



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

TUESDAY, MARCH 15 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*. MOTION - THE REPORT ON THE MEDIATED VERSION OF THE MINING BILL, 2014

(The Chairperson, Mediation Committee on the Mining Bill, 2014)

THAT, pursuant to the provisions of Article 113 (2) of the Constitution and Standing Order 150, this House adopts the Report of the Mediation Committee on the Mining Bill, 2014 laid on the Table of the House, Tuesday, 8th March 2016, and **approves** the mediated version of the Mining Bill (National Assembly Bill No. 9 of 2014).

(Question to be put)

9*. COMMITTEE OF THE WHOLE HOUSE

- (i) The Protection of the Traditional Knowledge and Traditional Cultural Expressions Bill (National Assembly Bill No. 48 of 2015)
(The Leader of the Majority Party)
- (ii) The Petroleum (Exploration, Development and Production) Bill (National Assembly Bill No. 44 of 2015)
(The Leader of the Majority Party)

10** . THE LAND LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 55 OF 2015)

(The Leader of the Majority Party)

Second Reading

(Resumption of debate adjourned on Thursday, March 10, 2016 – Afternoon Sitting)

11* . THE WAREHOUSE RECEIPTS SYSTEM BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2015)

(The Leader of the Majority Party)

Second Reading

(Resumption of debate adjourned on Thursday, March 10, 2016 – Afternoon Sitting)

12** . THE SEEDS AND PLANT VARIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 43 OF 2015)

(The Leader of the Majority Party)

Second Reading

13* . THE KENYA ROADS BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2015)

(The Leader of the Majority Party)

Second Reading

14* . THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2015)

(The Leader of the Majority Party)

Second Reading

15* . THE MISCELLANEOUS FEES AND LEVIES BILL (NATIONAL ASSEMBLY BILL NO. 30 OF 2015)

(The Leader of the Majority Party)

Second Reading

16* . THE KENYA DEFENCE FORCES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 41 OF 2015)

(The Leader of the Majority Party)

Second Reading

* Denotes Orders of the Day
**Denotes Bill with Constitutional Timeline

N O T I C E S

I. THE PROTECTION OF THE TRADITIONAL KNOWLEDGE AND TRADITIONAL CULTURAL EXPRESSIONS BILL (NATIONAL ASSEMBLY BILL NO. 48 OF 2015)

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs, intends to move the following amendments to the Protection of Traditional Knowledge and Traditional Cultural Expressions Bill, 2015 (National Assembly Bills No. 48) at the Committee Stage —

CLAUSE 2

THAT clause 2 of the Bill be amended—

- (a) by deleting the definition of the term “artistic works”;
- (b) by deleting paragraph (d) appearing in the definition of “traditional cultural expressions” and substituting therefor the following new paragraph—

“(d) tangible expressions, including productions of art, drawings, etchings, lithographs, engravings, prints, photographs, designs, paintings, including body-painting, carvings, sculptures, pottery, terracotta, mosaic, woodwork, metal ware, jewellery, basketry, pictorial woven tissues, needlework, textiles, glassware, carpets, costumes; handicrafts; musical instruments, maps, plans, diagrams architectural buildings, architectural models; and architectural forms;”

CLAUSE 3

THAT clause 3 of the Bill be amended by inserting the words “promote positive traditional culture that is not repugnant to justice and morality and” immediately after the words “cultural expressions shall”

CLAUSE 5

THAT clause 5 of the Bill be amended in sub-clause (1) —

- (a) by inserting the words “at the Kenya Copyright Board” immediately after the words “maintenance of the Repository.”
- (b) by deleting the words “and conservation” appearing in paragraph (b);
- (c) by deleting paragraph (d).

CLAUSE 7

THAT clause 7 of the Bill be amended in sub-clause (6) by deleting the words “national government” and substituting therefor the words “Kenya Copyright Board”

CLAUSE 8

THAT clause 8 of the Bill be amended in sub-clause (3) by inserting the words “ in consultation with the relevant county government” immediately after the words “national government shall.”

CLAUSE 10

THAT clause 10 of the Bill be amended in sub-clause (3) by deleting the words “which shall provide for such matters as the Cabinet Secretary may prescribe” and substituting therefor the words “prescribing the procedures for the authorization of the exploitation of their traditional knowledge”.

