



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (FIFTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, APRIL 05, 2017 AT 9.30 A.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 BASIC EDUCATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 39 OF 2016)

(The Hon. Grace Kiptui, M.P.)

Second Reading
(*Question to be put*)

9*. THE NATIONAL AUTHORITY FOR THE CAMPAIGN AGAINST ALCOHOL AND DRUG ABUSE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 34 OF 2016)

(The Hon. Ferdinand Waititu, M.P.)

Second Reading
(*Mover to reply*)

10*. COMMITTEE OF THE WHOLE HOUSE

- (i) The Clinical Officers (Training, Registration and Licensing) Bill (National Assembly Bill No. 27 of 2016)
(The Hon. Leonard Sang, M.P.)
- (ii) The Livestock and Livestock Products Development and Marketing Bill (National Assembly Bill No. 44 of 2016)
(The Hon. Abdinoor Mohamed Ali, M.P.)

11*. THE KENYA NATIONAL EXAMINATIONS COUNCIL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 42 OF 2016)

(The Hon. Alfred Agoi Masadia, M.P.)

Second Reading

(Resumption of debate interrupted on Wednesday, March 29, 2017 – Morning Sitting)

(Balance of time – 1 hr 55min)

12*. THE NATIONAL POLICE SERVICE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 43 OF 2016)

(The Hon. Abdullswamad Sheriff Nassir, M.P.)

Second Reading

13*. MOTION – STANDARDIZED STAFFROOMS AND SAFE CUSTODY OF LEARNING RESOURCES AND INTERNET CONNECTIVITY FOR ACCESSING ONLINE LEARNING RESOURCES

(The Hon. Jessica Mbalu, M.P.)

THAT, aware that education is an important tool for empowering Kenyan youth to actively participate in national development towards realization of Kenya's Vision 2030 and the Sustainable Development Goals; noting that conducive and enabling working environment for teachers is fundamental in enhancing efficiency and safety of learning materials; cognizant of the fact that teachers in a number of public schools and early childhood development (ECD) centres work from poor staffrooms or makeshift facilities at both levels of government, including ECD Centres, some of which have no staffroom facilities, or storage facilities for equipment or books; further concerned that teachers and students in most learning institutions have no internet infrastructure for accessing online learning resources; concerned that such poor working conditions constrain optimal service delivery by teachers and expose learning materials, including books purchased under the Free Primary Education and subsidized secondary school capitation funds, to destruction and theft; this House urges the National Government and the county governments to initiate a comprehensive programme to ensure that all public primary and secondary schools and ECD centres have standardized staffrooms for teachers and safe custody of learning resources and internet connectivity for accessing online learning resources.

14*. MOTION – ROAD DESIGNS AND CONSTRUCTIONS TO INCORPORATE RUN-OFF WATER HARVESTING AND MANAGEMENT MECHANISMS

(The Hon. Joseph M'eruaki, MP.)

THAT, aware that Article 43 of the Constitution provides that every person has the right to clean and safe water in adequate quantities; further aware that water harvesting is an important practice for water management; cognizant of the fact that earth-dams and

...../14*. (cont'd)

water-pans would play a key role in water harvesting especially in arid and semi-arid areas; noting that a large quantity of run-off water goes to waste in most parts of the country; further noting that this run-off water if properly harvested and managed would be useful for domestic, livestock and irrigation purposes; appreciating that increased infrastructural development especially in roads has led to the mobilization of machineries and human resources in most areas; further appreciating that these civil engineering machineries and personnel can be useful in the construction of earth-dams and water-pans; this House **resolves** that the Government through the Ministry of Transport, Infrastructure, Housing and Urban Development ensures that all road designs and constructions incorporate run-off water harvesting and management mechanisms.

*** Denotes Orders of the Day**

N O T I C E S

I. THE CLINICAL OFFICERS (TRAINING, REGISTRATION AND LICENSING) BILL (NATIONAL ASSEMBLY BILL NO. 27 OF 2016)

1. Notice is given that the Chairperson of the Committee on Health intends to move the following amendments to the Clinical Officers (Training, Registration and Licensing) Bill, 2016 at the Committee Stage—

CLAUSE 2

THAT clause 2 of the Bill be amended—

- (a) by deleting the definition of “clinical officer” and substituting therefor the following new definition —

“clinical officer ” means a person who having successfully undergone prescribed course of training in an approved institution and be a holder of a diploma or degree certificate in clinical medicine and community health”;

