



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (FIFTH SESSION)

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, JUNE 15, 2017

1. The House assembled at thirty minutes past Nine O'clock
2. The Proceedings were opened with Prayer
3. **Presiding – the Speaker**
4. **PAPERS LAID**

The following Papers were laid on the Table –

- (i) Report of the Joint Parliamentary Select Committee on the Election of Members to the East African Legislative Assembly on its consideration of the nominees for election as Members of the East African Legislative Assembly.

(Member, the Joint Parliamentary Select Committee on the Election of Members to the East African Legislative Assembly - Hon. WafulaWamunyinyi)

- (ii) Report of the Mediation Committee on the Division of Revenue (No. 2) Bill, 2017.

(Chairperson, Mediation Committee on the Division of Revenue (No. 2) Bill, 2017 – Hon. MutavaMusyimi)

5. **NOTICES OF MOTION**

The following Notices of Motion were given –

- (i) **THAT**, pursuant to Article 50 of the Treaty for the Establishment of the East African Community and Rule 13(5) of the East African Legislative Assembly Elections (Election of Members of the Assembly) Rules, 2017, this House adopts the Report of the Joint Parliamentary Select Committee on the Election of Members to the East African Legislative Assembly on its *consideration of the nominees for election as Members of the East African Legislative Assembly*, laid on the Table of the House today, Thursday, June 15, 2017.

(Hon. WafulaWamunyinyi)

- (ii) **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 its consideration of the Division of Revenue (No. 2) Bill, 2017 (National Assembly Bill No. 22 of 2017) laid on the Table of the House today, Thursday, June 15, 2017, and **approves** the mediated version of the the Division of Revenue (No. 2) Bill, 2017.

(Hon. MutavaMusyimi)

6. **MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE NAIROBI INTERNATIONAL FINANCIAL CENTRE BILL (NATIONAL ASSEMBLY BILL NO. 5 OF 2017)**

Motion made and Question proposed –

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Nairobi International Financial Centre Bill (National Assembly Bill No. 5 of 2017)

(The Leader of the Majority Party)

Question put and agreed to;

Motion made and Question proposed –

THAT, the Nairobi International Financial Centre Bill (National Assembly Bill No.5 of 2017) be now read a Third Time

(The Leader of the Majority Party)

Question put and agreed to;

Bill read a Third Time and **passed.**

5. **MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE LEGAL METROLOGY BILL (NATIONAL ASSEMBLY BILL NO. 8 OF 2017)**

Motion made and Question proposed –

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Legal Metrology Bill (National Assembly Bill No. 8 of 2017).

(The Leader of the Majority Party)

Question put and agreed to;

Motion made and Question proposed –

THAT, the Legal Metrology Bill (National Assembly Bill No.8 of 2017) be now read a Third Time

(The Leader of the Majority Party)

Question put and agreed to;

Bill read a Third Time and **passed.**

6. **MOTION – ADOPTION OF THE SPECIAL REPORT ON THE IMPLEMENTATION OF THE TOURISM FUND’S RONALD NGALA UTALII COLLEGE PROJECT**

Motion made and Question proposed –

THAT, this House adopts the Special Report of the Public Investments Committee (PIC) on the implementation of the Tourism Fund Ronald NgalaUtalii College Project in Kilifi County, laid on the Table of the House on Wednesday, 24th May, 2017

(Chairperson, Public Investments Committee – 14.06.2017)

Debate on the Motion having been concluded on Wednesday, June 14, 2017 (Afternoon Sitting);

Question put and agreed to.

7. **THE SUPPLEMENTARY APPROPRIATION BILL (No. 2) (NATIONAL ASSEMBLY BILL NO.30 OF 2017)**

(Chairperson, Budget and Appropriations Committee)

Order for First Reading read;

Bill read a First Time and ordered to be read a Second Time today.

8. **THE BREASTFEEDING MOTHERS BILL (NATIONAL ASSEMBLY BILL NO. 13 OF 2017)**

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Breastfeeding Mothers Bill (National Assembly Bill No.13 of 2017) be now read a Second Time

(Chairperson, Departmental Committee on Health – 14.06.2017)

Debate interrupted on Wednesday, June 14, 2017 (Morning Sitting) resumed;

Mover replied;

Question put and agreed to;

Bill read a Second Time and committed to the Committee of the Whole House tomorrow.

