

(No. 114)

(2069)



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

TUESDAY, OCTOBER 11, 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*. THE LAND VALUE INDEX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 40 OF 2016)

(The Leader of the Majority Party)

First Reading

9*. MOTION -APPROVAL OF SESSIONAL PAPER ON THENATIONAL CHILDREN POLICY

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

THAT, this House adopts Sessional Paper No. 6 of 2014 on the National Children Policy, laid on the Table of the House on Tuesday, August 25, 2015.

(Question to be put)

10*. MOTION - APPROVAL OF SESSIONAL PAPER ON THENATIONAL POLICY ON ELIMINATION OF CHILD LABOUR

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

THAT, this House adopts Sessional Paper No. 1 of 2015 on the National Policy on Elimination of Child Labour, laid on the Table of the House on Wednesday, August 19, 2015.

(Question to be put)

11*. THE WITNESS PROTECTION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2016)

(The Leader of the Majority Party)

Second Reading

(Question to be put)

12*. THE COUNTY EARLY CHILDHOOD EDUCATION BILL (SENATE BILL NO. 23 OF 2014)

(The Chairperson, Departmental Committee on Education, Research and Technology)

Second Reading

(Resumption of debate interrupted on Thursday, October 6, 2016)

13*. THE COMPETITION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2016)

(The Leader of the Majority Party)

Second Reading

14*. THE INSURANCE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 28 OF 2016)

(The Leader of the Majority Party)

Second Reading

15*. THE NATIONAL YOUTH SERVICE BILL (SENATE BILL NO. 26 OF 2014)

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

Second Reading

16*. THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (SENATE BILL NO. 24 OF 2014)

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

Second Reading

*** Denotes Orders of the Day**

N O T I C E S

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

- I. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on any **Sessional Paper** be limited as follows: -A maximum of sixty (60) minutes, with not more than ten (10) minutes for the Mover in moving and five (5) minutes for any other Member speaking, **including** the Leader of the Majority Party and the Leader of the Minority Party and that five (5) minutes before the expiry of the time, the Mover shall be called upon to reply; and further that priority in speaking shall 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** 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.

NOTICE PAPER I

Tentative business for

Wednesday (Morning), October 12, 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), October 12, 2016:-

A. THE KENYATTA MAUSOLEUM BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2016)

(The Hon. Muthomi Njuki, M.P.)

Second Reading

(Question to be put)

B. THE INSTITUTE OF DIRECTORS OF KENYA BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2015)

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

Second Reading

C. MOTION – DEPLOYMENT OF CHAPLAINS TO LEARNING INSTITUTIONS

(The Hon. Geoffrey Odanga, M.P.)

*(Resumption of debate interrupted on Wednesday, October 5, 2016, – Morning Sitting)
(Balance of time – 53 Minutes)*

D. MOTION – FREE ISSUANCE OF KENYA POLICE MEDICAL EXAMINATION (P3) FORMS

(The Hon. Omar Mwinyi, M.P.)

E. MOTION – SUPPORT FOR YOUTH INNOVATIONS BY THE GOVERNMENT

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

F. MOTION – ESTABLISHMENT OF A SELECT COMMITTEE TO INVESTIGATE MATTERS RELATING TO GMOs

(The Hon. (Dr.) Wilber Ottichilo, M.P.)

G. MOTION – RECRUITMENT OF SCHOOL BURSARS TO ENSURE PRUDENT UTILIZATION/MANAGEMENT OF FREE PRIMARY EDUCATION FUNDS

(The Hon. James Lusweti, M.P.)

**H. MOTION- FORMULATION OF A POLICY TO GUARANTEE CAREER
ADVANCEMENT, PROMOTIONS AND SECURITY OF TENURE
FOR PUBLIC SERVANTS**

(The Hon. Joyce Emanikor, M.P.)

**I. THE CONSTITUTION OF KENYA (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILL NO. 7 OF 2016)**

(The Hon. Mithika Linturi, M.P.)

Second Reading

**J. THE KENYA UWEZO FUND BILL (NATIONAL ASSEMBLY BILL NO. 65
OF 2015)**

(The Hon. David Kangogo, M.P.)