CLAUSE 18

THAT clause 18 of the Bill be amended—

- (a) in sub-clause (4) by inserting the words “in consultation with county governments” immediately after the words “The national government.”
- (b) in sub-clause (6) by inserting the words “in consultation with county governments” immediately after the words “The Cabinet Secretary.”
- (c) in sub-clause (7) by inserting the words “in consultation with county governments” immediately after the words “The Cabinet Secretary.”

II. THE PETROLEUM (EXPLORATION, DEVELOPMENT AND PRODUCTION) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2015)

- 1) Notice is given that the Chairperson of the Departmental Committee on Energy, Communication and Information intends to move the following amendments to the Petroleum (Exploration, Development and Production) Bill, 2015 (National Assembly Bills No. 44) at the Committee Stage—

CLAUSE 2

THAT, clause 2 of the Bill be amended—

- (a) by deleting the definition of the term “petroleum agreement” and substituting therefor the following new definition—

“petroleum agreement” means any agreement, license, contract or other arrangement between the Government and a contractor to conduct upstream petroleum operations in accordance with the provisions of this Act, and may include —

- (a) production sharing contracts;
- (b) concession agreements; and
- (c) service contracts;

- (b) by inserting the following new definitions in proper alphabetical sequence—

“commercial field” means a geological structure or feature which hosts one or more reservoirs from which petroleum production may be commercially undertaken through a defined set of facilities”;

“common user facility” means petroleum infrastructure owned and maintained by any person which may be used by third parties”;

“community land” has the meaning assigned to it under Article 63 of the Constitution;

“compulsory acquisition” has the same meaning as assigned to it under the Land Act, 2012;

“contract area” means a block in respect of which a contractor has entered into a petroleum agreement with the Government to conduct upstream petroleum operations;

“private land” has the meaning assigned to it under Article 64 of the Constitution;

“public land” has the meaning assigned to it under Article 62 of the Constitution;

“unitization agreement” means an agreement between contractors, who hold separate petroleum agreements on blocks that are adjacent or contiguous to each other for

purposes of joint development or production of petroleum from a field straddling two or more different contract areas”

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CLAUSE 8

THAT, clause 8 of the Bill be amended in subclause (3) by inserting the words “on its own” immediately before the words “through the” appearing in paragraph (a);

CLAUSE 10

THAT, clause 10 of the Bill be amended—

- (a) in sub-clause (1) by inserting the words “and the petroleum agreement” immediately after the words “in accordance with this Act” appearing in paragraph (h);
- (b) in sub-clause (5) by inserting the words “ to carry out his or her duties under this Act” immediately after the words “and assistance”;
- (c) in sub-clause (6) by deleting the closing paragraph appearing immediately after paragraph (b) and substituting therefor the following new closing paragraph—
“commits an offence and shall on conviction be liable to a fine not exceeding twenty million shillings or to imprisonment for a term not exceeding five years or to both”.

CLAUSE 12

THAT, clause 12 of the Bill be amended in sub-clause (2) by inserting the following new paragraph immediately after paragraph (h) —

“(hh) a representative of the Council of Governors.”

CLAUSE 15

THAT, clause 15 of the Bill be amended by deleting paragraph (a) and substituting therefor the following new paragraph (a)—

“(a) regulate, monitor and supervise upstream petroleum operations in Kenya in accordance with this Act, the regulations made thereunder and the relevant petroleum agreement”.

CLAUSE 16

THAT, clause 16 of the Bill be amended in sub-clause (1) —

- (a) by deleting the words “being not less than ten thousand shillings” appearing in paragraph (m) and substituting therefor the words “not exceeding five hundred thousand shillings”;
- (b) by deleting the words “National Transparency and Accountability Standards” appearing in paragraph (p) and substituting therefor the words “national values and principles”.

CLAUSE 17

THAT, clause 17 of the Bill be amended in sub-clause (2) —

- (a) by inserting the words “any of the following fields” immediately after the words “ Kenya in” appearing in paragraph (b);

- (b) by inserting the following new sub-paragraph immediately after subparagraph (vi) —
“(vii) any other relevant degree”.

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CLAUSE 34

THAT, clause 34 of the Bill be amended—

- (a) in sub-clause (5) by deleting the words “of not less than five hundred thousand shillings or to a term of imprisonment of not less than six months or both” and substituting therefor the words “not exceeding one million shillings or to imprisonment for a term not exceeding two years or to both”;
- (b) in sub-clause (6) by deleting the words “of not less than five thousand shillings” and substituting therefor the words “not exceeding one hundred thousand shillings”.

