



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, JUNE 27, 2018 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 - EXPANSION OF THE SCHOOL FEEDING PROGRAMME TO ALL PUBLIC PRIMARY SCHOOLS
(The Hon. Vincent Kemosi Mogaka, M.P.)

THAT, aware that Article 53(1)(c) of the Constitution guarantees every child the right to basic nutrition, shelter and health; cognizant of the fact that primary school-aged children are at a stage where a child requires nutritional meals for healthy mental and physical development and growth; aware that school feeding programmes have been implemented in Kenya since the 1980's with varying degrees of success, and with heavy reliance on foreign aid and management; noting that the Kenyan Government introduced a Homegrown School Feeding Programme (HGSFP) in 2009, a more sustainable and nationally integrated programme by the national government funded school meals programme through multi-sectoral cooperation; appreciating that the school feeding programme has played an integral part in realizing the country's goal of universal primary education through incentivizing the enrollment and retention of children; further noting that the feeding programme targets food inequality in the most vulnerable areas of Kenya, including school districts in the Arid and Semi-Arid Areas (ASAL) and the informal urban slums of large cities such as Nairobi and Mombasa; this House **urges** the Government to expand the primary school feeding programme to all public primary schools in the Country.

(Question to be put)

9*. MOTION – ESTABLISHMENT OF SPORTS ACADEMIES IN EVERY CONSTITUENCY

(The Hon. Osotsi Godfrey, M.P.)

THAT, aware of the socio-economic benefits of sports; recognizing that sports can and do make great and positive economic, health, and social and cultural impacts on individuals, communities and the wider society; further aware that sports can be a major source of employment and foreign exchange earnings in the Kenya with potential to improve the country's economy on a large scale, if well harnessed; deeply concerned that the standards of sports in Kenya in many disciplines remain low due to among other things, inadequate investment, scouting and nurturing of talent; cognizant that Section 33(4) of the Sports Act, 2013 establishes the Kenya Academy of Sports, and further, Section 34(a) of the Act provides that the functions of the Academy shall be to among other things, establish and manage sports training academies; appreciating that Article 6(3) of the Constitution provides that a national State organ shall ensure reasonable access to its services in all parts of the Republic, so far as it is appropriate to do having regard to the nature of the service, this House **urges** that the Government through the Ministry of Sports, Culture and Arts to establish sports academies in every Constituency.

(Resumption of debate interrupted on Wednesday, June 20, 2018 – Morning sitting)

(Balance of time – 48 minutes)

10*. MOTION – PRIORITIZING RECRUITMENT OF NYS GRADUATES INTO THE DISCIPLINED FORCES

(The Hon. Michael Muchira, M.P.)

THAT, aware that the National Youth Service (NYS) is a Government Department established by an Act of Parliament (Cap 208 Laws of Kenya) whose vision is to catalyze transformative youth empowerment in Kenya; further aware that the twin purposes of NYS are to create a pool of technical, disciplined and organized human resource to undertake national development programmes and to alleviate youth unemployment in both formal and informal sectors by providing skills necessary for employment while promoting national cohesion; further appreciating that, NYS currently targets to recruit over twenty six thousand (26,000) youths annually through a laid down procedure where the vacancies in each intake are allocated for every county and gender; acknowledging that the recruits undergo intense six (6) months training in paramilitary skills, national reconstruction programmes, and disaster response, thus imparting a sense of responsibility, values of discipline, respect to authority among other skills and values; deeply concerned that after successful completion of the training, the graduate youths are discharged to seek jobs which often are

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not readily available; cognizant of the various recruitment procedures, criteria and budgets allocated for the recruitment and training of servicemen and women to serve in the various disciplined forces in Kenya; this House **urges** the Government through all the disciplined forces to consider giving first priority in recruitment of their servicemen and women to willing NYS graduates with a view to reducing their recruitment costs, training period and subsequently training costs, and in addition creating jobs for these skilled youths.

11*. MOTION – REVIVAL OF THE CASHEWNUTS SUB-SECTOR IN KENYA

(The Hon. Owen Baya, M.P.)

THAT, aware that agriculture is the main stay of the Kenyan economy, contributing to food security and employment of rural households; further aware that Cashew Nuts are mainly grown in the Coast region of Kenya, producing about 10,000 metric tonnes of the nuts valued at Kshs.264.9 million; recognizing that Kenya has a potential to produce more than 63,000 metric tonnes valued at over Kshs.1 billion; noting that the sub-sector has the potential to create many employment opportunities through value addition and fetch the exchequer millions of shillings through exports; deeply concerned that cashew nuts farming in Kenya has continued to face key challenges among them, low producer prices, which has seen many farmers cut down their trees, appreciating that Kilifi, a region at the coast of Kenya used to be a major producer of Cashew nuts in the 1980s but the production has since dwindled, which led to among other things the fraudulent sale of Kilifi Cashew Nuts Factory, loss of livelihood for the farmers and subsequently increased poverty levels; this House **urges** the Government to put in place measures to revive the Cashew Nut Industry in the Country.

