



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

TUESDAY, JULY 28, 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*. THE LEGAL AID BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2015)

(The Leader of the Majority Party)

First Reading

9*. THE COMPANIES BILL (NATIONAL ASSEMBLY BILL NO. 22 OF 2015)

(The Leader of the Majority Party)

Second Reading

(Resumption of debate interrupted on Thursday, July 09, 2015 - Morning Sitting)

10*. MOTION – RATIFICATION OF THREE EAST AFRICAN PROTOCOLS ON DEFENCE MATTERS

(The Chairperson, Committee on Defence and Foreign Relations)

THAT, this House adopts the Report of the Departmental Committee on Defence and Foreign Relations on a Protocol, Pact and Agreement relating to Defence Affairs, laid on the Table of the House on Tuesday, 7th July, 2015; and pursuant to Section 8 of the Treaty Making and Ratification Act, 2012, **approves** the ratification of:

- (i) The East African Community Protocol on Cooperation in Defence Affairs;
- (ii) The Mutual Defence Pact between the Republic of Kenya, Uganda and Rwanda; and
- (iii) The Agreement on the Establishment of the Eastern Africa Standby Force.

(Resumption of debate adjourned on Thursday, July 09, 2015 – Afternoon Sitting)

11*. 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.

12*. MOTION – THE ADOPTION OF SESSIONAL PAPER NO. 3 OF 2013

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

THAT, this House adopts the Sessional Paper No. 3 of 2013 on the National Productivity Policy, laid on the Table of the House on Wednesday, July 17, 2013.

13*. MOTION – THE ADOPTION OF SESSIONAL PAPER NO. 4 OF 2013

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

THAT, this House adopts the Sessional Paper No. 4 of 2013 on the Employment Policy and Strategy for Kenya, laid on the Table of the House on Tuesday, September 17, 2013.

14*. 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.

15*. 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.

16*. 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.

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.

N O T I C E S

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

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

Wednesday (Morning), July 29, 2015

(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 29, 2015:-

A. THE BIOMEDICAL ENGINEERS BILL (NATIONAL ASSEMBLY BILL NO. 37 OF 2015)

(The Hon. Stephen Mutinda Mule, M.P.)

First Reading

B. THE CONSTITUTION OF KENYA (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 01 OF 2015)

(The Hon. David O. Ochieng, M.P.)

Second Reading

C. THE CONSTITUTION OF KENYA (AMENDMENT) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 02 OF 2015)

(The Hon. George Kaluma, M.P.)

Second Reading

D. MOTION - PERIOD OF SERVICE FOR POLICE OFFICERS AFTER COMPLETION OF SPECIALIZED TRAINING

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

(Resumption of debate interrupted on Wednesday, July 08, 2015 - Morning Sitting)

(Balance of time – 2hr 10 mins)

E. MOTION - DECLARATION OF CATTLE RUSTLING AS A NATIONAL DISASTER & ESTABLISHMENT OF A SPECIAL FUND FOR VICTIMS

(The Hon. William Cheptumo, M.P.)

F. MOTION - FIREARMS TRACKING AND REGISTRATION SYSTEM

(The Hon. (Dr.) Victor Munyaka, M.P.)

G. MOTION - DEVELOPMENT OF A NATIONAL CURRICULUM FOR EMERGENCY TRAINING OF MEDICAL PERSONNEL

(The Hon. Dr. Susan Musyoka, M.P.)

H. MOTION - ENGAGEMENT OF THE NATIONAL YOUTH SERVICE IN CONSTRUCTION OF DAMS

(The Hon. Joe Musyimi Mutambu, M.P.)

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APPENDIX

THE NATIONAL ASSEMBLY

SCHEDULE of Questions for

Tuesday, July 28, 2015

It is notified that, pursuant to Standing Orders 191 and 216, the Cabinet Secretaries for Health; Devolution and Planning; and Interior and Co-ordination of National Government; will appear before the following Departmental Committees on Tuesday, July 07, 2015 at the times hereunder:-

