



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, JULY 06, 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*. MOTION - ESTABLISHMENT OF A JOINT PARLIAMENTARY SELECT COMMITTEE ON MATTERS RELATING TO THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION

(The Leader of the Majority Party)

THAT, acknowledging that the sovereign power of the People of Kenya may be exercised directly or indirectly through their democratically elected representatives and that the People's sovereign power shall be exercised only in accordance with the Constitution; recognizing that through pronouncements, sections of the Kenyan society have raised issues on the credibility, impartiality, integrity and independence of the Independent Electoral and Boundaries Commission, the electoral processes and the electoral law; appreciating the need to have the August 2017 general elections conducted by a body enjoying the broad confidence of most Kenyans; now therefore in accordance with the provisions of Article 1(1) and (2) of the Constitution of Kenya and Rule 9 of the Houses of Parliament (Joint Sitzings) Rules, the National Assembly **resolves** that:-

- (i) The two Houses of Parliament establish a joint select committee consisting of fourteen (14) members, seven (7) each from the two Coalitions in Parliament.
- (ii) The mandate of the said joint select committee shall be to:-

- (a) Inquire into the allegations against the Independent Electoral and Boundaries Commission (IEBC) Commissioners and the Secretariat;
- (b) On the findings of (a) above may recommend legal mechanisms for the vacation from office of the current Commissioners of the Independent Electoral and Boundaries Commission and Secretariat in accordance with the Constitution;
- (c) Recommend legal, policy and institutional reforms to strengthen the Independent Electoral and Boundaries Commission and improve the electoral system and processes so as to ensure the August, 2017 elections are free and fair and are administered in an impartial, efficient, simple, accurate, verifiable, secure, accountable and transparent manner; and
- (d) On the basis of the findings and recommendations in (a), (b) & (c) prepare a report and a draft Bill or draft Bills.

THE NATIONAL ASSEMBLY FURTHER RESOLVES THAT:-

- (iii) The Joint Select Committee shall report to Parliament within 30 days;
- (iv) The leaders of the two coalitions agree to issue statements separately to support the final report and Draft Bill or Bills;
- (v) The Majority and Minority leaders in Parliament will signify the approval of the final report and draft Bill or Bills by affixing their signatures thereon prior to presentation to Parliament;
- (vi) The joint select committee shall have two Co-chairs each appointed by the respective Coalitions;
- (vii) The Coalitions shall provide joint rapporteurs to the Joint Select Committee, but the official record will be the parliamentary hansard;
- (viii) The joint select committee and each coalition may engage experts, professionals and such other technical resource persons as they may deem necessary;
- (ix) The parliamentary Clerk's office shall provide secretarial services in accordance with the Standing Orders;
- (x) The Committee shall receive views from experts, members of the public, the business community, civil society, religious groups, political parties, county governments and any other persons on matters relating to the Independent Electoral and Boundaries Commission and the electoral process;
- (xi) Each member of the joint select committee shall have one vote. Decisions in the select Committee shall be made by two-thirds majority vote;
- (xii) The Committee shall formulate its own rules of procedure; and

(xiii) The Joint Select Committee shall comprise the following members drawn from the two Coalitions in Parliament:

1. Hon. (Dr.) Naomi Shaban
2. Hon. (Eng.) Mohamud Mohamed Maalim
3. Hon. Jimmy Angwenyi
4. Hon. Moses Kuria
5. Hon. David Eseli Simiyu
6. Hon. Junet Mohammed
7. Hon. Mishi Mboko
8. Sen. Kiraitu Murungi (Co-chair)
9. Sen. James Orengo (Co-chair)
10. Sen. Kipchumba Murkomen
11. Sen. Beatrice Elachi
12. Sen. Johnson Muthama
13. Sen. Mutula Kilonzo Jnr
14. Sen. (Dr.) Boni Khalwale

(Question to be put)

9*. COMMITTEE OF THE WHOLE HOUSE

The Value Added Tax (Amendment) Bill (National Assembly Bill No. 7 of 2016)
(The Hon. Wafula Wamunyinyi, M.P.)

