



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

TUESDAY OCTOBER 13, 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 HIGH COURT ORGANIZATION AND ADMINISTRATION BILL**
(NATIONAL ASSEMBLY BILL NO. 47 OF 2015)

(The Leader of the Majority Party)

Second Reading

(Question to be put)

9.** **THE SMALL CLAIMS COURT BILL (NATIONAL ASSEMBLY BILL NO. 51**
OF 2015)

(The Leader of the Majority Party)

Second Reading

10.** **THE COURT OF APPEAL (ORGANIZATION AND ADMINISTRATION)**
BILL (NATIONAL ASSEMBLY BILL NO. 52 OF 2015)

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

12.** **THE COMMUNITY LAND BILL (NATIONAL ASSEMBLY BILL NO. 45 OF 2015)**

(The Leader of the Majority Party)

Second Reading

13.** **THE PHYSICAL PLANNING BILL (NATIONAL ASSEMBLY BILL NO. 46 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

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

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.

NOTICE PAPER

Tentative business for

Wednesday, October 14, 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), October 14, 2015:-

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

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

First Reading

B. COMMITTEE OF THE WHOLE HOUSE

The Kenya National Examination Council (Amendment) Bill (National Assembly Bill No. 03 of 2015)

(The Hon. Emmanuel Wangwe, M.P.)

C. THE AGRICULTURE, FISHERIES AND FOOD AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.17 OF 2015)

(The Hon. Silas K. Tiren, M.P.)

Second Reading

D. THE HEALTH RECORDS AND INFORMATION MANAGERS BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2015)

(The Hon. Agostinho Neto, M.P.)

Second Reading

E. THE ACCESS TO INFORMATION BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2015)

(The Hon. Priscilla Nyokabi, M.P.)

Second Reading

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

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

Second Reading

G. MOTION - FIREARMS TRACKING AND REGISTRATION SYSTEM

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

*(Resumption of debate interrupted on Wednesday, July 29, 2015 - Morning Sitting)
(Balance of time – 2hr 30 mins)*

- H. **MOTION** - **DECLARATION OF CATTLE RUSTLING AS A NATIONAL DISASTER & ESTABLISHMENT OF A SPECIAL FUND FOR VICTIMS**
(The Hon. William Cheptumo, M.P.)
- I. **MOTION** - **DEVELOPMENT OF A NATIONAL CURRICULUM FOR EMERGENCY TRAINING OF MEDICAL PERSONNEL**
(The Hon. Dr. Susan Musyoka, M.P.)
- J. **MOTION** - **ENGAGEMENT OF THE NATIONAL YOUTH SERVICE IN CONSTRUCTION OF DAMS**
(The Hon. Joe M. Mutambu, M.P.)
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APPENDIX

THE NATIONAL ASSEMBLY

SCHEDULE of Questions for

Tuesday, October 13, 2015

It is notified that, pursuant to Standing Orders 191 and 216, the Cabinet Secretaries for *Interior and Coordination of National Government*; *Transport and Infrastructure*; and *Environment and Natural Resources* will appear before the following Departmental Committees on Tuesday, October 13, 2015 at the times hereunder:-

<u>Departmental Committee</u>	<u>Cabinet Secretary</u>	<u>Time</u>	<u>Venue</u>
(i) Departmental Committee on Administration and National Security	<i>Cabinet Secretary for Interior and Coordination of National Government</i>	10.00 - 12.30 pm	<i>The Mini Chamber, County Hall</i>
(ii) Departmental Committee on Transport, Public Works and Housing	<i>Cabinet Secretary for Transport and Infrastructure</i>	10.00 am – 11.15 am	<i>The National Assembly Chamber</i>
(iii) Departmental Committee on Environment and Natural Resources	<i>Cabinet Secretary for Environment and Natural Resources</i>	11.15am - 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 Administration and National Security

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

- (i) **Question No. PVT/11/2015 by the Member for Mandera South Constituency (The Hon. Mohamed Adan Huka, M.P.):**

Could the Cabinet Secretary inform the Committee the rationale for Deputy County Commissioner (DCC) officers in Elwak obtaining fuel from Mwingi Town, which is over 900km away; clarify why this arrangement is still going on despite the issue having been addressed during a

leaders' meeting with H.E the President in April 2015; state the monthly or quarterly fuel allocation for Elwak area considering that it is a border town; clarify whether the funds used to get fuel from Mwingi are part of the quarterly allocation; when the fuel will be directly availed to them; and further state the timelines within which the Ministry shall provide water boozers to the Rural Border Patrol Police Unit officers who are currently surviving without water at the camps?