CLAUSE 43

THAT, clause 43 of the Bill be amended in subclause (4) by deleting the words “of not less than ten million shillings or to a term of imprisonment of not less than two years or both” and substituting therefor the words “not exceeding twenty million shillings or to imprisonment for a term not exceeding ten years or to both”.

CLAUSE 44

THAT, clause 44 of the Bill be amended—

- (a) in sub-clause (1) by deleting the word “contractor” appearing in the proviso and substituting therefor the word “person”;
- (b) in sub-clause (2) by deleting the word “contract” and substituting therefor the words “petroleum agreement”.

CLAUSE 49

THAT, clause 49 of the Bill be amended in sub-clause (6) by deleting the words “of not less than ten million or to a term of imprisonment of not less than ten years or both” and substituting therefor the words “not exceeding ten million shillings or to imprisonment for a term not exceeding ten years or to both”.

CLAUSE 51

THAT, clause 51 of the Bill be amended in sub-clause (8) by deleting the words “of not less than ten million shillings or to a term of imprisonment of not less than two years or both” and substituting therefor the words “not exceeding ten million shillings or to imprisonment for a term not exceeding five years or to both”.

CLAUSE 54

THAT, clause 54 of the Bill be amended in subclause (3) by deleting the words “penalty of not less than twenty million shillings” and substituting therefor the words “fine not exceeding twenty million shillings or to imprisonment for a term not exceeding five years or to both”.

CLAUSE 55

THAT, clause 55 of the Bill be amended—

(a) in sub-clause (1) by deleting the word “of” appearing immediately after the words “a notice” and substituting therefor the word “within”;

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(b) in sub-clause (2) by deleting the words “close or” appearing immediately after the words “Authority to”;

(c) in sub-clause (3) by deleting the words “of not less than twenty million shillings or to a term of imprisonment of not less than five years or both” and substituting therefor the words “not exceeding twenty million shillings or to imprisonment for a term not exceeding ten years or to both”.

CLAUSE 57

THAT, clause 57 of the Bill be amended—

(a) in sub-clause (3) by deleting the words “which shall advise the Cabinet Secretary for approval” and substituting therefor the words “in accordance with the petroleum agreement”;

(b) by inserting the following new sub-clause immediately after sub-clause (3)—

“(3A) The Authority shall advise the Cabinet Secretary before approval of the field development plan”.

CLAUSE 58

THAT, clause 58 of the Bill be amended—

(a) in sub-clause (1) by deleting the words “upon a declaration of commerciality by the contractor, and the submission adoption and approval of the Field Development Plan, submit to Parliament the Field Development Plan for ratification” and substituting therefor the words “within thirty days submit to Parliament for

(b) ratification all production sharing contracts entered into pursuant to this Act and regulations made under this Act”;

(c) in sub-clause (2) —

(i) by deleting the words “the Field Development Plan” appearing immediately after the words “receipt of” in the opening paragraph and substituting therefor the words “the production sharing contract”;

(ii) in paragraph (a) by deleting the words “Field Development Plan” and substituting therefore the words “ production sharing contract”;

(iii) in paragraph (b) by deleting the words “Field Development Plan” and substituting therefore the words “production sharing contract”; and

(d) in sub-clause (4) by deleting the words “Field Development Plan” and substituting therefor the words “ production sharing contract”.

CLAUSE 62

THAT, clause 62 of the Bill be amended in sub-clause (2) by deleting the words “of not less than twenty million shillings or to imprisonment for a term of not less than five years” and substituting therefor the words “not exceeding twenty million shillings or to imprisonment for a term not exceeding five years”.

CLAUSE 63

THAT, clause 63 of the Bill be amended in sub-clause (1) by deleting the word “two” appearing immediately after the words “Cabinet Secretary within” and substituting therefor the word “seven”.

CLAUSE 70

THAT, clause 70 of the Bill be amended in sub-clause (3) by deleting the words “not less than ten million shillings or imprisonment for a term not exceeding two years or both” and substituting therefor the words “not exceeding twenty million shillings or to imprisonment for a term not exceeding five years or to both”.

CLAUSE 76

THAT, clause 76 of the Bill be amended in subclause (2) by deleting the word “person” and substituting therefor the word “contractor”.

CLAUSE 87

THAT, clause 87 of the Bill be amended in subclause (5) by deleting the words “of not less than ten million shillings or imprisonment of not less than five years or both” and substituting therefor the words “not exceeding one hundred million shillings or to imprisonment for a term not exceeding fifteen years or to both”.