CLAUSE 4

THAT clause 4 of the Bill be amended—

- (a) in sub clause (1)-

- (i) by deleting paragraph (a) and substituting therefor the following—

“(a) the chairperson who shall be elected by the council members from amongst themselves in their first council meeting and appointed by the Cabinet Secretary for health”;

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

“(d) clinical officer elected by members of faculty of Clinical Medicine from Kenya Medical Training College”;

- (iii) by deleting paragraph (e) and substituting therefor the following —

“(e) a clinical officer representing private colleges training clinical officers”;

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

“(f) clinical officer representing universities training clinical officers elected amongst the head of department clinical medicine”;

(v) by deleting paragraph (g) and substituting therefor the following —

“(g) a member of the Institute of Certified Public Accountants of Kenya from the public sector”.

CLAUSE 5

THAT, clause 5 of the Bill be amended in sub-clause (2) by deleting the words “Kenya Gazette” appearing in paragraph (g) and substituting therefor the words “official website of the Clinical Officers Council”.

CLAUSE 9

THAT, clause 9 of the Bill be amended in sub-clause (1) by deleting the words “in consultation with the Registrar” appearing immediately after the words “the council.”

CLAUSE 11

THAT clause 11 of the Bill be amended —

- (a) in sub-clause (3) by deleting the word “and” appearing immediately after the words “chairperson of the Council” and substituting therefor the word “or.”
- (b) by deleting sub-clause (4).

CLAUSE 13

THAT, clause 13 of the Bill be amended —

- (a) in sub-clause (2) by—
 - (i) inserting the words ‘or’ immediately after the words “this Act” appearing in paragraph (a);
 - (ii) inserting the following proviso immediately after paragraph (c)—

“Unless such institution is established or accredited under the Universities Act 2012 or the Technical Vocational Education and Training Act 2013, and is approved and accredited by the Council for that purpose in accordance with this Act”.
- (b) by inserting new sub-clauses immediately after sub-clause 3—
 - “(3a) The Council shall index all students with minimum entry requirements on admission to an approved training institution and the number of students in each class not to exceed the prescribed and approved number by the Council”;
 - “(3b) The Council shall administer a pre-internship assessment.”

CLAUSE 15

THAT clause 15 of the Bill be amended—

- (a) in sub clause (5) by deleting the word “a” appearing immediately after the words “Registrar shall” and substituting therefor the word “as”;
- (b) in sub clause (6) by deleting the word “gazette” appearing immediately after the words “publish in the” and substituting therefor the words “official Clinical Officers Council website”.

CLAUSE 16

THAT, clause 16 of the Bill be amended in paragraph (a) of sub-clause (2) by deleting the word “of” appearing immediately after the word “hold”.

CLAUSE 20

THAT clause 20 of the Bill be amended in sub clause (3) by inserting the word “full time” immediately after the words “to engage in” appearing in paragraph (b).

CLAUSE 22

THAT, clause 22 of the Bill be deleted.

CLAUSE 23

THAT, clause 23 of the Bill be amended by deleting sub clause (5).

FIRST SCHEDULE

THAT, the first schedule be amended—

- (a) in sub paragraph (6) by deleting the word “numbers” appearing immediately after the words “one of their” and substituting therefor the word “members”;
- (b) in paragraph (2) (ii) by inserting the word “be” immediately after the words “ceases to”.

THIRD SCHEDULE

THAT, the third schedule of the Bill be deleted.

FOURTH SCHEDULE

THAT, the fourth schedule of the Bill be deleted.

FIFTH SCHEDULE

THAT the fifth schedule of the Bill be deleted.

SIXTH SCHEDULE

THAT the sixth schedule of the Bill be deleted.

2. Notice is given that the Member for Bureti (Hon Leonard Sang), intends to move the following amendment to the Clinical Officers (Training, Registration and Licensing) Bill, 2016 at the Committee Stage—

CLAUSE 1

THAT, clause 1 of the Bill be amended by deleting the word “2016” and substituting therefor the words “2017, and shall come into force on such date as the Cabinet Secretary may, by notice in the gazette appoint”.