10*. MOTION - ESTABLISHMENT OF FISHERIES TRAINING INSTITUTIONS AND FISH PROCESSING PLANTS

(The Hon. Rose Nyamunga, M.P.)

THAT, aware that Kenya's high seas and inland fresh water bodies are a key resource for diversification of the country's economy through fishing; noting that most fishermen and women use traditional methods of fish harvesting, preservation and processing; conscious that there are few training institutions that offer studies in fisheries, oceanography and maritime technology in Kenya; further noting that huge losses are incurred due to lack of proper post-harvest management and inadequate fish processing plants in the country; concerned that this lacuna has contributed to relegation of the otherwise lucrative fishing industry to a *jua kali* sector; deeply worried that lack of training and inadequate fish processing facilities have resulted in meagre earnings for many Kenyans, including women who depend on fishing; this House **urges** the Government to establish both inland and coastal training institutions and processing plants with a view of building capacity for fishing communities to maximize their returns from the lucrative fishing sector.

...../11*.*(cont'd)*

11*. MOTION – PROVISION OF HONORARIUM FOR VILLAGE ELDERS

(The Hon. Malulu Injendi, M.P.)

THAT, aware that Village Elders play a critical role in facilitating the work undertaken by Chiefs and Assistant Chiefs namely in solving disputes, addressing petty crimes, handling security issues and generally promoting development initiatives; concerned that the Government is yet to adequately recognize their vital roles by way of facilitating their work; further noting that these hardworking citizens are crucial in the dissemination of government policies and plans to the grassroots, this House **urges** the National Government to consider giving a monthly or annual Honorarium to Village Elders as a means of appreciating their services and encouraging them to uphold their dedication to the community.

12*. MOTION – PROVISION OF WATER TO PUBLIC FACILITIES

(The Hon. Andrew Mwadime, M.P.)

THAT, aware that water is one of the most basic human needs; concerned about children in primary schools, especially, those that do not have access to clean tapped water; also aware that the Government is already providing electricity and food to these schools; deeply concerned that lack of water leads to a host of hygiene-related problems including jigger infestation, cholera and others, this House **resolves** that the Government formulates a financial framework for and provides tapped water to all public facilities, especially primary schools, as water is life.

13*. MOTION – DEPLOYMENT OF CHAPLAINS TO LEARNING INSTITUTIONS

(The Hon. Geoffrey Odanga, MP)

THAT, aware that cases of unbecoming conduct among young people has been on the rise as exemplified by runaway drug abuse and addiction, drunkenness, sexual orgies and general irresponsibility; and deeply concerned that these incidents of loose morals have been worsened in the recent past by emerging radicalization of the youth leading to inclination towards terrorism and lawlessness, this House **urges** the National Government to consider deploying chaplains to all secondary schools and tertiary institutions in order to instill desired morals, social virtues, national values and a sense of responsibility, to address and root out moral decadence at an early age, and to supplement the work of guidance and counselling departments operating in these institutions.

14*. THE CONSTITUTION OF KENYA (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 7 OF 2016)

(The Hon. Mithika Linturi, M.P.)

Second Reading

*** Denotes Orders of the Day**

N O T I C E S

The 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** 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 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.

NOTICE PAPER

Tentative business for

Wednesday (Afternoon), July 06, 2016

(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), July 06, 2016:-

A. MOTION – RECONSTITUTION OF THE COMMITTEE ON APPOINTMENTS

(The Leader of Majority Party)

B. MOTION – RECONSTITUTION OF THE COMMITTEE OF PRIVILEGES

(The Chairperson, Committee on Selection)

C. MOTION – APPOINTMENT OF MEMBERS TO THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

(The Chairperson, Committee on Selection)

D. THE ELECTION LAWS (AMENDMENT) (No.3) BILL (NATIONAL ASSEMBLY BILL NO. 63 OF 2015)

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

Second Reading

(Resumption of debate interrupted on Thursday, June 30, 2016)

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

(The Leader of the Majority Party)

Second Reading

(Resumption of debate interrupted on Thursday, March 10, 2016)

F. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) (No. 2) BILL (NATIONAL ASSEMBLY BILL NO. 58 OF 2015)