Second Reading

NOTICE PAPER II

Tentative business for

Wednesday (Afternoon), October 12, 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 (Afternoon), October 12, 2016:-

A. MOTION – CHANGES TO COMMITTEES’ MEMBERSHIP

(The Chairperson, Committee on Selection)

B. COMMITTEE OF THE WHOLE HOUSE

(i) The Statute Law (Miscellaneous Amendments) Bill (Senate Bill No. 6 of 2014)
(The Chairperson, Departmental Committee on Justice and Legal Affairs)

(ii) The Kenya Defence Forces (Amendment) Bill (National Assembly Bill No. 41 of 2015)
(The Leader of the Majority Party)

C. THE COMPETITION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2016)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, October 11, 2016)

D. THE INSURANCE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 28 OF 2016)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, October 11, 2016)

E. THE NATIONAL YOUTH SERVICE BILL (SENATE BILL NO. 26 OF 2014)

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

Second Reading

(If not concluded on Tuesday, October 11, 2016)

F. THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (SENATE BILL NO. 24 OF 2014)

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

Second Reading

(If not concluded on Tuesday, October 11, 2016)

G. THE POTATO PRODUCE AND MARKETING BILL (SENATE BILL NO. 22 OF 2014)

(The Chairperson, Departmental Committee on Agriculture, Livestock and Cooperatives)

Second Reading

(Resumption of debate adjourned on Thursday, July 21, 2016)

H. THE PUBLIC PRIVATE PARTNERSHIPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 25 OF 2016)

(The Leader of the Majority Party)

Second Reading

...../Appendix II

APPENDIX II

THE NATIONAL ASSEMBLY

SCHEDULE of Questions for

Tuesday, October 11, 2016

It is notified that, pursuant to Standing Orders 191 and 216, the Cabinet Secretaries *for Interior and Coordination of National Government; Education, Science and Technology; and Public Service, Youth and Gender Affairs* will appear before the following Departmental Committees on Tuesday, October 11, 2016 at the times hereunder:-

<u>Departmental Committee</u>	<u>Cabinet Secretary</u>	<u>Time</u>	<u>Venue</u>
(i) Committee on Administration and National Security	<i>Cabinet Secretary for Interior and Coordination of National Government</i>	10.00 am – 11.30 am	<i>The National Assembly Chamber</i>
(ii) Committee on Education, Research and Technology	<i>Cabinet Secretary for Education, Science and Technology</i>	10.00 am – 11.30 am	<i>The Mini Chamber, County Hall</i>
(iii) Committee on Labour and Social Welfare	<i>Cabinet Secretary for Public Service, Youth and Gender Affairs</i>	11.30 am – 12.30pm	<i>The Mini Chamber, County Hall</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 by PVT/11/2016 by the Member for Moyale (The Hon. Roba S. Duba, M.P.):**

Following the mysterious murders of two former Members of Parliament for Moyale Constituency, namely Hon. Guyo Halakha Liban who was shot in his residence in

Moyale Town on October 22, 2014 and Hon. Philip Galm Godana who was likewise shot in his residence in Syokimau on February 14, 2015, could the Cabinet Secretary apprise the Committee on the circumstances surrounding these cold blood murders, the status of investigations into these acts of lawlessness, and further indicate if there are any suspect(s) arrested and arraigned in court in connection with the killings?

(ii) Question No. 004/2016 by the Member for Wajir South (The Hon. Abdullahi M. Diriye, M.P.):

Could the Cabinet Secretary inform the Committee what the Government is doing to protect chiefs in Mandera, Wajir and Garissa Counties following the killings of Chiefs Mohamed Bare Abdullahi on 20th June 2015 and Muktar Maalim on 23rd April, 2015 by suspected Al-shabaab militants; the measures so far taken by the Government to bring the perpetrators to book; and the plans in place to support the families of the slain chiefs?

(iii) Question No. 005/2016 by the Member for Yatta (The Hon. Francis Mwangangi, M.P.):

Could the Cabinet Secretary inform the Committee the status of implementation of the proposed medical cover for the National Police Service staff; further provide a breakdown of usage of the Kshs. 5,000 risk allowance deducted monthly from officers in the 2014/2015 financial year to provide medical cover; and the status of the proposed National Police Service Hospital to be constructed on a twenty-eight acre piece of land in Embakasi, and the Kenya Police Staff College in Loresho?

