



**REPUBLIC OF KENYA**  
**ELEVENTH PARLIAMENT – (FOURTH SESSION)**  
**THE NATIONAL ASSEMBLY**  
**ORDERS OF THE DAY**  
**WEDNESDAY, FEBRUARY 17, 2016 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 KENYA NATIONAL EXAMINATION COUNCIL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2016)**  
(The Hon. Chris Wamalwa, M.P.)

First Reading

- 9\*. **MOTION – REPORT OF THE MEDIATION COMMITTEE ON THE NATIONAL DROUGHT MANAGEMENT AUTHORITY BILL, 2013**  
(Chairperson, Mediation Committee on the National Drought Management Authority Bill, 2013)

**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 the National Drought Management Authority Bill, 2013, laid on the Table of the House on Thursday, December 17, 2015, and **approves** the mediated version of the National Drought Management Authority Bill (National Assembly Bill No. 42 of 2013).

10\*. **MOTION – ACCESSIBILITY TO PUBLIC BUILDINGS BY PERSONS WITH DISABILITY**

(The Hon. Isaac M. Mwaura, M.P.)

**THAT**, aware that Article 54 (c) of the Constitution provides that a person with disability is entitled to reasonable access to all places, public transport and information; further aware that Section 21 of the Persons with Disability Act, 2003 provides that persons with disabilities are entitled to a barrier-free and disability-friendly environment to enable them have access to buildings, roads and other social amenities, assistive devices and other equipment to promote their mobility; concerned that over the years, persons with disabilities have not been given the right to enjoy all their fundamental freedoms; cognizant of the fact that accessibility is vital in increasing the mobility of these individuals and reducing the ratio of dependency on people; this House urges that the Government makes the necessary structural design adjustments to all public buildings, Government Ministries, departments and agencies to make them more user-friendly to persons with disabilities, and that the National Council for Persons with Disabilities approves all new public structures to ensure their designs are compliant to minimum accessibility standards.

11\*. **MOTION – DECENTRALIZATION OF THE REGISTRATION OF NATIONAL IDENTIFICATION CARDS**

(The Hon. Chris Wamalwa, M.P.)

**THAT**, aware that devolution was meant to devolve governance and public services across the country, including access to basic services like acquisition of identity cards, passports, birth certificates, voters cards, among others; further noting that currently all registration of national identity cards only happens at one centre in Nairobi; cognizant of the fact that this delays the acquisition of identity cards, thus denying Kenyans their right to employment, ability to vote, access to public funds like Uwezo Fund and other crucial services, this House resolves that the Government decentralizes the registration of national identification cards to the county level to expedite the process and allow Kenyans to access public services in a timely manner.

12\*. **THE CONSTITUTION OF KENYA (AMENDMENT) (NO.5) BILL (NATIONAL ASSEMBLY BILL NO. 56 OF 2015)**

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

Second Reading

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**\* Denotes Orders of the Day**

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N O T I C E SThe House resolved on Wednesday, February 10, 2016 as follows:-

- I. **THAT**, notwithstanding the provisions of Standing Order 97(4), 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** shall 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.
  
  - II. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on any **Motion**, including a Special motion shall 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.
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# NOTICE PAPER

Tentative business for

Wednesday (Afternoon), February 17, 2016

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*(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), February 17, 2016:-

**A. MOTION - THE REPORT ON THE CRISIS FACING THE SUGAR INDUSTRY IN KENYA**

(The Chairperson, Departmental Committee on Agriculture, Livestock and Co-operatives)

*(Resumption of debate interrupted on Tuesday, February 16, 2016)*

**B. THE LEGAL AID BILL (NATIONAL ASSEMBLY BILL NO.35 OF 2015)**

(The Leader of the Majority Party)

Second Reading

*(Resumption of debate interrupted on Wednesday, February 10, 2016 – Afternoon Sitting)*

**C. THE CONTROLLER OF BUDGET BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2015)**

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

**E. THE LAND LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 55 OF 2015)**

(The Leader of the Majority Party)

Second Reading

**F. THE ENERGY BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2015)**

(The Leader of the Majority Party)

Second Reading

**G. THE KENYA REGIMENT (TERRITORIAL FORCE) (REPEAL) BILL (NATIONAL ASSEMBLY BILL NO. 39 OF 2015)**

(The Leader of the Majority Party)

Second Reading

**H. THE MISCELLANEOUS FEES AND LEVIES BILL (NATIONAL ASSEMBLY BILL NO. 30 OF 2015)**

(The Leader of the Majority Party)

