Constituency (Hon. Elisha Odhiambo, MP):-**

Could the Cabinet Secretary inform the Committee on the status of the proposed upgrading to bitumen standards of the Kodega-Wagai Road in Gem Constituency which was launched and tenders for its construction awarded to contractors in 2016? Could the Cabinet Secretary also inform the Committee when the proposed project is expected to be completed?

- (iv) **Question No. 053/2018 by the Member for Bonchari Constituency (Hon. John Oroo Oyioka, MP):-**

Appreciating that the rehabilitation, expansion and commissioning of Suneka Airstrip will speed up economic growth in the area through agri-business, opening up of tourism sites such as the South Mogirango Soapstones and cultural heritage in Kisii, Nyamira and Narok Counties, could the Cabinet Secretary apprise the Committee on the status of the project? Could the Cabinet Secretary provide timelines when the project is envisaged to be completed and officially commissioned?

(v) Question No. 063/2018 by the Member for Mandera East Constituency (Hon. Omar Mohamed Maalim, MP):-

Is the Cabinet Secretary aware that Mandera Town has a small airstrip? Further aware that there are daily flights operating in this airfield; deeply concerned that the aircrafts utilize the whole runway during takeoff and landing, thus there is lack of adequate clearway and stop-way in an event of aircraft emergencies and abort takeoff; could the Cabinet Secretary apprise the committee on the following:-

- (a) What is the Pavement Category Number (PCN) for Mandera Town Military Airstrip?
 - (b) What aircraft type was designed for the PCN for this airstrip?
 - (c) What is the role of the regulators and in particular the Kenya Civil Aviation Authority (KCAA) on the use of such airfield?
 - (d) What measures is the Ministry putting in place to provide alternative airstrip that can accommodate the needs of the people of Mandera County? And further, stop flights which do not meet the PCN of this Mandera Town Military Airstrip for safety reasons?
 - (e) How many such airstrips are operational in the Country and why is such unsafe airfield operations allowed?
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