9. **MOTION – ADOPTION OF THE REPORT ON THE AMENDMENTS TO THE STANDING ORDERS**

Motion made and Question proposed –

THAT, pursuant to provisions of Standing Order 264 and 265, this House adopts the Report of the Procedure and House Rules Committee, laid on the Table of the House on Tuesday, June 13, 2017, and further-

- (i) **approves** the amendments proposed to the Standing Orders as contained in the Schedule of the report;

- (ii) **resolves** that the amendments to the Standing Orders shall, upon approval by the House, take effect at the commencement of the next Parliament; and,
- (iii) in view of the amendment proposed in Standing Order 212B (*Committee on Members' Services and Facilities*) **rescinds** the decision of the House of 14th March, 1967 as amended on 29th November 2011 which established the National Assembly's Catering and Health Services Committee.

(Hon. Moses Cheboi – 14.06.2017)

Debate interrupted on Wednesday, June 14, 2017 (Morning Sitting) resumed;

Rising in his place on a Point of Order, the Member for Kipipiri (Hon. Samuel Gichigi) claimed to move that “the Mover be now called upon to reply”

And the Chairperson acceding to the claim;

Question put and agreed to

Thereupon the Mover replied;

QUORUM OF THE HOUSE

Rising in his place on a Point of Order, the Member for Nakuru Town East (Hon. David Gikaria) drew the attention of the First Chairperson to the fact that there was no Quorum in the House;

And the Chairperson having counted the Honourable Members present and confirmed that there was no Quorum caused the Division Bell to be rung;

And there being a Quorum after expiry of seven minutes;

Debate interrupted resumed;

Question put and agreed to;

10. **THE SUPPLEMENTARY APPROPRIATION BILL (NO.2) (NATIONAL ASSEMBLY BILL NO.30 OF 2017)**

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Supplementary Appropriation Bill (No.2) (National Assembly Bill No.30 of 2017) be now read a Second Time

(Chairperson, Budget and Appropriations Committee)

Debate arising;

Mover replied;

Question put and agreed to;

Bill read a Second Time and committed to the Committee of the Whole House tomorrow.

Thereupon, the House resolved into Committee.

11. **COMMITTEE OF THE WHOLE HOUSE**

(i) The Supplementary Appropriation (No.2) Bill (National Assembly Bill No.30 of 2017)

Clauses 2 & 3 - agreed to

First Schedule - amendment proposed –

THAT, the First Schedule to the Bill be amended by inserting the expression **“SECOND SCHEDULE (ss. 4 and 5)”** immediately before the words “Recurrent Expenditure” appearing before the proposed reductions to Vote R1033 (page 744).

(Chairperson of the Budget and Appropriations Committee)

Question of the amendment proposed;

Debate arising;

Question put and agreed to

First Schedule - as amended agreed to

Title - agreed to

Clause 1 - agreed to

Bill to be reported with amendments;

(ii)The President’s Award Bill (National Assembly Bill No.7 Of 2017)

Clauses 3 & 4 - agreed to

Clause 5 - amendment proposed –

THAT, clause 5 of the Bill be amended—

(a) in sub-clause (1) by —

- (i) inserting the words “or a representative designated in writing by the Cabinet Secretary” immediately after the word “education” in paragraph (b);
- (ii) inserting the words “or a representative designated in writing by the Cabinet Secretary” immediately after the word “youth” in paragraph (c) ;
- (iii) inserting the following new paragraph immediately after paragraph (c) —

“(ca) the Principal Secretary to the National Treasury or a representative designated in writing by the Principal Secretary;”

- (iv) by deleting paragraph (d) and substituting therefor the following new paragraph (d)—

“(d) five persons appointed by the Cabinet Secretary.

- (b) by inserting the following new sub clauses immediately after sub-clause 1—

“(1A). A person shall qualify for appointment as the chairperson or a member of the Board under subsection 1(d), if that person —

- (a) holds a degree from a University recognized in Kenya;
- (b) in the case of a member appointed under subsection (1(d), has at least five years’ experience in matters relating to resource mobilization, governance and public administration, community and social development, planning and devolution, advocacy and communication skills or research; and
- (c) has a proven record of personal integrity, competency and accountability.