Second Reading

**I. THE KENYA ROADS BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2015)**

(The Leader of the Majority Party)

Second Reading

**J. THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2015)**

(The Leader of the Majority Party)

Second Reading

**K. THE WAREHOUSE RECEIPTS SYSTEM BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2015)**

(The Leader of the Majority Party)

Second Reading

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**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – (FOURTH SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**WEDNESDAY, FEBRUARY 17, 2016 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\*. MOTION - THE REPORT ON THE CRISIS FACING THE SUGAR INDUSTRY IN KENYA**

(The Chairperson, Departmental Committee on Agriculture, Livestock and Co-operatives)

**THAT**, this House adopts the Report of the Departmental Committee on Agriculture, Livestock and Co-operatives on the Crisis Facing the Sugar Industry in Kenya, laid on the Table of the House on Thursday, 12<sup>th</sup> March, 2015.

*(Resumption of debate interrupted on Tuesday, February 16, 2016)*

**9\*\*. THE LEGAL AID BILL (NATIONAL ASSEMBLY BILL NO.35 OF 2015)**

(The Leader of the Majority Party)

Second Reading

*(Resumption of debate interrupted on Wednesday, February 10, 2016 – Afternoon Sitting)*

**10\*. THE CONTROLLER OF BUDGET BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2015)**

(The Leader of the Majority Party)

Second Reading

- 11\*\*. THE COMMUNITY LAND BILL (NATIONAL ASSEMBLY NO. 45 OF 2015)  
(The Leader of the Majority Party)

Second Reading

- 12\*\*. THE LAND LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 55 OF 2015)  
(The Leader of the Majority Party)

Second Reading

- 13\*\*. THE ENERGY BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2015)  
(The Leader of the Majority Party)

Second Reading

- 14\*. THE KENYA REGIMENT (TERRITORIAL FORCE) (REPEAL) BILL (NATIONAL ASSEMBLY BILL NO. 39 OF 2015)  
(The Leader of the Majority Party)

Second Reading

- 15\*. THE MISCELLANEOUS FEES AND LEVIES BILL (NATIONAL ASSEMBLY BILL NO. 30 OF 2015)  
(The Leader of the Majority Party)

Second Reading

- 16\*. THE KENYA ROADS BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2015)  
(The Leader of the Majority Party)

Second Reading

- 17\*. THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2015)  
(The Leader of the Majority Party)

Second Reading

18\*. **THE WAREHOUSE RECEIPTS SYSTEM BILL(NATIONAL ASSEMBLY  
BILL NO. 12 OF 2015)**

(The Leader of the Majority Party)

Second Reading

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\* Denotes Orders of the Day

\*\*Denotes Bill with Constitutional Timeline

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(No.007)

WEDNESDAY, FEBRUARY 17, 2016

(028)

## N O T I C E S

### I. THE REPORT ON THE CRISIS FACING THE SUGAR INDUSTRY IN KENYA

**Notice is given that the Member for Mumias East (Hon. Benjamin Washiali) intends to move the following amendments to the Report of the Departmental Committee on Agriculture, Livestock and Cooperatives on the Crisis Facing the Sugar Industry in Kenya –**

**THAT**, the Motion be amended by deleting the full stop at the end and inserting the following words:- "*subject to amendment of the Report by:*"

(a) *deletion of Paragraph 101;*

(b) *insertion of the following new Paragraphs immediately before Paragraph 102 (Observations of the Committee):-*

**101A.** The key conclusion from investigations on Mumias Sugar Company's exports was that it was a ploy to defraud the Government of the realizable Value Added Tax (VAT). Neither the Management nor the Board of the Company could confirm that the sugar actually left the country.

**101B.** Although the former Mumias Sugar Company Managing Director Dr. Evans Kidero submitted that documents proving that the consignment indeed left the country in the custody of the Company, the current Mumias Sugar Company management was at pains to prove that indeed the sugar left the country. Documents provided by the management in an attempt to prove that the sugar was indeed exported were not verifiable. The Board of Directors, through the Chairman Mr. Dan Ameyo, submitted that the Board would carry out a forensic audit on the exports, like it had done on company sugar imports, and give its findings to the Committee within six months.

