



**REPUBLIC OF KENYA**  
**ELEVENTH PARLIAMENT – FOURTH SESSION**  
**NATIONAL ASSEMBLY**  
**VOTES AND PROCEEDINGS**  
**TUESDAY, DECEMBER 20, 2016 (MORNING)**

1. The House assembled at fifty nine minutes past Eleven O'clock.
2. The Proceedings were opened with Prayer.
3. **PRESIDING**– The Speaker

4. **PAPERS** -

The following **papers** were laid on the table of the House:-

- a) The Reports of the Auditor-General on the Financial Statements in respect the following Constituencies for the year ended 30<sup>th</sup> June, 2015 and the certificates therein:-

- (i) Isiolo South Constituency;
- (ii) Kibwezi East Constituency;
- (iii) Kibwezi West Constituency;
- (iv) Kitui East Constituency;
- (v) Laisamis Constituency;
- (vi) Saku Constituency;
- (vii) Budalangi Constituency;
- (viii) Igembe North Constituency;
- (ix) Maara Constituency;
- (x) Webuye West Constituency;
- (xi) Igembe South Constituency;
- (xii) Mbeere South Constituency;
- (xiii) Ikolomani Constituency;
- (xiv) Tigania East Constituency;
- (xv) Mwingi West Constituency;
- (xvi) Manyatta Constituency;
- (xvii) Yatta Constituency;
- (xviii) Kitui Central Constituency;
- (xix) Shinyalu Constituency;
- (xx) Bomet Central Constituency;
- (xxi) Samburu East Constituency;
- (xxii) Ainamoi Constituency;
- (xxiii) Nyeri Town Constituency;
- (xxiv) Baringo North Constituency;
- (xxv) Kilome Constituency;
- (xxvi) Kuresoi South Constituency;
- (xxvii) Bahati Constituency;
- (xxviii) Laikipia East Constituency;
- (xxix) Gichugu Constituency;

- (xxx) Ol' Joro Orok Constituency;
- (xxxi) Kiambu Town Constituency;
- (xxxii) Narok East Constituency;

- b) The Reports of the Auditor-General on the Financial Statements in respect of the following institutions, for the year ended 30<sup>th</sup> June 2016 and the Certificates therein:
  - (i) Capital Markets Authority;
  - (ii) Egerton University;
  - (iii) Golf Hotel;
  - (iv) Ewaso Ng'iro South River Basin Development Authority;
  - (v) Maasai Mara University; and
  - (vi) Kenya Marine and Fisheries Research Institute.
- c) Annual Report of the National Police Service Commission for the year 2015/2016.
- d) The Traffic (Minor Offences) Rules 2016 and the Explanatory Memorandum therein (*referred to the Committee on Delegated Legislation*).

*(The Leader of the Majority Party)*

- e) The Report of the Departmental Committee on Finance, Planning and Trade on its consideration of nominees for appointment as members of the Commission on Revenue Allocation (CRA).

*(The Chairperson, Departmental Committee on Finance, Planning and Trade)*

- f) The Report of the Departmental Committee on Environment and Natural Resources on its consideration of the nominees for appointment as members of the National Climate Change Council.

*(The Chairperson, Departmental Committee on Environment and Natural Resources)*

- g) The Report of the Committee on Delegated Legislation on its consideration of the Election Campaign Financing Regulations, 2016.

*(The Chairperson, Committee on Delegated Legislation)*

## 5. **NOTICES OF MOTIONS**

The following notices of Motions were given:-

### **(a) NOTICE OF MOTION ON ALTERATION OF CALENDAR OF THE HOUSE (REGULAR SESSIONS)**

**THAT**, pursuant to the provisions of Standing Order 28(4), relating to the Calendar of the House, this House resolves to alter its Calendar for the Fourth Session, so that-

- (i) the Fourth Session terminates on the 23<sup>rd</sup> Day of January, 2017; and,
- (ii) the House resumes for its *regular sessions* at the commencement of the Fifth Session on Tuesday, the 24<sup>th</sup> Day of January, 2017 at 2.30 pm.

*(The Leader of Majority Party)*

**(b) NOTICE OF MOTION ON THE REPORT OF THE DEPARTMENTAL COMMITTEE ON FINANCE, PLANNING AND TRADE ON ITS CONSIDERATION OF NOMINEES FOR APPOINTMENT AS MEMBERS OF THE COMMISSION ON REVENUE ALLOCATION (CRA)**

**THAT**, pursuant to Articles 215(2) (b) & (c), 250 (2) (b) of the Constitution, Section 6(1) of the Commission on Revenue Allocation Act, Section 8(1) of the Public Appointments (Parliamentary Approval) Act and Standing Order 45(1), this House adopts the Report of the Departmental Committee on Finance, Planning and Trade on the Vetting of Nominees to the Commission on Revenue Allocation and approves the appointment of the following as Members to Commission on Revenue Allocation:

- i. Prof. Edward Akong'o Oyugi;
- ii. Mr. Peter Gachuba Njeru;
- iii. Mr. Kishanto Suuji;
- iv. Dr. Irene C. Koech Asienga;
- v. Ms. Fouzia Abdikadir Dahir;
- vi. Mr. Humphrey Wattanga;
- vii. Prof. Peter Kiko Kimuyu.