3. Notice is given that the Member for Kikuyu (Hon Kimani Ichungwah) intends to move the following amendment to the Clinical Officers (Training, Registration and Licensing) Bill, 2016 at the Committee Stage-

NEW CLAUSE 35

THAT the Bill be amended by inserting following new Clause immediately after clause 34-

Amendment of
sections 35A and 35I
of Cap 244

35. The Pharmacy and Poisons Act is amended-

(a) in section 35A by deleting the words “The Director of the National Drug Quality Control Laboratory or any member of the Laboratory staff authorized by him” appearing in subsection (5) and substituting therefor the words “ The Board or any person authorized in writing by the Board”

(b) in section 35 I by deleting paragraph (b).

II. THE LIVESTOCK AND LIVESTOCK PRODUCTS DEVELOPMENT AND MARKETING BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2016)

1. Notice is given that the Chairperson of the Committee on Agriculture, Livestock and Fisheries intends to move the following amendments to the Livestock and Livestock Products Development and Marketing Bill, 2016) at the Committee Stage—

CLAUSE 2

THAT, clause 2 of the Bill be amended by—

- (a) deleting the definitions of the following terms and substituting therefor the following definitions—

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“livestock “means—

- (a) cattle, camel, sheep, goat, pig, poultry, lagomorph, bees;
- (b) companion animal, draught animal; and
- (c) any other animal which the Cabinet Secretary may by order in the gazette, declare to be livestock for the purpose of this Act;

“livestock product” means—

- (a) a carcass or parts of a carcass of livestock;
- (b) any product consisting of parts of, or derived from livestock, and includes hides and skins, wool, feather, meat, milk, eggs, honey; and
- (c) any other product from livestock that the Cabinet Secretary may by order in the Gazette, declare to be a livestock product for the purpose of this Act;

- (b) inserting the following definition of terms in their proper alphabetical sequence—

“livestock industry” means any activities that involve the production, processing, marketing or distribution of livestock products or services;

“livestock infrastructure” means structures and facilities serving the livestock economy which includes roads, holding grounds, water points, disease free zones, markets and livestock transport vehicles;

- (c) in definition of “Board” by deleting the words “Development and Marketing” and substituting therefor the words “Marketing Promotion”

CLAUSE 3

THAT, clause 3 of the Bill be amended in sub-clause (1) by deleting the words “Development and Marketing” and substituting therefor the words “Marketing Promotion”.

CLAUSE 5

THAT, clause 5 of the Bill be amended—

- (a) in paragraph (a) by deleting the words “development and marketing” and substituting therefor the words “marketing promotion”;
- (b) in paragraph (b) by deleting the words “the Ministry for the time being responsible for Trade” and substitute therefor the following words “other relevant agencies”;
- (c) by deleting paragraph (c) and substituting therefor the following new paragraph—

“(c) advise national and county governments on matters relating to marketing of livestock and livestock products, including apportionment of resources;”

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

“(d) liaise with the private sector and other agencies on matters relating to marketing of livestock and livestock products in order to limit duplication of effort and ensure optimal use of available resources;”

(e) in paragraph (e) by deleting the word “provide” appearing immediately before the words “market access” “and substituting therefor the word “facilitate”;

(f) in paragraph (f) by deleting the words “development” appearing immediately after the words “national livestock”;

(g) by deleting paragraph (g) and substituting therefor the following new paragraph—

(g) coordinate and mobilize resources for investments and promotion of marketing of livestock and livestock products in the country ”

(h) by deleting paragraph (h);

(i) by deleting paragraph (i) and substituting therefor the following new paragraph—

“(i) facilitate the marketing of livestock and livestock products through provision of market information intelligence on supply and demand locally and internationally;”

(j) by deleting paragraph (j) and substituting therefor the following new paragraph—

“(j) in collaboration with Research Institutions conduct studies and research designed to promote value addition and marketing of livestock and livestock products;”

(k) by deleting paragraph (k) and substituting therefor the following new paragraph—

“(k) promote the adoption of standards best practices and support training in livestock production and processing that support marketing of livestock and livestock products;”

(l) by deleting paragraphs (l) and (m);

(m) in paragraph (n) by deleting the word “and”;

(n) by deleting paragraph (o) and substituting therefor the following new paragraph—

“(o) promote the adoption of standards and best practices in livestock production and processing that supports marketing of livestock and livestock products;”

(o) in paragraph (p) by deleting the word “by-products”;

(p) by deleting paragraph (q);

(q) by deleting paragraph (r) and substituting therefor the following new paragraph—

“(r) develop and rehabilitate livestock marketing infrastructure to facilitate trade in livestock and livestock products;”