12*. THE CONSTITUTION OF KENYA (AMENDMENT) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 5 OF 2018)

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

Second Reading

*** Denotes Orders of the Day**

NOTICES

The House resolved on Wednesday, March 28, 2018 as follows:-

- I. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate **in respect of the ordinary individual Members' Motions**, shall be limited in the following manner:- A maximum of two (2) hours with not more than fifteen (15) minutes for the Mover and five (5) 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 ten (10) minutes each, and that five (5) minutes before the expiry of the time, the Mover shall be called upon to reply; and that priority in speaking shall 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.

The House resolved on Wednesday, February 14, 2018 as follows:-

- II. **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.
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NOTICE PAPER

Tentative business for

Wednesday (Afternoon), June 27, 2018

(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), June 27, 2018:-

A. THE DIVISION OF REVENUE (AMENDMENT) BILL (SENATE BILL NO. 14 OF 2018)

(The Chairperson, Budget & Appropriations Committee)

First Reading

B. COMMITTEE OF THE WHOLE HOUSE

The Tax Laws (Amendment) Bill (National Assembly Bill No. 11 of 2018)
(The Leader of the Majority Party)

C. MOTION - REPORT OF THE DEPARTMENTAL COMMITTEE ON LANDS ON THE INQUIRY INTO ALLEGED LAND IRREGULARITIES

(The Chairperson, Departmental Committee on Lands)

(Resumption of debate interrupted on Tuesday, June 26, 2018)

D. THE COUNTY GOVERNMENTS RETIREMENT SCHEME BILL (NATIONAL ASSEMBLY BILL NO. 10 OF 2018)

(The Leader of the Majority Party)

Second Reading

E. THE LAND VALUE INDEX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2018)

(The Leader of the Majority Party)

Second Reading

F. THE WAREHOUSE RECEIPTS SYSTEM BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2018)

(The Leader of the Majority Party)

Second Reading

G. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2018)

(The Leader of the Majority Party)

Second Reading

H. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2018)

(The Leader of the Majority Party)

Second Reading

I. THE HEALTH LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2018)

(The Leader of the Majority Party)

Second Reading



APPENDIX

PETITION to be presented on

Wednesday (Morning), June 27, 2018

It is notified that, pursuant to Standing Order 225, the following Petition will be presented to the House **today, Wednesday (Morning) June 27, 2018:-**

| NO. | <u>PETITION TO BE PRESENTED BY</u> | <u>SUBJECT</u> | <u>PETITIONER(S)</u> |
|------------|-------------------------------------------------------------------------|-----------------------------------------|----------------------------------|
| | The Hon. Ali Wario, MP <i>(pursuant to Standing Order 225(2)(a))</i> | Compensation of flood victims by KENGEN | Residents of Garsen Constituency |

Twelfth Parliament



Second Session
Afternoon sitting

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REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, JUNE 27, 2018 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*. THE DIVISION OF REVENUE (AMENDMENT) BILL (SENATE BILL NO. 14 OF 2018)

(The Chairperson, Budget & Appropriations Committee)

First Reading

9*. COMMITTEE OF THE WHOLE HOUSE

The Tax Laws (Amendment) Bill (National Assembly Bill No. 11 of 2018)
(The Leader of the Majority Party)

10*. MOTION - REPORT OF THE DEPARTMENTAL COMMITTEE ON LANDS ON THE INQUIRY INTO ALLEGED LAND IRREGULARITIES

(The Chairperson, Departmental Committee on Lands)

THAT, this House adopts the Report of Departmental Committee on Lands on the inquiry into the alleged irregularities in the compensation for part of Land LR. No. 7879/4 to M/s. Afrison Import Export Ltd and Huelands Ltd by the National Land Commission, laid on the Table of the House on Thursday, June 7, 2018.

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- 11*. THE COUNTY GOVERNMENTS RETIREMENT SCHEME BILL
(NATIONAL ASSEMBLY BILL NO. 10 OF 2018)
(The Leader of the Majority Party)

Second Reading

- 12*. THE LAND VALUE INDEX LAWS (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 3 OF 2018)
(The Leader of the Majority Party)

Second Reading

- 13*. THE WAREHOUSE RECEIPTS SYSTEM BILL (NATIONAL
ASSEMBLY BILL NO. 2 OF 2018)
(The Leader of the Majority Party)

Second Reading

- 14*. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILL NO. 1 OF 2018)
(The Leader of the Majority Party)

Second Reading

- 15*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL
(NATIONAL ASSEMBLY BILL NO. 12 OF 2018)
(The Leader of the Majority Party)

Second Reading

- 16*. THE HEALTH LAWS (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILL NO. 14 OF 2018)
(The Leader of the Majority Party)

Second Reading

* Denotes Orders of the Day

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NOTICES

I. THE TAX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2018)

Notice is given that the Chairperson of the Departmental Committee on Finance and National Planning intends to move the following amendments to the Tax Laws (Amendment) Bill, 2018 at the Committee Stage—

SCHEDULE

THAT the Schedule to the Bill be amended—

(1) in the proposed amendments to the Income Tax Act by—

(a) deleting the proposed amendments to section 2 and substituting therefor the following new amendment—

s.2 Delete the definition of “winnings” and substitute therefor the following new definition—

“winnings” means the positive difference between payouts made and stakes placed in a given month, for each player, payable to punters by bookmakers licensed under the Betting, Lotteries and Gaming Act;

(b) inserting the following new paragraph immediately after the proposed amendment to section 22C(2)—

NEW Insert the following new section immediately after section 30—

Affordable housing relief.