(1B).In appointing persons as members of the Board, the appointing authority shall ensure that—

- (a) not more than two thirds of the members are of one gender;
- (b) at least one member represents persons with disabilities;
- (c) at least one member represents the youth; and
- (d) the appointments reflect ethnic and regional diversity of the people of Kenya.

(c) in sub-clause (2) by deleting the word “of” appearing immediately after the word “under”;

(d) by inserting the following new sub clauses immediately after sub clause 2—

(2A). The office of the Chairperson or a member of the Board shall become vacant if the Chairperson or member—

- (a) dies;
- (b) resigns from office by way of a notice in writing addressed to the President in the case of the Chairperson or to the Cabinet Secretary in the case of a member of the Board;
- (c) is absent, without the permission of the Chairperson, from three consecutive meetings of the Board;
- (d) is convicted of a criminal offence and is sentenced to imprisonment for a term exceeding six months without the option of a fine;
- (e) is incapacitated, unable or unfit to discharge his functions as a member of the Board; or
- (f) is adjudged bankrupt.

(2B). The Chairperson or a member of the Board may be removed from office on the ground of gross misconduct or behavior that is incompatible with the functions of the Board or that brings disrepute to the President’s Award- Kenya.

(2C). Where there is a vacancy in the Board, the appointing authority shall, subject to the provisions of this Act and within three months of such vacancy, appoint another person to fill the vacancy for the remaining period of the term of office of the person in whose place he or she was appointed.

(2D). Trustees and committee members shall serve as volunteers to the President’s Award-Kenya and shall not be entitled to remuneration of any kind but shall be entitled to be reimbursed for expenses incurred in the conduct of the business of the President’s Award-Kenya.

(Hon. Geoffrey Odanga)

Question of the amendment proposed;

Debate arising;

Question put and agreed to

Clause 5 - as amended agreed to

Clause 6 - agreed to

Clause 7 - amendment proposed –

THAT, clause 7 of the Bill be amended by deleting paragraph (j).

(Hon. Geoffrey Odanga)

Question of the amendment proposed;

Debate arising;

Question put and agreed to

Clause 7 - as amended agreed to

Clause 8 - amendment proposed –

THAT, clause 8 of the Bill be amended by deleting the expression (18) appearing in paragraph (e) and substituting therefor the expression (26).

(Hon. Geoffrey Odanga)

Question of the amendment proposed;

Debate arising;

Question put and agreed to

Clause 8 - as amended agreed to

Clause 9 - agreed to

Clause 10 - amendment proposed –

THAT, clause 10 of the Bill be amended in sub-clause (1) by —

- (a) deleting the words “the constitution of the Presidents Awards-Kenya” appearing in paragraph (d) and substituting therefor the words “ the Constitution of Kenya, this Act or Regulations made under this Act.”; and
- (b) inserting of the following new paragraph immediately after paragraph (d) —
“(e) bankruptcy.”

(Hon. Geoffrey Odanga)

Question of the amendment proposed;

Debate arising;

Question put and agreed to

Clause 10 - as amended agreed to

Clauses 11, 12, 13 & 14 - agreed to

Clause 15 - amendment proposed –

THAT, clause 15 the Bill be amended be deleted and substituted with following new clause—

Protection from
personal liability

(15) A member, officer, agent or employee of the Board shall not be personally liable for any omission or act done in good faith in the course of carrying out any of the functions of the Board under this Act”.

(Hon. Geoffrey Odanga)

Question of the amendment proposed;

Debate arising;

Question put and agreed to

Clause 15 - as amended agreed to

Clauses 16, 17, 18, 19, 20, 21, 22 & 23 - agreed to

Clause 24 - amendment proposed –

THAT, clause 24 of the Bill be amended in sub-clause (2) by deleting the word “Institute” and substituting therefor the word “Board”.

(Hon. Geoffrey Odanga)

Question of the amendment proposed;

Debate arising;

Question put and agreed to

Clause 24 - as amended agreed to

Clauses 25, 26, 27 & 28 - agreed to

Clause 29 - amendment proposed –

THAT, clause 29 of the Bill be amended—

(a) in sub clause (1) by deleting the words “ the constitution of the President’s Award-Kenya” and substituting therefor the words “this Act”;

(b) in sub clause (2) by —

(i) inserting the words “contravenes the provisions of subsection (1)” immediately after the words “A person who”;and

(ii) deleting the words “under subsection(1)” and substituting therefor the word “and”

(Hon. Geoffrey Odanga)

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Clause 29 - as amended agreed to

Clause 30 - amendment proposed –

THAT, clause 30 of the Bill be amended by deleting the words “Secretariat in a manner and form as may be prescribed from time to time” and substituting therefor the words “Board in such manner and form as may be prescribed”.