(r) by deleting paragraph (s) and substituting therefor the following new paragraph—

“(s) implement livestock insurance schemes in the country;”

(s) in paragraph (t) by deleting the words “supervise and strengthen” and substitute therefor the word “support”;

(t) by inserting a new paragraph immediately after paragraph (t) —

“(ta) collate and disseminate data and information on livestock and livestock products and monitor a data base for use by all stakeholders;

(u) by deleting paragraphs (u) and (v);

(v) in paragraph (w) by inserting the words “fees and charges” immediately after the words “governments on levies”;

(w) by deleting paragraph (x) and substituting therefor the following new paragraph—

“(x) advice the national and county governments on matters relating to policies on marketing of livestock and livestock products;”

(x) in paragraph (y) by inserting the words “in collaboration with county governments” immediately before the words “co-ordinate the promotion”;

(y) by deleting paragraph (z) and substituting therefor the following new paragraph—

“(z) facilitate, in liaison with county governments and communities, the establishment of strategic business partnerships;”

CLAUSE 6

THAT, clause 6 of the Bill be amended—

(a) in subclause (1) by—

(i) deleting paragraphs (d) and (e);

(ii) deleting paragraph (g) and substitute therefor the following new paragraph—

“(g) three persons appointed by the Cabinet Secretary taking into consideration principles of gender and regional balance”

(b) in sub-clause (2) by deleting the word “Cabinet-Secretary” and substituting therefor the word “President”

(c) by deleting sub-clause (3);

(d) in sub-clause (4), by deleting the phrase “ as chairperson or member of the Board under sub-section (1) (a), (i), (j) or (k)” and substitute therefor the phrase “a member of the Board under sub-section (1) (f), (g) and (h)”

CLAUSE 9

THAT, clause 9 of the Bill be amended by deleting the words “section 6 (1) (i), (j) and (k) shall hold office for a term of four” and substituting therefor the words “section 6 (1) (f) (g) and (h) shall hold office for a term of three”.

CLAUSE 13

THAT, clause 13 of the Bill be amended in sub-clause (1) by deleting paragraph (b) and substituting therefor the following new paragraph—

“(b) has a minimum of a Bachelor’s degree in the relevant field.”

CLAUSE 21

THAT, clause 21 of the Bill be amended in paragraph (a) by deleting the word “Parliament” and substituting therefor the word “National Assembly”.

LONG TITLE

THAT, the long title of the Bill be amended by deleting the words “Development and Marketing” and substitute therefor the words “Marketing Promotion”.

CLAUSE 1

THAT, clause 1 of the Bill be amended by deleting the words “Development and Marketing” and substituting therefor the words “Marketing Promotion”.

TITLE

THAT, the title of the Bill be amended by deleting the words “Development and Marketing” and substituting therefor the words “Marketing Promotion”.

Notice is given that the Nominated Member (Hon. Abdinoor Mohamed Ali) intends to move the following amendments to the Livestock and Livestock Products Development and Marketing Bill, 2016) at the Committee Stage—

CLAUSE 6

THAT, clause 6 of the Bill be amended—

(a) in subclause (1) by—

(i) deleting paragraphs (d) , (e), (g) and (h); and

(ii) inserting the following paragraph immediately after paragraph (f)—

(fa) four persons appointed by the Cabinet Secretary taking into consideration principles of gender and regional balance”

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(b) by deleting sub-clause (2) by deleting the word “Cabinet-Secretary” and substituting therefor the word “President”

(c) in sub-clause (4), by deleting paragraph (b).

CLAUSE 13

THAT, clause 13 of the Bill be amended—

(a) in sub-clause (1) by deleting paragraph (b) and substituting therefor the following new paragraph—

“(b) has a minimum of a Bachelor’s degree in the relevant field and experience of five years.”

(b) in sub-clause (2) by deleting the words “on such terms and conditions of the employment as the Board may determine” and substitute therefor the words “for a term of three years renewable for one further term only”.