(ii) Question No. 016/2015 by the Member for Mwingi West Constituency (The Hon. Bernard M. Kitungi M.P.):

Could the Cabinet Secretary inform the Committee why the construction of the Mwingi West Sub-County Commissioner's office has stalled, given that the construction period for the project was envisaged to take a year from 2013; and provide details of the total amount spent on the project so far, including payments to contractors and the envisaged completion date?

(iii) Question No. 017/2015 by the Member for Vihiga Constituency (The Hon. Yusuf Chanzu M.P.):

Could the Cabinet Secretary inform the Committee whether he is aware of the huge disparities between the remuneration of Chiefs and Assistant Chiefs and employees of County Governments, and what the Ministry is doing to improve the terms of service for Chiefs and Assistant Chiefs to be commensurate with the services they render in their respective areas of jurisdiction?

(iv) Question No. 018/2015 by the Member for Manyatta Constituency (The Hon. John M. Nyaga, HSC, M.P.):

Could the Cabinet Secretary inform the Committee on the timelines for compensating land owners in Manyatta Township whose land was compulsorily acquired by the Government for putting up buildings to house the Deputy County Commissioner and Administration Police Officers?

(v) Question No. 020/2015 by the Member for Moyale Constituency (The Hon. Roba Duba, M.P.):

Could the Cabinet Secretary provide the Committee with a comprehensive assessment of the loss of lives, damage to property and displacement of people occasioned by inter-tribal conflicts in Moyale County; the possibility of establishing a commission of inquiry to investigate the underlying issues surrounding the conflict; the alternative conflict resolution mechanism being pursued by the Government and the short and long term provisions of security for sandwiched settlements in Moyale like the Heilu people among others?

(vi) Question No. 021/2015 by the Member for Embakasi East Constituency (The Hon. John O. Omondi, M.P.):

Could the Cabinet Secretary clarify to the Committee on the policy in place regarding issuance of guns to private citizens, the recent spate of shooting incidents involving licensed gun holders; the number of culprits involved and action taken against them, the number of persons who have been injured or killed in particular, apprise Members on circumstances surrounding the shooting of Mr Jared Achoko in Umoja Estate; the killing of four prominent businessmen and residents in Embakasi; the shooting of two people by a licensed gun holder along the Nairobi-Naivasha Highway on 28th June 2014; the unexplained murder of three businessmen including Mr. Stephen Mwangi along Limuru Road on 14th October 2014; the mysterious shooting of Mr. Onesmus Mutinda, a Nairobi Surveyor on 27th September 2014; and the worrisome similarities in all cases whereby no items are taken away from the victims who also suffer multiple shots; and the need to review the law regarding issuance of firearms to private citizens?

II Questions under the Departmental Committee on Transport, Public Works and Housing

Questions to the Cabinet Secretary for Transport and Infrastructure:

- (i) Question No. 030/2015 by the Member for Narok East Constituency (The Hon. Lemanken Aramat, M.P.):**

Could the Cabinet Secretary inform the Committee the measures the Ministry has put in place to curb the common occurrence of traffic accidents and loss of lives along the Mai-Mahiu-Narok road particularly at Eor-ekule, Ntulele, Dukamoja and Suswa trading centres; and the causes for the numerous accidents on the road.

- (ii) Question No. 031/2015 by the Member for Rabai Constituency (The Hon. Kamoti W. Mwamkale, M.P.):**

Could the Cabinet Secretary inform the Committee whether there are plans by the Government to erect rail bars along the deep gorge near the Bonje black spot along Nairobi/Mombasa Highway to curb the regular recurrence of grisly traffic accidents at the spot resulting when vehicles veer off and plunge into the gorge?

- (iii) Question No. 032/2015 by the Member for Rongai Constituency (The Hon. Raymond Moi, M.P.):**

Could the Cabinet Secretary apprise the Committee on whether there are plans by the Ministry to tarmac the Maili Kumi – Lower Solai – Subukia Town Road (D366), if yes the timelines for this tarmacking?