<u>Departmental Committee</u>	<u>Cabinet Secretary</u>	<u>Time</u>	<u>Venue</u>
(i) Health	<i>Cabinet Secretary for Health</i>	10.00 - 11.30 am	<i>The Mini Chamber, County Hall</i>
(ii) Finance, Planning and Trade	<i>Cabinet Secretary for Devolution and Planning</i>	11.30 am – 12.30pm	<i>The Mini Chamber, County Hall</i>
(iii) Administration and National Security;	<i>Cabinet Secretary for Interior and Coordination of National Government</i>	10.00am - 12.300 pm	<i>The National Assembly Chamber</i>

The Committees' Agenda has been determined as follows-

AGENDA

(Published pursuant to Standing Order 170E (2))

1. Prayers
2. Communication from the Chairperson(s)

I. Questions under the Departmental Committee on Health

Questions to the Cabinet Secretary for Health

(i) Question No. 160/2015 by the Member for Malindi Constituency (The Hon. Dan Kazungu, M.P.):

Could the Cabinet Secretary inform the Committee that the Managed Medical Equipment kits that were unveiled at the Machakos Level 5 Hospital in Machakos County were meant for Malindi Hospital in Kilifi County; and further confirm whether the Malindi Hospital has

been granted level five hospital status against the will of the Kilifi County Government who wish it to remain a level four hospital facility?

(ii) Question No. 161/2015 by the Member for Runyenjes Constituency (The Hon. Cecily Mbarire, M.P.): -

Could the Cabinet Secretary inform the Committee the legal framework on which the recent increase in NHIF rates is based, the rationale behind the decision to hike the charges, and plans, if any, to review this decision considering that most ordinary citizens in the informal sector including farmers and self-employed persons are unable to afford these punitive charges thus reversing gains in healthcare since the disease- burden will increase?

(iii) Question No. 162/2015 by the Member for Kiharu Constituency (The Hon. Irungu Kangata, M.P.): -

Considering that Article 46 (1)(c) of the Constitution stipulates that consumers have the right to the protection of their health and safety, could the Cabinet Secretary inform the Committee on the measures being implemented by the Ministry in protecting Kenyans from foods that are unfit for human consumption, and in particular, apprise the Committee on the safety standards of meat processed and distributed by various outlets in the country, including Kenchic Company, bearing in mind that the consumption of chicken is on the rise?

(iv) Question No. 163/2015 by the Member for Embakasi North Constituency (The Hon. James Mwangi Gakuya, M.P.): -

Could the Cabinet Secretary inform the Committee the status of the implementation of the World Health Organization Framework for Tobacco Control (WHO-FCTC) which Kenya ratified on 24th June 2004; provide the status of the implementation of the WHO Convention vis-à-vis the apparent omission of enforcement of offences against non-smokers in the Tobacco Control Regulations 2014; apprise the Committee on whether the right to clean environment and health of non-smokers provided for in Section 32 of the Tobacco Control Act have been observed to the letter; and detail the relationship between the tobacco industry and public health policy makers?

II. Questions under the Departmental Committee on Finance, Planning and Trade

Questions to the Cabinet Secretary for Devolution and Planning

(i) Question by Private Notice No. PVT/07/15 by the Member for Bura Constituency (The Hon. Ali Wario, M.P.): -

Could the Cabinet Secretary inform this Committee why the Hola-Garsen Road has not been constructed yet the Ministry, through the National Youth Service, was allocated 648 million shillings in the 2014/2015 financial year for the construction of the said road; why the money was reallocated to another project; and whether due process was followed during reallocation considering the National Assembly was not involved in the process?

(ii) Question No. 107/2015 by the Leader of the Majority Party and Member for Garissa Township Constituency (The Hon. Aden Duale, EGH, M.P.):

Could the Cabinet Secretary apprise the Committee on the number of vulnerable people in need of food aid in Garissa County; the name of agencies/entities that identify such people; reasons behind Garissa Township Constituency being left out of the Protracted Relief and Recovery Operations (PRRO) implemented by the World Food Programme (WFP) through Implementing Partners in Arid and Semi-Arid Land (ASAL) Counties; the identity of the agencies that undertook distribution of food aid in Garissa County since the introduction of Emergency Food Aid Programme (EMOP) in late 1990s and the other phases of Protracted Relief and Recovery Operation (PRRO) together with the identity of the current distributors; the mechanisms through which the distribution partner was identified in both the previous and current phases; the role of the County Steering Group (CSG) and the elected representatives in the food aid programme; the budgetary provision for the county PRRO programme; the number of staff that the programme has; the terms of employment for the different cadres of the programme staff including tenure and remuneration per month for WFP, GOK and implementing partners; the role of the Community Food Aid Committee together with the measures it has in place to avoid food diversion; the extent to which a humanitarian organization that is a non-profit making entity can fully engage in commercial activities; and finally shed light on whether part of the PRRO funding has been diverted to commercial activities?