The House resolved on Wednesday, January 25, 2017 as follows:-

- III. THAT**, notwithstanding the provisions of Standing Order 97(4), this House orders that, each speech in a debate on any **Motion**, including a Special motion be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each 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 ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; 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.
- IV. THAT**, notwithstanding the provisions of Standing Order 97(4), this House orders that, each speech in a debate on **Bills NOT sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** be limited as follows:- A maximum of three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of 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; 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.
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NOTICE PAPER

Tentative business for

Wednesday (Afternoon), April 05, 2017

(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), April 05, 2017:-

A. PROCEDURAL MOTION - REDUCTION OF PUBLICATION PERIOD OF A BILL

(The Chairperson, Departmental Committee on Finance, Planning & Trade)

B. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO.16 OF 2017)

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

First Reading

C. THE APPROPRIATION BILL (NATIONAL ASSEMBLY BILL NO. 15 OF 2017)

(The Chairperson, Budget and Appropriations Committee)

Second Reading
(Question to be put)

D. THE EQUALIZATION FUND APPROPRIATION BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2017)

(The Chairperson, Budget and Appropriations Committee)

Second Reading

(Resumption of debate if not concluded on Tuesday, April 04, 2017)

E. COMMITTEE OF THE WHOLE HOUSE

(i) The Appropriation Bill (National Assembly Bill No. 15 of 2017)

(The Chairperson, Budget and Appropriations Committee)

(By Leave of the House)

(ii) The Equalization Fund Appropriation Bill (National Assembly Bill No. 12 of 2017)

(The Chairperson, Budget and Appropriations Committee)

(By Leave of the House)

(iii) The Prevention of Torture Bill (National Assembly Bill No. 47 of 2016)
(The Leader of the Majority Party)

F. THE NAIROBI INTERNATIONAL FINANCIAL CENTRE BILL (NATIONAL ASSEMBLY BILL NO. 5 OF 2017)
(The Leader of the Majority Party)

Second Reading

G. THE PRESIDENT'S AWARD BILL (NATIONAL ASSEMBLY BILL NO. 7 OF 2017)
(The Leader of the Majority Party)

Second Reading

H. THE LEGAL METROLOGY BILL (NATIONAL ASSEMBLY BILL NO. 8 OF 2017)
(The Leader of the Majority Party)

Second Reading

Eleventh Parliament

(No. 037)



Fifth Session
Afternoon Sitting

(364)

REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (FIFTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, APRIL 05, 2017 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*. PROCEDURAL MOTION - REDUCTION OF PUBLICATION PERIOD OF A BILL

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

THAT, pursuant to the provisions of Standing Order 120, this House resolves to reduce the publication period of the Finance Bill (National Assembly Bill No. 16 of 2017), from fourteen (14) to three (3) days.

9*. THE APPROPRIATION BILL (NATIONAL ASSEMBLY BILL NO. 15 OF 2017)

(The Chairperson, Budget and Appropriations Committee)

Second Reading
(*Question to be put*)

10*. THE EQUALIZATION FUND APPROPRIATION BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2017)

(The Chairperson, Budget and Appropriations Committee)

Second Reading

(No.037)

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(365)

11*. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO.16 OF 2017)

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

First Reading

12*. COMMITTEE OF THE WHOLE HOUSE

- (i) The Appropriation Bill (National Assembly Bill No. 15 of 2017)
(The Chairperson, Budget and Appropriations Committee)
(By Leave of the House)
- (ii) The Equalization Fund Appropriation Bill (National Assembly Bill No. 12 of 2017)
(The Chairperson, Budget and Appropriations Committee)
(By Leave of the House)
- (iii) The Prevention of Torture Bill (National Assembly Bill No. 47 of 2016)
(The Leader of the Majority Party)

13*. MOTION – APPROVAL OF ELECTIONS-RELATED REGULATIONS

(The Chairperson, Committee on Delegated Legislation)

THAT, this House adopts the Reports of the Committee on Delegated Legislation on its consideration of the Elections-related Regulations laid on the Table of the House on Wednesday, March 29, 2017, and pursuant to provisions of sections 44(6) and 109(3) of the Elections Act, 2011, approves the following Elections-related Regulations:-

- (i) The Draft Elections (*Technology*) Regulations, 2017;
- (ii) The Draft Elections (*Registration of Voters*) (Amendment) Regulations, 2017;
- (iii) The Draft Elections (*Voter Education*) Regulations, 2017;
- (iv) The Draft Elections (*General*) (*Amendment*) Regulations, 2017; and
- (v) The Draft Elections (*Party Primaries and Party Lists*) Regulations, 2017.

