



**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – (THIRD SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**TUESDAY NOVEMBER 10, 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 PETROLEUM (EXPLORATION, DEVELOPMENT AND PRODUCTION) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2015)**  
(The Leader of the Majority Party)

Second Reading  
(Question to be put)

- 9\*.
- THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 57 OF 2015)**  
(The Leader of the Majority Party)

Second Reading  
(Question to be put)

- 10\*.
- THE HEALTH BILL (NATIONAL ASSEMBLY BILL NO.14 OF 2015)**  
(The Leader of the Majority Party)

Second Reading  
(Resumption of debate interrupted on Thursday, October 29, 2015)

- 11\*.
- MOTION - THE ADOPTION OF SESSIONAL PAPER NO. 3 OF 2014**  
(The Chairperson, Departmental Committee on Justice and Legal Affairs)

**THAT**, this House adopts Sessional Paper No. 3 of 2014 on National Policy and Action Plan on Human Rights, laid on the Table of the House on Wednesday, 3<sup>rd</sup> June, 2015.

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

(The Leader of the Majority Party)

Second Reading

13\*\*. THE FOREST CONSERVATION AND MANAGEMENT BILL  
(NATIONAL ASSEMBLY BILL NO. 49 OF 2015)

(The Leader of the Majority Party)

Second Reading

14\*\*. THE NATURAL RESOURCES (CLASSES OF TRANSACTIONS SUBJECT  
TO RATIFICATION) BILL (NATIONAL ASSEMBLY BILL NO. 54 OF 2015)

(The Leader of the Majority Party)

Second Reading

---

\* Denotes Orders of the Day

\*\*Denotes Bill with Constitutional Timeline

---

## **NOTICES**

**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 **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.
- II. **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 I**

## **Tentative business for**

**Wednesday (Morning) November 11, 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), November 11, 2015:-

- A. **MOTION** - **FIREARMS TRACKING AND REGISTRATION SYSTEM**  
(The Hon. (Dr.) Victor Munyaka, M.P.)

*(Question to be put)*

- B. **THE ACCESS TO INFORMATION BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2015)**  
(The Hon. Priscilla Nyokabi, M.P.)

Second Reading

- C. **MOTION** - **DEVELOPMENT OF A NATIONAL CURRICULUM FOR EMERGENCY TRAINING OF MEDICAL PERSONNEL**  
(The Hon. Dr. Susan Musyoka, M.P.)

*(Resumption of debate interrupted on Wednesday, October 28, 2015 – Morning Sitting)*

- D. **MOTION** - **DECLARATION OF CATTLE RUSTLING AS A NATIONAL DISASTER & ESTABLISHMENT OF A SPECIAL FUND FOR VICTIMS**  
(The Hon. William Cheptumo, M.P.)

- E. **MOTION** - **ENGAGEMENT OF THE NATIONAL YOUTH SERVICE IN CONSTRUCTION OF DAMS**  
(The Hon. Joe M. Mutambu, M.P.)

- F. **MOTION** - **IMPLEMENTATION OF FLEXIBLE WORK POLICIES**  
(The Hon. Muthomi Njuki, M.P.)

- G. **MOTION** - **ENVIRONMENTAL MANAGEMENT, PROTECTION AND CONSERVATION PROGRAMMES**  
(The Hon. (Dr.) Wilber Ottichilo, M.P.)

# **NOTICE PAPER II**

## **Status of Business before Committees**

**Wednesday (Afternoon) November 11, 2015**

---

In accordance with the Speaker's Communication of Wednesday, October 14, 2015, it is notified that, during the Sitting of ***Wednesday November 11, 2015 (Afternoon)***, the Chairpersons of the following Committees will be called upon to appraise the House on the Status of the Business pending before their respective Committees-

- A. The Departmental Committee on Environment and Natural Resources**
- B. The Departmental Committee on Health**
- C. The Departmental Committee on Justice and Legal Affairs**

# **APPENDIX**

## **THE NATIONAL ASSEMBLY**

### **SCHEDULE of Questions for Tuesday, November 10, 2015**

---

It is notified that, pursuant to Standing Orders 191 and 216, the Cabinet Secretaries for *Interior and Coordination of National Government; Devolution and Planning; and the Transport and Infrastructure* will appear before the following Departmental Committees on Tuesday, November 10, 2015 at the times hereunder:-