(c) *deletion of Paragraph 115 (Recommendations of the Committee) and substituting therefor the following:-*

**115.** In view of the fact that there is little evidence that Mumias Sugar Company did make any sugar exports to the regional market between 2006 and 2009, the House recommends that:

- (i) the Government recovers from the then Managing Director of Mumias Company, Dr. Evans Kidero, the lost VAT revenue amounting to Ksh 577 million which it would have realized had the Company made the exports;

(No.007)

WEDNESDAY, FEBRUARY 17, 2016

(029)

- (ii) the then Managing Director Dr. Evans Kidero takes full responsibility and be barred from holding public office since the fraudulent transactions took place during his tenure as the Chief Executive Officer; and that
- (iii) the Ethics and Anti-Corruption Commission and the Directorate of Criminal Investigations investigate the owners of all the trucks that apparently ferried the sugar from Mumias go-downs supposedly for export together with the directors of companies associated with them, namely YH Wholesalers, Paleah Stores Ltd, International Relief Services with a view to preferring charges against them if found culpable.

**The House resolved on Wednesday, February 10, 2016 as follows:-**

- II. **THAT**, notwithstanding the provisions of Standing Order 97(4), 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, shall 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.
- 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** 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 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

Thursday, February 18, 2016

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*(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, February 18, 2016:-

- A. **MOTION – Approval of the Calendar of the House**  
(The Leader of the Majority Party)
- B. **MOTION – THAT, The Senate Amendments to the Climate Change Bill (National Assembly Bill No. 01 of 2014) be now considered**  
(The Chairperson, Departmental Committee on Environment & Natural Resources)
- C. **MOTION - Report on Progress made in fulfillment of the International Obligations of the Republic submitted by H.E. the President on Thursday, March 26, 2015**  
(The Leader of the Majority Party)
- D. **MOTION - Annual Report to Parliament on the State of National Security submitted by H.E. the President on Thursday, March 26, 2015**  
(The Leader of the Majority Party)
- E. **MOTION - Report on Progress made in fulfillment of the International Obligations of the Republic submitted by H.E. the President on Thursday, March 26, 2015**  
(The Leader of the Majority Party)
- F. **COMMITTEE OF THE WHOLE HOUSE**  
Consideration of the **Senate Amendments to the Climate Change Bill (National Assembly Bill No. 01 of 2014)**  
(The Chairperson, Departmental Committee on Environment and Natural Resources)
- G. **THE CONTROLLER OF BUDGET BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2015)**  
(The Leader of the Majority Party)

Second Reading  
(If not concluded on Wednesday, February 17, 2016 - Afternoon Sitting)

**H. THE COMMUNITY LAND BILL (NATIONAL ASSEMBLY NO. 45 OF 2015)**  
(The Leader of the Majority Party)

Second Reading  
(If not concluded on Wednesday, February 17, 2016 - Afternoon Sitting)

**I. THE LAND LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 55 OF 2015)**  
(The Leader of the Majority Party)

Second Reading  
(If not concluded on Wednesday, February 17, 2016 - Afternoon Sitting)

**J. THE ENERGY BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2015)**  
(The Leader of the Majority Party)

Second Reading  
(If not concluded on Wednesday, February 17, 2016 - Afternoon Sitting)

**K. THE KENYA REGIMENT (TERRITORIAL FORCE) (REPEAL) BILL (NATIONAL ASSEMBLY BILL NO. 39 OF 2015)**  
(The Leader of the Majority Party)

Second Reading  
(If not concluded on Wednesday, February 17, 2016 - Afternoon Sitting)

**L. THE MISCELLANEOUS FEES AND LEVIES BILL (NATIONAL ASSEMBLY BILL NO. 30 OF 2015)**  
(The Leader of the Majority Party)

Second Reading  
(If not concluded on Wednesday, February 17, 2016 - Afternoon Sitting)

**M. THE KENYA ROADS BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2015)**  
(The Leader of the Majority Party)

Second Reading  
(If not concluded on Wednesday, February 17, 2016 - Afternoon Sitting)

**N. THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2015)**  
(The Leader of the Majority Party)

Second Reading  
(If not concluded on Wednesday, February 17, 2016 - Afternoon Sitting)

**O. THE WAREHOUSE RECEIPTS SYSTEM BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2015)**  
(The Leader of the Majority Party)

## APPENDIX

### Status of Business Before Committees

Wednesday February 17, 2016

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In accordance with the Speaker's communication of 14<sup>th</sup> October, 2015 the Chairperson of the **Public Accounts Committee** will **today** be called upon to apprise the House on the Status of the Business pending before the Committee.

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