(Resumption of debate interrupted on Tuesday, April 04, 2017)

(Question to be put on proposed amendment to Regulation 9 of item (i) and Mover to move other amendments)

14*. THE NAIROBI INTERNATIONAL FINANCIAL CENTRE BILL (NATIONAL ASSEMBLY BILL NO. 5 OF 2017)

(The Leader of the Majority Party)

Second Reading

..... /15*

(No.037)

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(366)

15*. THE PRESIDENT'S AWARD BILL (NATIONAL ASSEMBLY BILL NO. 7 OF 2017)

(The Leader of the Majority Party)

Second Reading

16*. THE LEGAL METROLOGY BILL (NATIONAL ASSEMBLY BILL NO. 8 OF 2017)

(The Leader of the Majority Party)

Second Reading

*** Denotes Orders of the Day**

(No.036)

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(367)

N O T I C E S

I. THE PREVENTION OF TORTURE BILL (NATIONAL ASSEMBLY BILL NO. 47 OF 2016)

Notice is given that the Member for Kibra (Hon. Kenneth Okoth) intends to move the following amendments to the Prevention of Torture Bill, 2017 at the Committee Stage—

CLAUSE 1

THAT, Clause 1 of the Bill be amended by deleting the words “on such a date as the Cabinet Secretary may, by notice in the Gazette appoint” appearing after the word “operation” and substituting therefor the words “upon publication in the Gazette.”

CLAUSE 4

THAT, Clause 4 of the Bill be amended in paragraph (a) by deleting the words “him or her” appearing in paragraph (i), (ii) and (iii) and substituting therefor the words “that person.”

CLAUSE 13

THAT, Clause 13 of the Bill be amended—

(a) by inserting the following new sub-clause immediately after sub-clause (7)—

“(7a) Where there are any visible signs of torture, the court shall record and shall, on its motion issue an order of investigation immediately and order submissions of an investigation report within seven days.

(7b) An order made under sub-section (7) and (7a) shall be directed to an officer commanding a police station within whose jurisdiction the torture occurred”; and

(b) insub-clause (9) by deleting the word “protect” appearing in paragraph (a) and substituting therefor the words “take all necessary measures.”

CLAUSE 15

THAT, Clause 15 of the Bill be amended by inserting the following new paragraph immediately after paragraph (a)—

“(aa) for purposes of making a determination on the victims protection and welfare.”

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CLAUSE 16

THAT, Clause 16 of the Bill be amended in sub-clause (1) by inserting the following new paragraph immediately after paragraph (c)—

“(d) a person who is under protection by the Witness Protection Agency established under section 3A of the witness Protection Act.”

CLAUSE 19

THAT, that clause 19 of the Bill be deleted.

CLAUSE 20

THAT, Clause 20 of the Bill be amended by deleting sub-clause 3.

CLAUSE 21

THAT, Clause 21 of the Bill be amended in sub-clause (1) by deleting the words “intentionally or recklessly” appearing immediately after the words “detainee shall not.”

CLAUSE 22

THAT, Clause 22 of the Bill be amended in sub-clause 4 by inserting the words “who is suspected to have committed an offence under this Act” immediately after the words “Where a person”

CLAUSE 24

THAT, the Bill be amended by deleting clause 24 and substituting therefor the following new clause—

“**24.** The Cabinet Secretary may, in consultation with the Commission and with the approval of the National Assembly, make regulations generally for the better carrying into effect of the provisions under this Act.”

CLAUSE 26

THAT, the Bill be amended by deleting clause 26 and substituting therefor the following new clause—

“26. (1) The Commission shall submit an annual report to the National Assembly and may, at any time submit special reports to the Cabinet Secretary on any matter relating to its functions.

(2) The annual report submitted by the Commission under sub-section (1) shall include an overall assessment of Government’s performance with regard to prevention of torture and cruel, inhumane and degrading treatment during the period under review by the Commission.

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(369)

(3) The Cabinet Secretary shall every year be required to report to the National Assembly, steps which the government has taken in implementing the recommendations made by the Commission.”

CLAUSE 30

THAT, the Bill be amended by deleting clause 30.

II. PROPOSED AMENDMENTS TO ELECTION-RELATED REGULATIONS

Notice is given that, the Member for Tongaren (Hon. David Eseli), intends to move the following amendments to the Draft Elections Regulations, 2017-

A. THE DRAFT ELECTIONS (TECHNOLOGY) REGULATIONS, 2017

REGULATION 9

THAT, Regulation 9 of the draft Elections (Technology) Regulations, 2017 is amended in sub Regulation (2) by deleting the words “The commission may publish” and substituting therefor the words “The commission shall publish”.