(iii) Question No. 049/2015 by the Member for Laikipia North Constituency (The Hon. (Matthew Lempurkel, M.P.):

Could the Cabinet Secretary explain to the Committee why Laikipia North Constituency neither benefits from the World Food Programme (WFP) nor from the Government Special programmes despite being a semi-arid area with over 60,000 women and children being affected by perennial food shortages?

II. Questions under the Departmental Committee on Administration and National Security

Questions to the Cabinet Secretary for Interior and Coordination of National Government

(i) Question by Private Notice No. PVT/08/15 by the Member for Wajir County (The Hon. Fatuma Ibrahim, M.P.):

Could the Cabinet Secretary apprise this Committee the rationale that informed the construction of a security wall along the Kenya- Somalia border; whether the locals were involved before arriving at the decision considering they are pastoralists and keep crossing the border in search for water and pasture; the estimated total cost of the project; the expected commencement and completion date; and whether this is the best option in securing Kenya and her citizens while maintaining friendly relations with her neighbours?

(ii) Question No. 024/2014 by the Member for Msambweni Constituency (The Hon. Suleiman Dori, M.P.):

The Cabinet Secretary explain to the Committee measures taken by the Government to ensure that all eligible Kenyan obtain passports upon application in line with Article 12(1)(b) of the Constitution, including harmonizing fees payable by new applicants, renewals and replacement of lost passports?

(iii) Question No. 032/2014 by the Member for Marsabit County (The Hon. Nasra Ibren, M.P.):

Could the Cabinet Secretary inform the Committee on the measures the government has put in place to protect the religious rights of all citizens, and in particular the plans to tackle discrimination against members of the Muslim faith applying for passports which range from undergoing rigorous processes to the demand for the removal of veils by Muslim women during photo-taking?

(iv) Question No. 019/2015 by the Member for Wajir South Constituency (The Hon. Mohamed Diriye, M.P.):

Could the Cabinet Secretary inform the Committee on plans in place to effectively facilitate the issuance of national identity cards and related documents to Kenyans as envisaged in Article 12 (1) of the Constitution and in the light of the National Assembly's recent resolution asking the Government to urgently register all eligible citizens; the Government's short and long-term plans for tackling the refugee problem, and clarify on the policy for repatriation of refugees?

(v) Question No. 025/2014 by the Member for Kirinyaga Central Constituency (Hon. Joseph Gitari, M.P.):

Could the Cabinet Secretary provide the Committee with details of all the vehicles leased by the Government for purposes of administration, the list of beneficiary Sub-counties in the financial year 2013/2014 and indicate the timeline by which all sub counties will be supplied with vehicles to assist in administration?

(vi) Question No. 026/2014 by the Member for Kirinyaga Central Constituency (The Hon Joseph Gitari, M.P.):

Could the Cabinet Secretary explain the progress made on the investigations regarding the 2012 killings of 42 police officers by bandits in Baragoi, Samburu County and confirm whether the remains of the deceased were recovered including those of one Charles Maina Kagera, P/NO 2007081659, F/NO 91171?

(vii) Question No. 035/2014 by the Member for Kiambu County (The Hon. Annah N. Gathecha, M.P.):

Could the Cabinet Secretary inform the Committee on the Government's blueprint for social order in urban areas, particularly in light of the alleged rounding-up and subsequent killings of hawkers in towns by security apparatus, including County *Askaris*, the measures the Government has put in place to safeguard the lives of hawkers in urban areas and the arrangements in place to prosecute the culprits?

(viii) Question No. 036/2014 by the Member for Matayos Constituency (The Hon. Geoffrey Odanga, M.P.):-

Could the Cabinet Secretary apprise the Committee on the plans the Government has put in place to facilitate police patrols in the entire country to enable officers perform their duties effectively, and in particular, why the entire Matayos Division of Busia Sub-County does not have a single police patrol vehicle?