(Hon. Geoffrey Odanga)

Question of the amendment proposed;

Debate arising;

Question put and agreed to.

Clause 30 - as amended agreed to

Clause 31 - amendment proposed –

THAT, clause 31 of the Bill be amended by —

- (a) deleting the word “Cabinet Secretary” and substituting therefor the word “Board”;
- (b) renumbering the existing provision as sub-clause (1); and
- (c) inserting the following new sub-clause immediately after the renumbered sub-clause (1) —

“(2) Without prejudice to the generality of subsection (1) the Regulations made under this section may provide for—

- (a) the requirements for registration of a participant;
- (b) the specific activities that a participant can undertake within each of the four sections of a level of the award program;
- (c) the minimum entry age requirements of participants at each level of the award program;
- (d) the criteria to be used by the Board in assessment and determination of a qualifying participant;
- (e) the implementation mechanisms to be adopted by the Board including the evaluation criteria to be adopted and the qualifications for evaluators;
- (f) the licensing rules and procedure;
- (g) rules to be observed by participants and participating institutions;
- (h) forms required to be prescribed under this Act;
- (i) fees payable to the Board; and
- (j) any other matter that requires to be prescribed under this Act.

(Hon. Geoffrey Odanga)

Question of the amendment proposed;

Debate arising;

Question put and agreed to

Clause 31 - as amended agreed to

Clause 32 - amendment proposed –

THAT, clause 32 of the Bill be amended—

- (a) in paragraph (a) by inserting the words “before the commencement of this Act” immediately after the word “Kenya”;
- (b) in paragraph (b) by deleting the word “Board” and substituting therefor the words “President’s Award-Kenya”;
- (c) in paragraph (d) by inserting the words “office that had seconded him” immediately after the words “return to the Government”.

(Hon. Geoffrey Odanga)

Question of the amendment proposed;

Debate arising;

Question put and agreed to

Clause 32 - as amended agreed to

NEW CLAUSES

THAT, the Bill be amended by inserting the following new part immediately after clause 20—

PART IIIA—ACCREDITATION AND LICENSING OF PARTICIPATING INSTITUTIONS

New Clause 20A -

Requirement for
licensing of
participating
institutions.

20A. A person or institution shall not purport, claim or pass himself or itself as working in connection with the Award programme without authority and license granted by the Board in accordance with this Act.

(Hon. Geoffrey Odanga)

Motion made and question proposed;

THAT, New Clause 20A be read a second time;

Debate arising;

Question put and agreed to;

Motion made and question proposed;

THAT, New Clause 20A be part of the Bill;

Debate arising;

Question put and agreed to;

New Clause 20A – agreed to.

New Clause 20B -

Application for
licensing.

20B. (1) An institution that intends to conduct the Award programme in such capacity as the Board may prescribe shall submit an application for accreditation and licensing to the Board in the prescribed form.

(2) An applicant under subsection (1) shall, together with the application, submit—

- (a) a certificate of registration or in the case of a company, a copy of the memorandum and articles of association of the company;
- (b) duly completed and signed application forms in the prescribed form;
- (c) supporting documents as prescribed by the Board, where applicable;
- (d) the prescribed fees; and
- (e) any other document that may be required by the Board.

(Hon. Geoffrey Odanga)

Motion made and question proposed;

THAT, New Clause 20B be read a second time;

Debate arising;

Question put and agreed to;

Motion made and question proposed;

THAT, New Clause 20B be part of the Bill;

Debate arising;

Question put and agreed to;

New Clause 20B – agreed to.

New Clause 20C –

Accreditation of existing
participating
institutions.

20C. Where an institution accredited and licensed as a participating institution immediately before the commencement of this Act intends to continue as a participating institution, such institution shall apply for re-accreditation in the prescribed manner.

(Hon. Geoffrey Odanga)

Motion made and question proposed;

THAT, New Clause 20C be read a second time;

Debate arising;

Question put and agreed to;

Motion made and question proposed;

THAT, New Clause 20C be part of the Bill;

Debate arising;

Question put and agreed to;

New Clause 20C – agreed to.