CLAUSE 89

THAT, clause 89 of the Bill be amended in subclause (4) by deleting the words “of not less than one hundred million shillings or a jail term of not less than five years or both” and substituting therefor the words “not exceeding one hundred million shillings or a imprisonment for a term not exceeding fifteen years or to both”.

CLAUSE 113

THAT, clause 113 of the Bill be amended in sub-clause (1) by deleting the words “of not less than one hundred million shillings, or to a term of imprisonment for a term not less than fifteen years, or to both” appearing in the closing paragraph immediately after paragraph (e) and substituting therefor the words “not exceeding one hundred million shillings or to imprisonment for a term not exceeding fifteen years or to both”.

- 2) Notice is given that the Member for Kibwezi (Hon. (Dr.) Patrick Mweu Musimba), intends to move the following amendments to the Petroleum (Exploration and Development and Production) Bill 2015 (National Assembly Bills No.44) at the Committee Stage—

CLAUSE 17

THAT, clause 17 of the Bill be amended in sub-clause (1) by deleting paragraph (e) and substituting therefor the following new paragraph—

“(e) five other members appointed by the Cabinet Secretary from persons nominated by the top governance organs of each of the following bodies—

- (i) the Consumers Federation of Kenya;
- (ii) the Law Society of Kenya;
- (iii) the Petroleum Industry Association of Kenya;
- (iv) the Kenya Private Sector Alliance; and
- (v) the National Environment Management Authority.

CLAUSE 24

THAT, clause 24 of the Bill be amended in sub-clause (2) by inserting the words “to the Authority” immediately after the words “made against him or her” appearing in paragraph (a).

CLAUSE 34

THAT, clause 34 of the Bill be amended in sub-clause (1) by inserting the words “and further upon issuance of sufficient notice” immediately after the words “of appointment” appearing in the opening paragraph.

CLAUSE 37

THAT, the Bill be amended by deleting clause 37.

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

- 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 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.
- IV. **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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NOTICE PAPER I

Tentative business for

Wednesday (morning), March 16, 2016

(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), March 15, 2016:-

A. COMMITTEE OF THE WHOLE HOUSE

The Health Records and Information Managers Bill (National Assembly Bill No. 24 of 2015)
(The Hon. Agostinho Neto, M.P.)

B. THE BANKING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.62 OF 2015)

(The Hon. Jude Njomo, M.P.)

Second Reading

(Resumption of debate interrupted on Thursday, March 10, 2016 – Morning Sitting)

(Balance of time – 22 minutes)

C. MOTION – ACCESSIBILITY TO PUBLIC BUILDINGS BY PERSONS WITH DISABILITY

(The Hon. Isaac M. Mwaura, M.P.)

(Resumption of debate interrupted on Wednesday, February 17, 2016 – Morning Sitting)

(Balance of time – 45 minutes)

(Motion as amended)

D. MOTION – DECENTRALIZATION OF REGISTRATION OF NATIONAL IDENTIFICATION CARDS

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

(Resumption of debate interrupted on Wednesday March 02, 2016 – Morning Sitting)

(Balance of time – 20 minutes)

(Motion as amended)

E. MOTION - ALLOWING PERSONS WITH SERIALIZED WAITING CARDS TO REGISTER AS VOTERS

(The Hon. Ferdinand Wanyonyi, MP)

F. THE CONSTITUTION OF KENYA (AMENDMENT) (NO.5) BILL (NATIONAL ASSEMBLY BILL NO. 56 OF 2015)

(The Hon. (Eng.) Nicolas Gumbo, M.P.)

Second Reading

...../Notice Paper II

NOTICE PAPER II

Status of Business before Committees

Wednesday (Afternoon) March 16, 2016

In accordance with the Speaker's Communication of Wednesday, October 14, 2015, it is notified that, during the Sitting of ***Wednesday, March 16, 2016 (Afternoon)***, the Chairpersons of the following Committees will be called upon to apprise the House on the Status of the Business pending before their respective Committees:-

- A. Mediation Committee on the Statute Law (Miscellaneous Amendments) (No.2) Bill (National Assembly Bill No. 33 of 2013)**
 - B. Committee on Delegated Legislation**
 - C. Departmental Committee on Defence and Foreign Relations**
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APPENDIX