<b><u>Departmental Committee</u></b>	<b><u>Cabinet Secretary</u></b>	<b><u>Time</u></b>	<b><u>Venue</u></b>
(i) Departmental Committee on Administration and National Security	<i>Cabinet Secretary for Interior and Coordination of National Government</i>	10.00 - 11.30 am	<i>The Mini Chamber, County Hall</i>
(ii) Departmental Committee on Finance, Planning and Trade	<i>Cabinet Secretary for Devolution and Planning</i>	10.00 - 11.30 am	<i>The National Assembly Chamber</i>
(iii) Departmental Committee on Transport, Public Works and Housing	<i>Cabinet Secretary for the Transport and Infrastructure</i>	11.30am - 12.30 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 Administration and National Security**

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

- (i) **Question No. 078/2015 by the Member for Emuhaya Constituency (The Hon. (Dr.) Wilber Ottichilo, M.P.):**

Could the Cabinet Secretary explain the systems that have been put in place to ensure that full-time state officers are not engaged in other gainful employment; and that retired state

officers do not hold more than two concurrent remunerative positions as chairpersons, directors or employees of state organs as required by Article 77 of the Constitution?

**(ii) Question No. 080/2015 by the Member for Trans Nzoia County (The Hon. Janet Nangabo, M.P.):**

Could the Cabinet explain to the Committee reasons behind the ongoing dismissals of police officers without following due process, which has led to some of the victims committing suicide due to frustrations; the reasons behind failure to set up tribunals to accord such officers an opportunity to defend themselves; measures being pursued to curb this abuse of power by seniors; and when all wrongfully dismissed officers shall be reinstated?

**(iii) Question No. 082/2015 by the Member for Sirisia Constituency (The Hon. John Waluke Koyi, M.P.):**

Could the Cabinet Secretary inform the Committee the circumstances that have led to recent jail-breaks through which dozens of hardcore criminals have escaped custody with no reports of their recapture; the fact that most of these daring escapes have been committed outside the precincts of correctional facilities; circumstances in which a robber sentenced to life imprisonment escaped from Kenyatta National Hospital and whether he has been recaptured; address the allegation that some prison officers are colluding; the number of escapees rearrested within the last one year; and the long-term measures being pursued to tackle this disturbing and dangerous menace once and for all?

**(iv) Question No. 083/2015 by the Member for Kajiado North Constituency (The Hon. Joseph Manje, M.P.):**

Could the Cabinet Secretary apprise Members on the circumstances in which buildings belonging to Museto Women Group in Ngong Town were demolished on November 11, 2014 yet there was a court case scheduled for the same day at 0900hrs at Milimani Commercial Courts; the reason behind use of excessive force by police officers from Kasarani, Lavington, Langata, Dagoretti, Kamukunji, KICC, Muiki and Ngong Police Stations; the reasons behind police officers lobbing teargas canisters at the Area Member of Parliament (Hon. Joseph Manje) which led to serious injuries necessitating admissions at Karen Hospital, Nairobi Hospital and Apollo Hospital in India for treatment; the reasons behind police officers allowing hired youths from Kibra to loot property belonging to the Group; and the rationale behind the fact that the Museto Women Group's case which was registered in Machakos in 2002 has never been concluded?

**(v) Question No. 079/2015 by the Member for Emuhaya Constituency (The Hon. (Dr.) Wilber Ottichilo, M.P.):**

Could the Cabinet Secretary apprise the Committee on the current status of the San Marco Space Application Centre in Malindi in particular its legal status, status of management and staff, its assets and equipment, the ongoing activities, usage of satellite data generated,

income generation, corporate social responsibility, and its future goals; and explain the reasons why the country has not incorporated the use of satellite technology in its security operations and monitoring as well as disaster risk reduction, monitoring and management?

**(vi) Question No. 081/2015 by the Member for Emuhaya Constituency (The Hon. (Dr.) Wilber Ottichilo, MP):**

Could the Cabinet Secretary apprise the Committee on the achievements of the Kenya Space Science Secretariat, the costs it has incurred since its establishment, and when the Kenya National Space Agency (KENSA) shall be established?

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

**Questions to the Cabinet Secretary for Devolution and Planning:**

**(i) 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) Question No. 103/2015 by the Member for Njoro Constituency (The Hon. Joseph N. K. Kiuna, M.P.):**

Could the Cabinet Secretary apprise Members on the status of Internally Displaced Persons (IDPs) in the country, and in particular, provide information on the number of IDPs settled by the Government in the 2013/2014 financial year, the areas in which they have been settled, the total amount of money given to them in the same fiscal year; and further enlighten the Committee on the number of IDPs that were to be settled in Kisima Farm and Rose Farm areas of Njoro Sub-County, the reasons why the local residents were not considered for resettlement like other areas, and reasons behind failure by the Government to settle IDPs in these farms since 2010 when it bought farms from the locals with the intention of resettling the IDPs?