- (iv) Question No. 034/2015 by the Member for Kisumu West Constituency (The Hon. Olago Aluoch, M.P.):**

Could the Cabinet Secretary inform the Committee on the criteria used by Kenya Airports Authority (KAA) in the licensing of taxis and other public transport operators at the Jomo Kenyatta, Kisumu, Eldoret and Moi International Airports and confirm whether or not they are in compliance with the Public Procurement and Disposal Act 2013; apprise Members on the licensing of Jambojet to supply bus transport at the Kisumu International Airport and whether it was in line with the law?

- (v) Question No. 035/2015 by the Member for Nandi Hills Constituency (The Hon. Alfred Keter, M.P.):**

Could the Cabinet Secretary inform the Committee on reasons behind the inordinate delays in the positioning of traffic signs and rail barricades on the Chepsangwor stretch of the Nandi Hills – Chemelili Road; and the long-term measures the Government intends to undertake, together with their respective timelines, in curbing recurrence of road accidents along this stretch which has witnessed numerous traffic accidents that have led to loss of human lives?

III. Questions under the Departmental Committee on Environment and Natural Resources

Questions to the Cabinet Secretary for Environment and Natural Resources:

(i) Question No. PVT/12/2015 by the Member for Lamu County (The Hon. Shakila Abdalla, M.P.)

Considering that financing and allocation of land for the Lamu Coal Project in Lamu County has commenced, could the Cabinet Secretary confirm whether an Environmental Impact Assessment (EIA) Report on the project has been submitted to the National Environment Management Authority (NEMA) in view of the provisions of Section IV of the Environmental Management and Coordination Act 1999; and further state the wisdom in endorsing such a project particularly with regards to the fact that coal projects have had a retrogressive impact worldwide on local communities and on climate change?

(ii) Question No. 071/2015 by the Member for Emuhaya Constituency (The Hon. (Dr.) Wilber Ottichilo, M.P.)

Could the Cabinet Secretary inform the Committee whether an Environmental Impact Assessment (EIA) was undertaken and approved by the National Environmental Management Authority (NEMA) for the construction of the Standard Gauge Railway (SGR) from Mombasa to Nairobi, the mitigation measures to be undertaken in ensuring that the construction of the railway through Tsavo East and Tsavo West National Parks will not impact negatively on the environment; movement and survival of wildlife; and the mechanisms, both short and long-term that have been put in place to evaluate the success or failure of the proposed mitigation measures?

(iii) Question No. 073/2015 by the Member for Emuhaya Constituency (The Hon. (Dr.) Wilber Ottichilo, M.P.):

Could the Cabinet Secretary inform the Committee on the programmes and activities that the Ministry has put in place to implement the National Climate Change Action Plan that was launched in 2013, the number of programmes and activities being mainstreamed at the County level, the avenues being pursued by the Ministry in involving the key stakeholders in the formulation and development of national proposals and positions towards the preparation of Global Climate Change Agreement that will be negotiated and approved in Paris, France during the 21st Conference of Parties of the UN Framework on Climate Change Convention in November/ December 2015?

(iv) Question No. 114/2015 by the Member for Galole Constituency (The Hon. Hassan Dukicha, M.P.):

Considering that Article 132(1)(h) of the Constitution envisages equity and diversity in the representation of Kenya's communities in public appointments, could the Cabinet Secretary explain to Members whether the recruitment of Kenya Wildlife Services (KWS) rangers in Tana River in the recently concluded recruitment exercise was equitable; and further apprise Members on the actions the Ministry is undertaking to ensure equity in such appointments in Tana River.

(v) Question No. 116/2015 by the Member for Embakasi North Constituency (The Hon. James Mwangi Gakuya, M.P.):

Could the Cabinet Secretary provide an update of the status of Nairobi River and the new park between Kijabe and Kipande Roads; information on the ownership of the land on which the park is situated, the status of the rehabilitation project including the satisfaction of the relevant Ministry with the work done; and further apprise Members on whether procurement procedures were followed in the acquisition of project materials including tree seedlings; and highlight the plans, if any, being pursued by the Ministry in permanently employing the people working as casual labourers under the project?
