



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – THIRD SESSION

NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, FEBRUARY 25, 2015

1. The House assembled at thirty minutes past two O'clock.
2. The Proceedings were opened with Prayer.
3. **Presiding** – the Speaker
4. **PETITION - REVOCATION OF LEGAL NOTICE NO. 103(2) ON SOUGHUM & MILLET FARMING & REVIEWS AND REVERSES THE EXCISE DUTY GRANT**

Pursuant to Standing Order 219, the Member for Igembe North (Hon. Joseph M'ruaki) presented a petition on behalf of Citizens of Kenya in particular sorghum and millet farmers regarding revocation of Legal Notice No. 103(2) on soughum and millet farming and reviews and reverses the Excise Duty grant to one hundred per cent remission on beer produced from sorghum or millet.

Petition referred to the Departmental Committee on Agriculture, Livestock & cooperative Committee, pursuant to Standing Order 227.

5. **PAPERS LAID**

The following Papers were laid on the Table-

- i. The Office of the Controller of Budget First Quarter County Budget Implementation Review Report for the Financial Year 2014/2015.
- ii. The Report of the Auditor-General on the Financial Statements of the Kenya Wines Agencies Limited for the year ended 30th June 2014, and the certificate of the Auditor-General therein.
- iii. The Report of the Auditor-General on the Financial Statements of the Yatta Vineyards Limited for the year ended 30th June 2014, and the certificate of the Auditor-General therein.
- iv. The Report of the Auditor-General on the Financial Statements of the KWA Holdings E.A. Limited for the year ended 30th June 2014, and the certificate of the Auditor-General therein.

- v. The Annual Report and Financial Statements of the Energy Regulatory Commission for the year ended 30th June, 2013 and the certificate of the Auditor-General therein.
- vi. The Annual Report and Financial Statements of the Kirinyaga University College for the year ended 30th June, 2013 and the certificate of the Auditor-General therein.

(The Leader of the Majority Party)

6. **NOTICE MOTION- DECLARATION OF CATTLE RUSTLING AS A NATIONAL DISASTER & ESTABLISHMENT OF A SPECIAL FUND FOR VICTIMS**
(The Hon. William Cheptumo, M.P.)

THAT, aware that cattle rustling is a major menace and security threat in the South and North Rift regions and other regions in the country; noting that cattle rustling leaves behind destruction of property and loss of lives; deeply concerned that the menace has since left irreparable and negative socio-economic impact which include but are not limited to increased number of widows, widowers, orphaned children, poverty, displacement of people leading to the emergency of Internally displaced persons (IDPS), disruption of educational programmes and other economic activities owing to the destruction and/or closure of educational, health and other institutions; deeply concerned that the people living in the affected regions have been denied the enjoyment of their social, economic and political rights as guaranteed to them under the Bill of Rights as enshrined in Chapter Four of the Constitution; this House urges that the National Government declares cattle rustling as a national disaster and establishes a Special Fund to be used in mitigating the losses suffered by and in compensating all victims of cattle rustling and resettle all Internally displaced persons across the country created by the menace.

(Departmental Committee on Administration & National Security)

7. **NOTICE OF MOTION - ADJOURNMENT OF THE HOUSE UNDER STANDING ORDER 33 TO DISCUSS A DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE REGARDING HIGH COURT RULING ON CDF**

Rising in his place on a point of Order, the Member for Rarieda Constituency (Hon. (Eng.) Nicholas Gumbo) claimed to move a Motion for the adjournment of the House under the provision of the Standing Order 33 in order to discuss a definite matter of urgent National importance regarding the Constituency Development Fund (CDF) following a recent ruling by the High Court declaring the Fund unconstitutional.

And the Speaker having acceded to the claim;

And there being sufficient number of Members rising in their places in support of the claim;

Thereupon the Speaker directed that the Motion be moved upon conclusion of business appearing as Order Number ten (10) today

7. STATEMENT PURSUANT TO STANDING ORDER 44(2)(a)

Pursuant to the provision of Standing Order 44(2)(a), the Leader of the Majority Party issued a Statement regarding the Business of the House for the week commencing Tuesday, March 3, 2015.

8. THE PUBLIC PROCUREMENT AND ASSET DISPOSAL BILL (NATIONAL ASSEMBLY BILL NO. 40 OF 2014)

Order of Second Reading read;

THAT, the **Public Procurement and Asset Disposal Bill(National Assembly Bill No. 40 of 2014)** to be read a Second Time

(Debate was concluded on Tuesday, February 24, 2015)

Question put and agreed to

9. MOTION - REPORT ON THE PETITION FOR REMOVAL OF THE CHAIRPERSON OF THE NATIONAL GENDER & EQUALITY COMMISSION

Motion made and Question proposed-

THAT, this House notes the Report of the Departmental Committee on Labour and Social Welfare on the Petition for Removal of the Chairperson of the National Gender and Equality Commission, laid on the Table of the House on Wednesday, 18th February, 2015, and in accordance with the provision of Article 251(3) of the Constitution and Standing Order 230(5), finds that the Petition **does not** disclose sufficient ground for the removal of the Chairperson of National Gender and Equality Commission.

(Chairperson, Departmental Committee on Labour and Social Welfare)

Debate arising;

Mover replied and seconded;

Question put and agreed to

10. MOTION - REPORT ON THE PRIVATIZATION OF THE PUBLIC SECTOR OWNED/CONTROLLED SUGAR COMPANIES

THAT, this House adopts the Report of the Departmental Committee on Finance, Planning and Trade on the Privatizations of the Public Sector Owned/controlled Sugar Companies (*Nzoia Sugar Company, South Nyanza Sugar Company, Chemelil Sugar Company, Muhoroni Sugar Company and Miwani Sugar Company*), laid on the table of the House on Tuesday, December 2, 2014

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

Question proposed

Debate arising;

Debate adjourned, pursuant to Standing Order 96.

11. **MOTION OF ADJOURNMENT OF THE HOUSE UNDER STANDING ORDER 33 TO DISCUSS A DEFINITE MATTER OF URGENT NATIONAL IMPORTANCE REGARDING RECENT HIGH COURT RULING ON CDF**

Motion made;

THAT, the House do now adjourn

(Hon. (Eng.) Nicholas Gumbo)

Debate arising;

And the time being forty minutes past six O'clock, the Second Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

12. **HOUSE ROSE** - at forty minutes past six O'clock.

M E M O R A N D U M

The Speaker will take the Chair on.
Thursday, February 26, 2015 at 2.30 p.m.

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