THE NATIONAL ASSEMBLY

SCHEDULE of Questions for

Tuesday, March 15, 2016

It is notified that, pursuant to Standing Orders 191 and 216, the Cabinet Secretaries *for Cabinet Secretaries for Land, Housing and Urban Development; The National Treasury; and Education, Science and Technology* will appear before the following Departmental Committees on Tuesday, March 08, 2016 at the times hereunder:-

<u>Departmental Committee</u>	<u>Cabinet Secretary</u>	<u>Time</u>	<u>Venue</u>
(i) Committee on Lands	<i>Cabinet Secretary for Land, Housing and Urban Development</i>	10.00 - 11.30 am	<i>The Mini Chamber, County Hall</i>
(ii) Committee on Finance, Planning and Trade	<i>Cabinet Secretary for the National Treasury</i>	11.30am – 12.30 pm	<i>The Mini Chamber, County Hall</i>
(iii) Committee on Education, Research and Technology	<i>Cabinet Secretary Education, Science and Technology</i>	10.00 - 11.30 am	<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 Lands

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

- (i) Question No. 142/2015 by the Member for Saboti (The Hon. David Wafula, MP):**
Considering that the majority of land owners including public institutions such as schools and health centres do not possess title deeds for their respective lands in Trans Nzoia County, could the Cabinet Secretary provide details of all land owners with and without title deeds for the land they own in the County, explain reasons behind the failure by the Government to issue these vital documents for so long and further provide timelines by which the Government will issue title deeds to all rightful land owners in the County?
- (ii) Question No. 143/2015 by the Member for Buuri (The Hon. Kinoti Gatobu, MP):**
Could the Cabinet Secretary apprise Members on the reasons why Mr. M'Thuranira M'Twarichia Kamoi of Identity Card Number 0978294 and Personal Number 96982 received only his Lump Sum Pension upon retirement in 1987 from the Ministry of Works, Housing and Urban Planning but never receives his monthly Pension Payments?
- (iii) Question No. 147/2015 by the Member for Ndaragwa (The Hon. Francis W. Nderitu, MP):**
Considering that Ms. Rose Mbithe Mulwa a Director at Sehit Investments Limited of P.O. Box 1273 Code 00502 Nairobi purchased two acres of land LR No. 1160/784 (originally LR 1160/418) in Karen in 1998 from Mr. Douglas Kiereni at Ksh 4.6 million and later sold half an acre to Hon. William Kipsang (former Member of Parliament); in light of the fact that despite Ms. Mulwa continuously paying land rates for the one-and-a-half acre property the land was allegedly illegally and fraudulently transferred in 2005 to Ms. Josephine Akoth Onyango and charged with the Kenya Commercial Bank for Ksh 8.5 million, a loan which was subsequently paid by Ms. Mulwa for fear of losing the land together with interests totaling Ksh 13.5 million; further considering that in 2009, despite pleas from Ms. Mulwa to KCB to stop further transactions on the property since criminal investigations were underway, the Bank went ahead and advanced Ksh 10 million to Ms. Onyango, an amount she has not repaid to-date and which stands at Ksh 17.7 million; bearing in mind that forensic investigations by the (then) Criminal Investigations Department (CID) clearly proved that Ms. Mulwa's signature and company seals together with lawyer Peter Ngoge's signature had been forged in the purported transfer documents; aware that several attempts have been made to evict Ms. Mulwa from the premises by Mr. Ahmed Ahmednasir (former Judicial Service Commission member) and KCB officials; could the Cabinet Secretary apprise Members on the actions the Ministry will take in solving the land dispute and ensuring that justice prevails?

(iv) Question No. 148/2015 by the Member for Matayos (The Hon. Geoffrey M. Odanga, MP):

Could the Cabinet Secretary apprise the Committee on the terms of services including the remuneration scheme of Land Control Boards countrywide, explain reasons behind failure to pay members of these Boards such as the one in Busia their sitting allowances for over two years, provide the rationale behind failure to release the Authority to Incur Expenditure (A.I.E.) for allowances, and indicate the timelines within which these payments shall be settled?

(v) Question No. 149/2015 by the Member for Endebess (The Hon. Robert Pukose, MP):

Considering that Kingena Farmers' Cooperative Society (formerly known as Ndiema Cherungut & Partners) bought the farm registered as L.R. No. 1112 in Trans-Nzoia County from the Agricultural Development Corporation (ADC) after a public advertisement dated 3rd August 1971 at a cost of Ksh. 200,000, but as they prepared to occupy the land ADC arbitrarily allocated it to the Ministry of Natural Resources with neither explanations nor refund; could the Cabinet Secretary apprise Members on reasons behind the irregular allocation, reasons behind failure by ADC to either refund the Cooperative's money or give it alternative land, reasons behind failure by the National Land Commission to sufficiently act on the Hon. Gonzi Rai's Report of October 2009, and further facilitate the revocation of Gazette Notice No. 2479 of 25th August 1978?