(iv) Question No. 006/2016 by the Member for Yatta (The Hon. Francis Mwangangi, M.P.):

Could the Cabinet Secretary inform the Committee the status of the modernization programme at the National Police Service (Kenya Police Service and Administration Police Service) and in the Directorate of Criminal Investigations with regards to housing, equipment and vehicle leasing; and also provide the status of implementation of recommendations contained in the Ransley Report?

(v) Question No. 007/2016 by the Member for Lurambi (The Hon. Raphael Otaalo, M.P.):

Could the Cabinet Secretary explain to the Committee why the training of Mr. Gregory Arsulu Isaac, who had been recruited into the General Service Unit (GSU) under Admission Number 004295, was abruptly terminated after three months yet he had successfully passed the recruitment exercise; apprise Members on claims made by the Service that Mr. Arsulu was medically unfit considering that he had passed the recruitment test by providing medical and academic testimonials; and further inform Members on the timelines for re-admitting

him back into the GSU College at Embakasi to complete his training and be fully conscripted into the Service?

(vi) Question No. 008/2016 by Nominated Member (The Hon. Abdinoor Mohamed, M.P.):

Could the Cabinet Secretary state the total number of people who have been issued with National Identity Cards in Northern Kenya in the last three years; explain to the Committee the reasons behind the delay in issuance of this vital document considering that at times it takes more than five months for residents to obtain the identity cards; and further inform the Committee whether the issuance of identity cards in Northern Kenya is an ongoing process or is demand-based?

(vii) Question No. 009/2016 by the Member for North Imenti (The Hon. Abdul Rahim Dawood, M.P.):

Considering that Corporal John Kithinji Mritara of P/ No. 80016007 and Officer Benard Matindi Ngera of P/ No. 1977012222 faithfully served the Administration Police Service before retiring as per instructions from the Service on 22nd February 2015 and 22nd March 2015 respectively, and in view of the fact that both obtained clearances from various institutions that paved way for payment of their due pensions, could the Cabinet Secretary inform the Committee the reasons behind the non-payment of neither their Lump-sum Pensions nor their Monthly Pension Payments, and state the timelines within which these two diligent former officers of the Service shall receive their due Pension Payments?

(viii) Question No. 010/2016 by the Member for Borabu (The Hon. Ben Momanyi, M.P.):

Considering that the conflict between Borabu and Sotik constituencies has been raging on for many years leading to loss of lives and damage to property, as witnessed by the recent attack at Rainyaemo on 17th March 2016 that left several innocent Kenyans dead and the setting ablaze of a school near Rainyaemo Police Station, could the Cabinet Secretary inform the Committee the measures being pursued by the Ministry to address the solution with a view to providing long-term and amicable resolution of the conflicts?

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

Questions to the Cabinet Secretary for Education, Science and Technology

(i) Question by PVT/10/16 by the Member for Wajir Town (The Hon. Abdullahi Diriye, M.P.):

Considering that the Kenyan Government through Sessional Paper No. 1 of 2005 put up low cost boarding schools in Arid and Semi-Arid (ASAL) districts as a way of implementing Totally Integrated Quality Education and Training (TIQET) so as to increase access to

education and enrolment in the said areas, could the Cabinet Secretary explain to the Committee why the Ministry has not given capitation support cost to cover for food and other facilities such as dormitories, dining halls, toilets and purchase of beds and mattresses to Wajir South's Sarif, Kursin, Madahlibah, Burder and Dadajabulla boarding Primary Schools; outline the remedial measures the Government is putting in place to address massive drop-outs by pupils considering that these five schools are located in areas mainly inhabited by pastoralist communities; state the reasons why the capitation of low cost boarding schools has not been reviewed unlike the Free Primary Education (FPE) cost input together with the Special Needs Education Grants despite the Lawrie Green Report's proposal that capitation for boarding schools be set at Ksh 15,000 per year; and further state the timelines within which these five schools can start receiving capitation support costs?

(ii) Question by PVT/12/16 by the Member for Kesses (The Hon. James Bett, M.P.):

Following the recent uproar at Moi University over the appointment of Prof. Laban Ayiro as the acting Vice-Chancellor, could the Cabinet Secretary inform the Committee whether he is aware that a competitive recruitment exercise was conducted and concluded the results of which were subsequently forwarded to him for his necessary action; disclose the results forwarded to him detailing the top three candidates, their results and the reasons why the results have not been made public; and further, provide the list of all Vice-Chancellors of public universities and the respective universities they head?