30A.(1)A resident individual who satisfies the Commissioner that in a year of income that the person—

- (a) is eligible to make an application under an affordable housing scheme;
- (b) has applied and is awaiting the allocation of a house an affordable housing scheme; and
- (c) is saving for a purchase under an affordable housing scheme approved by the Cabinet Secretary in charge of housing,

shall for that year of income be entitled to a personal relief in this Act referred to as the affordable housing relief.

(2)A person who has been allocated a house under the affordable housing scheme and has been subject to an affordable housing relief under subsection(1) shall not be re-eligible for a subsequent relief.

(c) inserting the following new paragraph immediately after the proposed amendment to section 35(3)—

NEW s.132 Insert the following new subsection immediately after subsection (1)—

(1A)Notwithstanding subsection (1), for purpose of collection of withholding tax for winnings, a person shall not be required to have a personal identification number.

(d) in the provisions relating to the Part I of the First Schedule by-
(i) deleting the proposed new paragraph 56 and substituting therefor the following new paragraph—

- “56. Compensating tax accruing to a power producer under a power purchase agreement”;
- (ii) deleting the proposed new paragraph 57;

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- (e) inserting the following new amendment immediately before the proposed amendment to Paragraph 3 of Head B in the Third schedule—

NEW Head A Insert the following new paragraph immediately after paragraph 2—

Affordable housing relief.

3. The amount of affordable housing relief shall be 15% of the gross emoluments but shall not exceed Ksh. 108,000 per annum.

- (f) deleting the word “twenty” appearing in the proposed new subparagraph (i) in the proposed amendments to Paragraph 3 of Head B in the Third Schedule and substituting therefor the word “ten”; and

- (g) deleting the word “twenty” appearing in the proposed new subparagraph (i) in the proposed amendments to Paragraph 5 of Head B in the Third Schedule and substituting therefor the word “ten”.

- (2) in the proposed amendments to the Stamp Duty Act by inserting the following new paragraph immediately before the proposed amendment to section 117—

s.10A.(1) Delete and substitute with the following new subsection—

10A. (1) The Collector of Stamp Duties shall refer to the Chief Government Valuer or a registered and practicing valuer any conveyance or transfer on sale of any immovable property before or after registration of the relevant instruments in order to determine the true open market value of such property as at the date of the conveyance or transfer for purposes of ascertaining whether any additional stamp duty is payable.

- (3) in the proposed amendments to the Value Added Tax Act, 2013—

- (a) in section A of Part I of the First Schedule —
(aa) by deleting the proposed new—
(i) paragraph 94;
(ii) paragraph 95;

- (iii) paragraph 100;
- (iv) paragraph 101;
- (v) paragraph 102;
- (vi) paragraph 104 and
- (vii) paragraph 107.

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(bb) by deleting the expression "ordinary bread" appearing in the proposed new paragraph 103;

(b) in Part A of the Second Schedule-

(aa) by deleting the proposed amendments to—

- (i) paragraph 11;
- (ii) paragraph 13;
- (iii) paragraph 15;
- (iv) paragraph 16; and
- (v) Part C.

(bb) by inserting the following new amendment immediately after the proposed amendment to paragraph 17—

New Insert the following new paragraph immediately after paragraph 17—

18. Inputs or raw materials for electric accumulators and separators including lead battery separator rolls whether or not rectangular or square supplied to manufacturers of automotive and solar batteries in Kenya".

(4) by inserting the following new item in its proper alphabetical sequence—

- | | | |
|------------------------------------------------------------|----------|---------------------------------------------------------------------------------|
| NEW The Betting Lotteries and Gaming Act (Cap. 131) | s.29A(1) | Delete the expression "thirty-five" and substitute therefor the word "fifteen". |
| | s.44A(1) | Delete the expression "thirty-five" and substitute therefor the word "fifteen". |
| | s.55A(1) | Delete the expression "thirty-five" and substitute therefor the word "fifteen". |

s.59B(1) Delete the expression "thirty-five" and substitute therefor the word "fifteen".

...../Notices* (Cont'd)

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WEDNESDAY, JUNE 27, 2018

(759)

The House resolved on Wednesday, February 14, 2018 as follows-

- II. **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.
- 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 shall 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

Thursday, June 28, 2018

(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, June 28, 2018:-

A. THE WAREHOUSE RECEIPTS SYSTEM BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2018)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, June 27, 2018 – Afternoon Sitting)

B. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2018)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, June 27, 2018 – Afternoon Sitting)

C. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2018)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, June 27, 2018 – Afternoon Sitting)

D. THE HEALTH LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2018)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, June 27, 2018 – Afternoon Sitting)