*(Chair, Departmental Committee on Finance Planning and Trade)*

**(c) NOTICE OF MOTION ON THE REPORT OF THE DEPARTMENTAL COMMITTEE ON ENVIRONMENT AND NATURAL RESOURCES ON ITS CONSIDERATION OF THE NOMINEES FOR APPOINTMENT AS MEMBERS OF THE NATIONAL CLIMATE CHANGE COUNCIL**

**THAT**, pursuant to Section 7 of the Climate Change Act and Section 8(1) of the Public Appointments (Parliamentary Approval) Act and Standing Order 45(4), this House adopts the Report of the Departmental Committee on Environment and Natural Resources on the vetting of the Nominees for appointment as Members of the National Climate Change Council, laid on the Table of the House on **Tuesday, December 20, 2016**, and approves the recommendations of the Committee as follows:

- (i) Approves the appointment of Mr. Suresh Patel and Mr. John Kioli as Members of the National Climate Change Council;
- (ii) Rejects the appointment of Ms. Cynthia Wechabe and Dr. Jane Mutheu as Members of the Climate Change Council; and
- (iii) Recommends that the appointing authority submits nominees of the female gender to represent the marginalized communities and Commission for University Education as prescribed by Public Appointments (Parliamentary Approval) Act.

*(Chair, Departmental Committee on Environment and Natural Resources)*

**(d) NOTICE OF MOTION ON REPORT OF THE COMMITTEE ON DELEGATED LEGISLATION ON THE ELECTION CAMPAIGN FINANCING REGULATIONS, 2016**

**THAT**, this House adopts the report of the Committee on Delegated Legislation on its Consideration of the **Election Campaign Financing Regulations, 2016**, laid on the Table of the House today Tuesday, **December 20, 2016**, and pursuant to the provisions of sections 18 & 19 of the Statutory Instruments Act, 2013 and Standing Order 210(2) (b), resolves:

- (i) Not to approve for publication, the Election Campaign Financing Regulations, 2016 as they contravene Section 5 of the Election Campaign Financing Act, 2013 and Section 13(a) of the Statutory Instruments Act, 2013; and

- (ii) To amend relevant sections of the Election Campaign Financing Act, 2013 particularly sections 5 and 18 to give proper timelines for compliance to enable IEBC submit fresh regulations for approval.

*(Chairperson, Committee on Delegated Legislation)*

6. **MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 4 OF 2016)**

Motion made and Question proposed -

**THAT**, this House does agree with the Report of Committee of the Whole House on its consideration of the County Governments (Amendment) Bill (Senate Bill No. 4 of 2016)

*(Leader of Majority Party)*

Question put and agreed to;

Motion made and Question proposed -

**THAT**, the County Governments (Amendment) Bill (Senate Bill No. 4 of 2016) be now read a Third Time;

*(Leader of Majority Party)*

Question put and agreed to;

Bill read a Third Time and passed.

7. **MOTION – ADOPTION OF THE REPORT ON INVESTIGATION INTO THE OWNERSHIP OF MOMBASA CEMENT LIMITED LAND IN KILIFI COUNTY**

Motion made and Question proposed -

**THAT**, this House adopts the Report of the Departmental Committee on Lands on its the Investigation into the ownership of Mombasa Cement Limited Land in Kilifi County, laid on the Table of the House on Tuesday, 24<sup>th</sup> November 2015.

*(The Chairperson, Departmental Committee on Lands)*

Debate interrupted on Thursday, December 1, 2016 – Afternoon Sitting, resumed;

Debate deferred;

8. **MOTION – ADOPTION OF THE REPORT ON RATIFICATION OF THE AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF KENYA AND THE U.S**

Motion made

**THAT**, this House adopts the Report of the Departmental Committee on Health on the Ratification of the Agreement between the Government of the Republic of Kenya and the Government of the United States of America concerning Cooperation in Threat Reduction

Biological Engagement Programs laid on the Table of the House on Tuesday, November 22, 2016, and pursuant to Section 8 of the Treaty Making and Ratification Act, 2012, **approves** the ratification of the Agreement between the Government of the Republic of Kenya and the Government of the United States of America concerning Co-operation in Threat Reduction Biological Engagement Programs.

*(The Chairperson, Departmental Committee on Health)*

Motion deferred.

9. **MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE ELECTION LAWS (AMENDMENT) BILL (NO. 3) BILL (NATIONAL ASSEMBLY BILL NO. 63 OF 2015)**

Motion made and Question proposed -

**THAT**, this House does agree with the Report of Committee of the Whole House on its consideration of the Election Laws (Amendment) Bill (No. 3) Bill (National Assembly Bill No. 63 of 2015);

Debate arising;

Amendment Proposed-

**THAT**, the Motion for agreement with the Report of the Committee of the Whole House be amended by inserting the words “subject to re-committal of Clause 4, 7, 11, 14, 32 and the Long title of the Election Laws (Amendment) Bill (No. 3) Bill (National Assembly Bill No. 63 of 2015);

*(The Leader of Majority Party)*

Debate arising;

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

10. **HOUSE ROSE** - at thirty minutes past One O'clock.

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**M E M O R A N D U M**

The Speaker will take the Chair on  
Tuesday, December 20, 2016 at 3.00 p.m.

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