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

**I. MOTION – ADOPTION OF THE REPORT ON THE OWNERSHIP OF
MOMBASA CEMENT LIMITED LAND**

(The Chairperson, Departmental Committee on Lands)

**J. THE COUNTY ASSEMBLIES POWERS AND PRIVILEGES BILL
(SENATE BILL NO. 14 OF 2014)**

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

Second Reading

**K. THE PUBLIC APPOINTMENTS (COUNTY ASSEMBLIES APPROVAL)
BILL (SENATE BILL NO. 20 OF 2014)**

(The Chairperson, Departmental Committee on Administration and National Security)

Second Reading

**L. THE POTATO PRODUCE AND MARKETING BILL (SENATE BILL NO.
22 OF 2014)**

(The Chairperson, Departmental Committee on Agriculture, Livestock and
Cooperatives)

Second Reading



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, JULY 06, 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 – RECONSTITUTION OF THE COMMITTEE ON APPOINTMENTS

(The Leader of Majority Party)

THAT, pursuant to the provisions of Standing Order 204, this House **approves** the appointment of the following Members to the Committee on Appointments:-

- (i) The Hon. Katoo Ole Metito, M.P.
- (ii) The Hon. Amina Abdalla, M.P.
- (iii) The Hon. Jackson Kiptanui, M.P.
- (iv) The Hon. Jamleck Kamau, M.P.
- (v) The Hon. Isaack Ali Shaban, M.P.
- (vi) The Hon. Gideon Konchellah, M.P.
- (vii) The Hon. Cecily Mbarire, M.P.
- (viii) The Hon. Moses Cheboi, M.P.
- (ix) The Hon. Nelson Gaichuhie, M.P.
- (x) The Hon. Esther Murugi, M.P.
- (xi) The Hon. Abass Ahmed Ibrahim, M.P.
- (xii) The Hon. Boniface Gatobu, M.P.
- (xiii) The Hon. David Wafula, M.P.
- (xiv) The Hon. Ibrahim Abdi Sane, M.P.
- (xv) The Hon. Roselinda Soipan, M.P.

- (xvi) The Hon. Aisha Jumwa, M.P.
- (xvii) The Hon. Chrisantus Wamalwa, M.P.
- (xviii) The Hon. Millie Odhiambo, M.P.
- (xix) The Hon. (Maj. Rtd) Marcus Muluvi, M.P.
- (xx) The Hon. (Dr.) Alice Nyanchoka, M.P.
- (xxi) The Hon. Thomas Mwadeghu, M.P.
- (xxii) The Hon. Fatuma Ibrahim Ali, M.P.
- (xxiii) The Hon. Elijah Memusi, M.P.

9*. MOTION - RECONSTITUTION OF THE COMMITTEE OF PRIVILEGES

(The Chairperson, Committee on Selection)

THAT, pursuant to the provisions of Section 10 of Parliamentary Powers and Privileges Act, and Standing Order 175, this House **approves** the appointment of the following Members to Committee of Privileges:-

- (i) The Hon. Kimani Ichungwah, M.P.
- (i) The Hon. Joyce Emanikor Akai, M.P.
- (ii) The Hon. Jamleck Kamau, M.P.
- (iii) The Hon. Peter Shehe, M.P.
- (iv) The Hon. Barchelei Kipruto, M.P.
- (v) The Hon. (Dr.) James Murgor, M.P.
- (vi) The Hon. Jakoyo Midiwo, M.P.
- (vii) The Hon. (Dr) Susan Musyoka, M.P.
- (viii) The Hon. Rashid Bedzimba, M.P.
- (ix) The Hon. Florence Mwikali Mutua, M.P.

10*. MOTION - APPOINTMENT OF MEMBERS TO THE DEPARTMENTAL COMMITTEE ON JUSTICE AND LEGAL AFFAIRS

(The Chairperson, Committee on Selection)

THAT, pursuant to the provisions of Standing Orders 175, and further to the resolutions of the House of October 08, 2013 and April 28, 2016 on appointment of Members to respective Committees, this House further **approves** the appointment of the following Members to the Departmental Committee on Justice and Legal Affairs:-

- (ii) The Hon. Olago Aluoch, M.P.
- (iii) The Hon. T. J. Kajwang, M.P.
- (iv) The Hon. Fatuma Ibrahim Ali, M.P.
- (v) The Hon. Peter Kaluma, M.P.
- (vi) The Hon. Ben Momanyi Orari, M.P.