New Clause 20D –

Accreditation and
licensing.

20D. Where the Board is satisfied that an applicant meets the requirements for accreditation, it shall accredit and licence the institution under specified terms and conditions and issue a certificate to the institution.

(Hon. Geoffrey Odanga)

Motion made and question proposed;

THAT, New Clause 20D be read a second time;

Debate arising;

Question put and agreed to;

Motion made and question proposed;

THAT, New Clause 20D be part of the Bill;

Debate arising;

Question put and agreed to;

New Clause 20D – agreed to.

New Clause 20E –

Rules on licensing

20E. (1) The Board may prescribe rules for the purpose of licensing of participating institutions.

(2) Without prejudice to the generality of subsection (1) the regulations may provide for—

- (a) any forms required to be submitted to the Board;
- (b) supporting documents to be submitted by an applicant;
- (c) the criteria to be used in determining whether an applicant qualifies to be accredited and licensed;
- (d) terms and conditions of a licence; and
- (e) any other matter that requires to be prescribed

under this Part.

(Hon. Geoffrey Odanga)

Motion made and Question proposed –

THAT, the New Clause 20E be now read a Second Time

Question put and agreed to;

Motion made and Question proposed –

THAT, the New Clause 20E be now part of the Bill

Question put and agreed to;

New Clause 20E - Agreed to.

New Clause 20F –

Appeal from decision of
the Board.

20F (1) A person who is aggrieved by the decision of the Board under this Part may, within thirty days of being notified of the decision, appeal to the Cabinet Secretary.

(2) The Appeal shall be in the prescribed form.

(Hon. Geoffrey Odanga)

Motion made and Question proposed –

THAT, the New Clause 20F be now read a Second Time

Question put and agreed to;

Motion made and Question proposed –

THAT, the New Clause 20F be now part of the Bill

Question put and agreed to;

New Clause 20F - agreed to.

SCHEDULE

Schedule - amendment proposed –

THAT, the Schedule to the Bill be amended by deleting paragraph 1.

(Hon. Geoffrey Odanga)

Question of the amendment proposed;

Debate arising;

Question put and agreed to

Schedule - as amended agreed to

Clause 2 - amendment proposed –

THAT, clause 2 of the Bill be amended—

(a) by inserting the following new definition in proper alphabetical sequence—

“Participant” means a person who has attained the age of fourteen years but has not attained the age of twenty-five years and who is taking part in the Award programme.”

(b) in the definition of the word “participating institution” by inserting the words “or any other institution” immediately after the words “educational institution”.

(Hon. Geoffrey Odanga)

Question of the amendment proposed;

Debate arising;

Question put and agreed to

Clause 2 - as amended agreed to

Title - agreed to

Clause 1 - agreed to

Bill to be reported with amendments;

(iii) The National Assembly Standing Orders of 2017

Standing Order 1 - amendment proposed –

THAT, Standing Order 1 be amended in paragraph (2) by inserting the word “practices” immediately after the word “traditions”.

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to

Standing Order 1 as amended - agreed to

Standing Order 3 - amendment proposed –

THAT, Standing Order 3 be amended in paragraph (2) by inserting —

(a) the words “East African Legislative Assembly” immediately after the words “National Assembly” appearing in subparagraph (b);

(b) the words “Members with the” immediately before the word “longest” appearing in subparagraph

(Change of Chair from the First Chairperson to the Speaker)

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 3 as amended - agreed to

Standing Orders 4, 5, 6, 7, 8, 9, 10, 11, 12 & 13 - agreed to

Standing Order 14 - amendment proposed -

THAT, Standing Order 14 be amended by deleting paragraph (1) and substituting therefor the following paragraph—

“(1) After taking and subscribing to the Oath or Affirmation of Office under Standing Order 12 (*Swearing-in of the Speaker*), the Speaker shall notify the Members of the place, date and time of the opening of Parliament, which shall be not more than thirty days after the first sitting of the House.”

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 14 as amended - agreed to

Standing Orders 15, 16, 17 & 18 - agreed to

Standing Order 19 - amendment proposed -

THAT, Standing Order 19 be amended by deleting paragraph (4).

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 19 as amended - agreed to

Standing Order 20 - amendment proposed -

THAT, Standing Order 20 be amended by deleting paragraph (4).