(vi) Question No. 150/2015 by the Member for Emurua Dikirr (The Hon. Kipyegon Johana Ngeno, MP):

Considering that the Oloo'nkoliin Adjudication Section was declared for demarcation in 1986 and all objections conclusively arbitrated by 2006 by the Committee established to oversee the process, could the Cabinet Secretary inform the Committee why the demarcation has taken inordinately long to be executed; and the timelines by which the Ministry intends to have the land demarcated and title deeds issued?

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

Questions to the Cabinet Secretary for the Treasury:

(i) Question No. 167/2015 by the Member for Yatta (The Hon. Francis Mwangangi, MP):

Could the Cabinet Secretary appraise the Committee on the current status and progress in converting the Agricultural Finance Corporation (AFC) into a farmers' bank, together with the timelines for the conversion?

(ii) Question No. 168/2015 by the Member for Embakasi South (The Hon. Irshadali M. Sumra, MP):

Could the Cabinet Secretary appraise the Committee on the timelines within which depositors who had invested in the now collapsed banks including City Finance Bank, Reliance Bank, Trust Bank, Charterhouse Bank among others will be compensated considering that the Central Bank of Kenya has failed to come up with a clear way forward on the matter and the former bank managers continue to walk scot free yet the depositors who had invested millions in these banks continue to cry for justice?

(iii) Question No. 172/2015 by the Member for Mukurweini (The Hon. Kabando Wa Kabando, MP):

Considering that the accumulated illicit capital flight from Kenya hidden in over 40 tax havens around the world amounted to a staggering Ksh566 billion (US\$6.369 billion) as at 2010 according to a Report by Kroll Associates UK Limited which was commissioned by the Government to investigate the matter, could the Cabinet secretary inform the Committee the implementation Status of the said report; the amount of money paid to Kroll Associates UK Limited; how much of the money detailed in the report has been recovered to date; and the measures the Government is taking to ensure compliance and prevent misappropriation and illicit transfers of public finances to tax havens?

(iv) Question No. 172/2015 by the Member for Mukurweini (The Hon. Kabando Wa Kabando, MP):

Considering that audit reports have revealed that some multinationals operating in Kenya have been evading taxes through 'Transfer Pricing' contrary to Section 45 of the Anti-Corruption and Economic Crimes Act, 2003, could the Cabinet Secretary provide a detailed report, containing the names of the offending companies, including which sector is most culpable; state exactly how much has been recovered in taxes and penalties and from which period or duration of time; the measures the Government is taking to prevent such blatant tax evasion and ensure that such serious economic crimes are dealt with according to the rule of law?

III. Questions under the Departmental Committee on Education, Research and Technology

Questions to the Cabinet Secretary for Education, Science and Technology:

(i) Question No. 173/2015 by the Member for Homa Bay Town (The Hon. Peter Kaluma, MP);

Could the Cabinet Secretary apprise this Committee on the number of Government to Government scholarships offered to our Country by friendly nations since the current Government came into power; how many students have benefited so far from the said scholarships; and what criteria does the Government use to allocate these scholarships to ensure that they are equitably awarded to deserving students?

(ii) Question No. 174/2015 by the Nominated Member (The Hon. Abdinoor Mohamed, MP);

Could the Cabinet Secretary state the total number of teachers needed to meet the recommended teacher-students ratio in Northern Kenya; provide reasons behind the stark shortage of teachers in this region; inform Members on the long-term solutions the Government is pursuing in addressing this challenge; and further enlighten Members on how the Ministry intends to handle concerns emanating from the fact that candidates are likely to sit the national examinations without having completed their syllabus due to the aforementioned challenges?

(iii) Question No. 175/2015 by the Member for Nakuru Town East (The Hon. David Gikaria, MP);

Considering the fact that the Government had issued a directive to schools not to withhold KCSE results from students due to school fees arrears, could the Cabinet Secretary inform the Committee why some schools are still withholding KCSE results contrary to the directive and in particular explain why the results for Beatrice Murugi, a 2012 KCSE candidate in Gatero Girl's Secondary School, Nyahururu, are still being withheld by the school despite attempts by the student to get her results?