REGULATION 33

THAT, Regulation 33 of the draft Elections (Technology) Regulations, 2017 is amended in paragraph (c) by deleting the expression “Majority Party (1) and Minority Party (1)” appearing in subparagraph (v) and substituting therefor the expression “Majority Party (2) and Minority Party (2)”

REGULATION 35

THAT, Regulation 35 of the draft Elections (Technology) Regulations, 2017 is amended by deleting the word commission and substituting therefor the words “The commissioner in charge of ICT or in his or her absence, the Director in charge of ICT”

REGULATION 36

THAT, Regulation 36 of the draft Regulations be amended by **deleting** sub-Regulation (1) and substituting therefor the following-

“(1) the committee shall hold its first sitting within two week of these regulations coming in force to asses and determine frequency venue and time of their sitting guided by the relevant workload”

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(370)

REGULATION 38

THAT, Regulation 38 of the draft Regulations be amended by deleting paragraph (b).

B. THE DRAFT ELECTIONS (GENERAL) REGULATIONS, 2017

REGULATION 30

THAT, Regulation 30 of the draft Elections (General) Regulations , 2017 that seeks to amend Regulation 75 of the Principal Regulations be amended in by inserting the words “and the total number of those identified electronically” immediately after the word “voter”.

REGULATION 87

THAT, the draft regulations be amended in Regulation 87 in sub-regulation (3) by deleting the word “ County” appearing in paragraph (c) and substituting therefor the word “constituency”.

The House resolved on Wednesday, January 25, 2017 as follows:-

- III.** **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.
- IV.** **THAT**, notwithstanding the provisions of Standing Order 97(4), this House orders that, each speech in a debate on a **Report of a Committee**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House, 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 be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.
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NOTICE PAPER

Tentative business for

Thursday, April 06, 2017

(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 Thursday, April 06, 2017:-

**A. MOTION – REPORT OF THE CONSTITUTIONAL IMPLEMENTATION
OVERSIGHT COMMITTEE ON OVERSIGHT OVER THE
IMPLEMENTATION OF DEVOLUTION**

(The Chairperson, Constitutional Implementation Oversight Committee
(CIOC))

THAT, this House adopts the Report of the Constitutional Implementation Oversight Committee on Oversight over the Implementation of Devolution upto to the year 2016, laid on the Table of the House on Tuesday, February 21, 2017.

(Question to be put)

B. APPROVAL OF EALA ELECTION REGULATIONS

**C. NOTING OF PROGRESS REPORT ON PETITION FOR REMOVAL OF THE
AUDITOR GENERAL**

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

D. THE DIVISION OF REVENUE BILL, 2017 (MEDIATED VERSION)

**E. THE NAIROBI INTERNATIONAL FINANCIAL CENTRE BILL
(NATIONAL ASSEMBLY BILL NO. 5 OF 2017)**

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, April 05, 2017 – Afternoon Sitting)

F. THE PRESIDENT’S AWARD BILL (NATIONAL ASSEMBLY BILL NO. 7 OF 2017)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, April 05, 2017 – Afternoon Sitting)

G. THE LEGAL METROLOGY BILL (NATIONAL ASSEMBLY BILL NO. 8 OF 2017)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, April 05, 2017 – Afternoon Sitting)

H. ADJOURNMENT OF THE HOUSE

APPENDIX

PETITIONS to be presented on

Wednesday (Afternoon), April 05, 2017

It is notified that, pursuant to Standing Order 225, the following Petitions will be presented to the House **today, Wednesday (Afternoon), April 05, 2017:-**

NO.	<u>PETITION TO BE PRESENTED BY</u>	<u>SUBJECT</u>	<u>PETITIONER(S)</u>
001	The Member for Gichugu (The Hon. Njogu Barua , M.P.), <i>Pursuant to Standing Order 225(2)(a)</i>	Non-remittance of proceeds of coffee produce sale to Karithathi Farmers' Co-operative Society by Kenya Planters Co-operative Union	Members of Karithathi Farmers' Co-operative Society
002	The Member for Molo (The Hon. Jacob Macharia, M.P.), <i>Pursuant to Standing Order 225(2)(a)</i>	Alleged illegal displacement of residents of Landi Trading Center in Molo	Residents of Landi Trading Center