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 20 as amended - agreed to

Part V – amendment proposed

THAT, the Standing Orders be amended in the title to PART V by deleting the words “**AND VISITING DIGNITARY**” and substituting therefor the words “**VISITING DIGNITARY OR OTHER PERSONS**”

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Part V as amended - agreed to

Standing Orders 21, 22, 23, 24, 25, 26 & 27 - agreed to

Standing Order 28 - amendment proposed -

THAT, Standing Order 28 be amended in paragraph (3) by deleting the words “the Leader of the Majority Party or the Leader of the Minority Party or any other member of the House Business Committee shall move a motion of adjournment which shall be debated for not more than three hours after which the House” appearing immediately after the word “Calendar” and substituting therefor the words “the Speaker shall notify Members of the same, and at the appointed time, the Assembly shall adjourn without question put”.

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 28 as amended - agreed to

Standing Order 29 - agreed to

Standing Order 30 - amendment proposed -

THAT, Standing Order 30 be amended—

- (a) in paragraph (1) by deleting the expression “9.00 am” appearing immediately after the words “meet at” and substituting therefor the expression “9.30 am”;
- (b) in paragraph (2) by deleting the expression “6.30 p.m. or (if it is an Alloted Day) at 7.00 p.m.” and substituting therefor the expression “7.00 p.m. or (if it is an Alloted Day) at 7.30 p.m

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 30 as amended - agreed to

Standing Order 31 - agreed to

Standing Order 32 - amendment proposed

THAT, the Standing Orders be amended by deleting Standing Order 32.

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 32 - deleted.

Standing Orders 33, 34, 35, 36 & 37 - agreed to

Standing Order 38 - amendment proposed -

THAT, Standing Order 38 be amended in paragraph (1) by inserting the words “proposed to be transacted” immediately after the word “business”.

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 38 as amended - agreed to

Standing Order 39 - agreed to

Standing Order 40 - amendment proposed -

THAT, Standing Order 40 be amended in paragraph (3) by deleting the words “or a member belonging to the Majority or Minority Party” appearing immediately after the words “sponsored by the Majority or Minority Party”.

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 40 as amended - agreed to

Standing Order 41 - agreed to

Standing Order 42 - amendment proposed -

THAT, Standing Order 42 be amended by inserting the following new paragraph immediately after paragraph (3)—

“(4) Paragraphs (1), (2) and (3) shall apply, with necessary modifications, to a message delivered to the Speaker by a Cabinet Secretary for communication to the House pursuant to any written law providing for conveyance of messages from the Cabinet.”

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 42 as amended - agreed to

Standing Order 43 - amendment proposed -

THAT, Standing Order 43 be amended in paragraph (1) by deleting the expression “6.00 pm” appearing immediately after the words “Tuesday at” and substituting therefor the expression “6.30 pm”

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 43 as amended - agreed to

Standing Order 44 - amendment proposed -

THAT, Standing Order 44 be amended in paragraph (2) by inserting the following new subparagraph immediately after subparagraph (b)—

“(c) A member may request for a statement from the Committee Chairperson relating to matters under the mandate of the Committee and the Speaker may either appoint a day for the statement or direct that the statement be issued on the same day.”

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 44 as amended - agreed to

Standing Orders 45 & 46 - agreed to

Standing Order 47 - amendment proposed -

THAT, Standing Order 47 be amended by inserting the following new paragraph immediately after paragraph (4)—

“(4A) A notice of motion under Part XIV (*Procedure for removal from State Office*) shall be given in the House within three sitting days following approval by the Speaker, and if not, such motion shall be deemed to have been withdrawn and shall not be moved again in the same terms in the same session, except with the leave of the Speaker.”

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 47 as amended - agreed to

Standing Orders 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59 & 60 - agreed to
Standing Order 61 - amendment proposed -

THAT, Standing Order 61 be amended in paragraph (1)(b) by inserting the following new sub-subparagraph immediately after sub-subparagraph (iii)—

“(iiiia) *Article 106 (resolution for removal of Speaker or Deputy Speaker from office)*”

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 61 as amended - agreed to

Standing Order 62 - agreed to

Standing Order 63 - amendment proposed -

THAT, Standing Order 63 be amended—

(a) by inserting the following new paragraph immediately after paragraph (1)—

“(1A) A motion under this Standing Order shall have its subject matter indicated on every sheet;”