(iii) Question No.095/2016 by the Member for Homa Bay Town (The Hon. Peter Kaluma, M.P.):

Considering that Article 43 of the Constitution provides every person with the right to education; and further that the Basic Education Act requires the registration by the Ministry of Education, Science and Technology of all institutions offering basic education after application for such registration in the prescribed form; could the Cabinet Secretary inform the Committee why the following schools in Homa Bay Town Constituency have not been registered bearing in mind that some of these schools will be presenting students for national examination next year:-

- (1) Raila Odinga Secondary School;*
- (2) Ojunge Secondary School;*
- (3) Nyakahia Secondary School;*
- (4) Nyagidha Secondary School;*
- (5) Rabuor Masawa Secondary School; and*
- (6) Riwa Secondary School.*

(iv) Question No.096/2016 by the Member for Mukurweini (The Hon. Kabandowa Kabando, M.P.):

Considering that children have a right to access to education, and are constantly advised that if they excel in school, they stand a chance to attain their full potential; could the Cabinet Secretary apprise the Committee on why there is a random increase of school fees above the stipulated Ministry of Education ceiling, thus limiting access to education?

(v) Question No.097/2016 by the Member for Kathiani (The Hon. Robert Mbui, M.P.):

Considering that Education is a basic right as provided for in Article 43 of the Constitution, adding that the Government of Kenya continues to remit activity fees for public primary and secondary schools through Free Primary Education (FPE) and subsidized Secondary Education funding respectively; and further considering that PTA teachers hired by School Committees are paid using funds raised by the parents; could the Cabinet Secretary apprise the Committee the reasons why schools especially in Kathiani Constituency continue to impose numerous charges such as Activity and Examination fees on children and what the Ministry is doing about the shortage of teachers which leads to PTA levies on parents?

(vi) Question No.106/2016 by the Member for Bomet Central (The Hon. Ronald K. Tonui, M.P.):

Considering that funds for the construction of Bomet Technical Training Institute in Bomet Town were released through Eldoret Polytechnic, could the Cabinet Secretary state the total amount of money allocated for the construction project; confirm the Contractor who was formally awarded the tender; provide a List of Quotations by other bidders inclusive of their respective tendered amounts; provide current status of work done so far by the Contractor; state the amount of money paid to the Contractor so far, together with any balances due; and confirm whether formal handing over of the Project has been undertaken from the Contractor to Eldoret Polytechnic and from Eldoret Polytechnic to Moi University which is currently using the buildings as part of the proposed Bomet University College?

(vii) Question No.107/2016 by the Member for Bomet Central (The Hon. Ronald K. Tonui, M.P.):

Could the Cabinet Secretary state the official Teachers Shortage Status in the country; list the Teachers Shortage situation per County; and provide a list of Overstaffed Schools (per County) considering that the Cabinet Secretary is on record as having stated that the key problem in the education system is not Teachers Shortage but poor Teachers' Distribution?

III. Questions under the Departmental Committee on Labour and Social Welfare

Questions to the Cabinet Secretary for Public Service, Youth and Gender Affairs

(i) Question No. 017/2016 by the Member for Mavoko (The Hon. Patrick Makau, M.P.):

Could the Cabinet Secretary apprise the Committee on the criteria being used by the Ministry in identifying constituencies in which to implement National Youth Service (NYS) Programmes; state the criteria used to determine the total number of youths to undertake the NYS projects in different constituencies; enumerate the total number of youths recruited in each constituency; provide a breakdown of how the NYS funds in the constituencies have been used so far; and further clarify whether there will be Phase II of the implementation of these programmes?

(ii) Question No. 018/2016 by the Member for Yatta (The Hon. Francis Mwangangi, M.P.):

Could the Cabinet Secretary provide the Committee with information regarding all prequalified suppliers to the Ministry and the National Youth Service (NYS) over the last two years; a list of suppliers who have been contracted to perform various businesses since 2013 together with the nature and value of business undertaken, including the mode of payment; names of the directors of the contracted firms; provide proof whether both the Ministry and NYS have complied with the procurement law on reserving at least 30% of tendered works to women, youth and persons with disabilities; and if so, indicate the firms contracted under this reservation, names of their directors, nature and value of business undertaken, and mode of payment; and finally apprise the Committee on the total number of NYS branches and field officers in the country, including the use of area service providers for the aforementioned projects and services?