**(iii) Question No. 104/2015 by the Member for Embakasi North Constituency (The Hon. James M. Gakuya, M.P.):**

Considering that under the new Constitutional dispensation, the provincial administration is no longer in force hence the title of Provincial Commissioner (PC) becoming defunct, and therefore County Commissioners were appointed to oversee the transition from provincial to county administration, could the Cabinet Secretary apprise the members on why Nairobi is the only county facing devolution structure transition challenges as seen by the fact that the holder of the defunct Provincial administration position of Provincial Commissioner in Nairobi



continues to hold the same position and perform dual functions of the Regional Representative and County Commissioner; and further inform Members on who authorized or sanctioned this administrator to perform those functions in a devolved county?

**(iv) Question No. 105/2015 by the Member for Embakasi North Constituency (The Hon. James M. Gakuya, M.P.):**

Considering that Kenya is poised to take off as a middle-income country in fifteen (15) years' time with the blueprint's framework having been commenced by two successive governments despite ongoing challenges, could the Cabinet Secretary apprise Members on the levels of preparedness and anticipated rehearsals on the country's takeoff to a middle-income economy by the Year 2030 as envisaged in its reports; the status of the Vision 2030 flagship projects and their components; whether the country envisages to enter year 2030 as a consumer of technology from industrialized countries or will seek to facilitate the assembly of electronic equipment and other items that could fast-track Kenya into the technology age; and further inform the Committee on measures in place to ensure that the country is not caught off-guard by the requisite personnel/ human resource requirements for the take-off?

**III. Questions under the Departmental Committee on Transport, Public Works and Housing**

**Questions to the Cabinet Secretary for Transport and Infrastructure:**

**(i) Question No. 090/2015 by the Member for Emuhaya Constituency (The Hon. (Dr.) Wilber Ottichilo, M.P.):**

Could the Cabinet Secretary explain why the Ministry has not constructed speed limit bumps between Luanda Town and Yala Town along the Kisumu-Busia Highway, specifically at the D.O's Office Mulukhoru, Asikote, Ipala Health Centre, Esibila and Ebuyalu Primary and Secondary Schools where lives mainly of pupils and students are lost on a weekly basis due to speeding vehicles, and further state the intended timelines for the construction of the bumps?

**(ii) Question No. 091/2015 by the Member for Emuhaya Constituency (The Hon. (Dr.) Wilber Ottichilo, M.P.):**

Could the Cabinet Secretary apprise Members on the current status of the construction of the Kakamega-Webuye Road, the expected completion date, reasons as to why the contractor has not made any significant progress, and steps being pursued by the Ministry in hastening the completion of the construction?

**(iii) Question No. 092/2015 by the Member for Emuhaya Constituency (The Hon. (Dr.) Wilber Ottichilo, M.P.):**

Could the Cabinet Secretary apprise Members on the current status of the construction of the Kakamega-Webuye Road, the expected completion date, reasons as to why the

contractor has not made any significant progress, and steps being pursued by the Ministry in hastening the completion of the construction?

**(iv) Question No. 093/2015 by the Member for Bomet Central Constituency (The Hon. Ronald Tonui, M.P.):**

Could the Cabinet Secretary inform Members on the plans being pursued by the Ministry to construct a bridge to connect Nyongores in Ndaraweta Ward to Mugango in Singorwet Ward, and another bridge at Taabok to connect both sides of Mutarakwa Ward, considering that River Nyongores (part of the Mara River) splits Bomet Central into two effectively blocking transport and communication from either side particularly in the upper sections of the Constituency where residents are forced to walk fifteen (15) kilometres downstream and upstream again in order to cross the area?

**(v) Question No. 094/2015 by the Member for Chuka/Igambang'ombe Constituency (The Hon. Muthomi Njuki, M.P.):**

Could the Cabinet Secretary apprise the Committee on progress made so far by the government in implementing the eight-year maximum age rule for motor vehicle importation; and further inform Members on whether or not there exists regulations governing the purchase of vehicles by Kenyans who buy cars in neighbouring Tanzania (where maximum car age limit is ten years) and Uganda (where there are no limits on car age) and then bring them into the country under opportunities created by the ongoing East African integration; and in the absence of such regulations, inform Members on when the regulatory framework and standards shall be drafted and enforced?

**(vi) Question No. 095/2015 by the Member for Ganze Constituency (The Hon. Peter Safari Shehe, M.P.):**

Could the Cabinet Secretary apprise the Committee the reasons behind Kenya Airways imposing penalties on passengers who fail to take their flights on time but declines to compensate passengers inconvenienced by delayed flights caused by Kenya Airways itself; and steps being pursued to rectify this anomaly by compensating victims of flight delays?

---