- (vii) The Hon. David Ouma Ochieng, M.P.
- (viii) The Hon. Neto Agostinho, M.P.
- (ix) The Hon. (Bishop) Mutua Mutemi, M.P.
- (x) The Hon. Christine Oduor Ombaka, M.P.
- (xi) The Hon. Mwamkale William Kamoti, M.P.
- (xii) The Hon. Benjamin Andayi, M.P.

11*. THE ELECTION LAWS (AMENDMENT) (No.3) BILL (NATIONAL ASSEMBLY BILL NO. 63 OF 2015)

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

Second Reading

(Resumption of debate interrupted on Thursday, June 30, 2016)

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

(The Leader of the Majority Party)

Second Reading

(Resumption of debate interrupted on Thursday, March 10, 2016)

13*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) (No. 2) BILL (NATIONAL ASSEMBLY BILL NO. 58 OF 2015)

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

16*. MOTION – ADOPTION OF THE REPORT ON THE OWNERSHIP OF MOMBASA CEMENT LIMITED LAND

(The Chairperson, Departmental Committee on Lands)

THAT, this House adopts the Report of the Departmental Committee on Lands on its consideration of the matter of the Ownership of Mombasa Cement Limited Land in Kilifi County, laid on the Table of the House on Tuesday, 24th November 2015.

(No.075)

WEDNESDAY, JULY 06, 2016

(856)

17*. **THE COUNTY ASSEMBLIES POWERS AND PRIVILEGES BILL**
(SENATE BILL NO. 14 OF 2014)

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

Second Reading

18*. **THE PUBLIC APPOINTMENTS (COUNTY ASSEMBLIES APPROVAL)**
BILL (SENATE BILL NO. 20 OF 2014)

(The Chairperson, Departmental Committee on Administration and National Security)

Second Reading

19*. **THE POTATO PRODUCE AND MARKETING BILL (SENATE BILL NO.**
22 OF 2014)

(The Chairperson, Departmental Committee on Agriculture, Livestock and Cooperatives)

Second Reading

*** Denotes Orders of the Day**

(No.075)

WEDNESDAY, JULY 06, 2016

(857)

N O T I C E S

I. ADJOURNMENT OF THE HOUSE IN ACCORDANCE WITH THE CALENDAR OF THE NATIONAL ASSEMBLY(2016)

The Speaker will today call upon the Leader of the Majority Party to move a Motion for Adjournment of the House to a day other than the next normal Sitting Day, in accordance with the Calendar of the Assembly (Regular Sessions).

(Thereafter, the House to adjourn without question put)

MOTION – (The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 28, this House adjourns until Tuesday, 19th July, 2016 in accordance with the Calendar of the Assembly (Regular Sessions).

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

...../Notices (cont'd)

(No.075)

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(858)

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), 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.
- V. **THAT**, notwithstanding the provisions of Standing Order 97(4), the debate on any Motion for the **Adjournment** of the House to a day other than the next normal Sitting Day in accordance with the Calendar of the Assembly, shall be limited to a maximum of three (3) hours with not more than five (5) minutes for each Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of ten (10) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

Provided that, when the period of Recess proposed by any such motion does not exceed fifteen (15) days, the debate shall be limited to a maximum of thirty minutes (30), and shall be strictly confined to the question of the adjournment.

...../**Notice Paper**

NOTICE PAPER

Tentative business for

Thursday, July 07, 2016

(Published pursuant to Standing Order 38(1))

PUBLIC HOLIDAY - IDD-UL-FITR

APPENDIX

Status of Business Before Committees

Wednesday (Afternoon) July 06, 2016

In accordance with the Speaker's communication of 14th October, 2015 the Chairpersons of the following Departmental Committees will **today** be called upon to appraise the House on the Status of the Business pending before their respective Committees:

A. Joint Committee on National Cohesion and Equal Opportunity

B. Budget and Appropriations Committee