(b) in paragraph (5) by inserting the words “Upon receipt of the Motion by the Clerk” immediately before the word “any”

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 63 as amended - agreed to

Standing Order 64 - amendment proposed -

THAT, Standing Order 64 be amended—

(a) by inserting the following new paragraph immediately after paragraph (1)—

“(1A) The grounds specified in a motion under this Standing Order shall be admissible if -

(a) framed clearly to particularize and disclose a gross violation of the Constitution or other written law, where gross violation of the Constitution or other written law is indicated as a ground for the intended removal;

(b) stating with precision, the provisions of the Constitution or other written law that are alleged to have been grossly violated, where gross violation of the Constitution or other written law is indicated as a ground for the intended removal; and

(c) accompanied by necessary evidence, including annextures or sworn testimonies in respect of the allegations.”

(b) in subparagraph (5) by inserting the words “Upon receipt of the Motion by the Clerk” immediately before the word “any.”

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 64 as amended - agreed to

Standing Order 65 - agreed to

Standing Order 66 - amendment proposed -

THAT, Standing Order 66 be amended—

(a) by deleting paragraph (2) and substituting therefore the following new paragraph—

“(2) The provisions of Standing Order 64 (*Procedure for removal of President by impeachment*) shall apply to a Motion under paragraph (1).

(b) in paragraph (4) by inserting the phrase “Upon receipt of the Motion by the Clerk” immediately before the word “any”.

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 66 as amended - agreed to

Standing Orders 67, 68 & 69 - agreed to

Standing Order 70 - amendment proposed -

THAT, Standing Order 70 be amended by deleting paragraph (7).

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 70 as amended - agreed to

Standing Orders 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, & 91 - agreed to

Standing Order 92 - amendment proposed -

THAT, the Standing Orders be amended by deleting Standing Order 92.

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 92 - deleted.

Standing Order 93 - amendment proposed -

THAT, the Standing Orders be amended by deleting Standing Order 93.

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 93 - deleted.

Standing Order 94 - amendment proposed -

THAT, the Standing Orders be amended by deleting Standing Order 94.

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 94 - deleted.

Standing Orders 95 & 96 - agreed to

Standing Order 97 - amendment proposed -

THAT, Standing Order 97 be amended by inserting the following new paragraph immediately after paragraph (4)—

“(5) The Speaker may give priority to Members specified in a party list submitted by a Party Whip to speak during debate on a particular matter.”

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and negatived;

Standing Order 97 - agreed to

Standing Order 98 - agreed to

Standing Order 99 - amendment proposed -

THAT, the Standing Orders be amended by deleting Standing Order 99 and substituting therefor the following standing Order—

“**99.** (1) A Member shall be subjected to a security check or screening before entering the Chamber.

(2) the security check or screening under paragraph (1) shall extend to a handbag or other accessory that a Member intends to enter with into the chamber.”

(Hon. Samuel Gichigi)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Standing Order 99 as amended - agreed to

Standing Order 100, 101, 102, 103, 104, 105 & 106 - agreed to

Motion made and Question proposed –

THAT, the Committee of the whole House do report progress and seeks leave to sit again tomorrow

(Hon. Samuel Gichigi)

Question put and agreed to.

12. **HOUSE RESUMED** - the Speaker in the Chair

(i) **The Supplementary Appropriation Bill (No.2) (National Assembly Bill No.30 of 2017)**

Bill reported with amendments;

Motion made and Question proposed –

THAT, the House do agree with the Committee in the said report

(Chairperson, Budget and Appropriations Committee)

Question deferred;

(ii) **The President's Award Bill (National Assembly Bill No.7 Of 2017)**

Bill reported with amendments;

Motion made and Question proposed –

THAT, the House do agree with the Committee in the said report

(The Leader of the Majority Party)

Question deferred;

(iii) **The National Assembly Standing Orders of 2017**

Progress reported -

THAT, the Committee of the whole House has considered the amendments to the National Assembly Standing Orders up to Standing Order 106 and seeks leave to sit again tomorrow.

(The Leader of the Majority Party)

Question put and agreed to.

And the time being seven minutes past One O'clock, the Speaker interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

13. **HOUSE ROSE** - at seven minutes past One O'clock

M E M O R A N D U M

The Speaker will take the Chair today,
Thursday, June 15, 2017 at 2.30 p.m.