



**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – (FOURTH SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**SUPPLEMENTARY**

**WEDNESDAY, NOVEMBER 30, 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\*. PROCEDURAL MOTION - APPROVAL OF MORNING SITTING ON THURSDAY 1<sup>ST</sup> DECEMBER, 2016**

**THAT**, pursuant to the provisions of Standing Order 30(3)(b), this House resolves to hold a Morning Sitting on Thursday 1<sup>st</sup> December, 2016 commencing from 9.30 a.m. to 1.00 p.m. for purposes of considering urgent Business before the House.

**9\*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE COMPETITION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2016)**

**THAT**, this House do agree with the Report of Committee of the Whole House on its consideration of the Competition (Amendment) Bill (National Assembly Bill No. 24 of 2016)

*(Question to be put)*

10\*. **MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE  
ON THE CONTEMPT OF COURT BILL (NATIONAL  
ASSEMBLY BILL NO. 32 OF 2016)**

**THAT**, this House do agree with the Report of Committee of the Whole House on its consideration of the Contempt of Court Bill (National Assembly Bill No. 32 of 2016)

*(Question to be put)*

11\*. **THE NATIONAL HONOURS (AMENDMENT) BILL (SENATE BILL NO. 16  
OF 2014)**

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

Second Reading

*(Question to be put)*

12\*. **THE LAND VALUE INDEX LAWS (AMENDMENT) BILL (NATIONAL  
ASSEMBLY BILL NO. 40 OF 2016)**

(The Leader of the Majority Party)

Second Reading

*(Mover to reply)*

13\*. **COMMITTEE OF THE WHOLE HOUSE**

(i) The Witness Protection (Amendment) Bill (National Assembly Bill No. 12 of 2016)  
(The Leader of the Majority Party)

(ii) The Bribery Bill (National Assembly Bill No. 16 of 2016)  
(The Leader of the Majority Party)

(iii) The County Assembly Services Bill (Senate Bill No. 27 of 2014)  
(The Chairperson, Departmental Committee on Administration and National Security)

14\*. **THE PUBLIC PRIVATE PARTNERSHIPS (AMENDMENT) BILL  
(NATIONAL ASSEMBLY BILL NO. 25 OF 2016)**

(The Leader of the Majority Party)

Second Reading

*(Resumption of debate interrupted on Wednesday, October 19, 2016)*

**15\*. THE PUBLIC SERVICE COMMISSION BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2016)**

(The Leader of the Majority Party)

Second Reading

**16\*. MOTION – ADOPTION OF THE REPORT ON INVESTIGATION INTO THE OWNERSHIP OF MOMBASA CEMENT LIMITED LAND IN KILIFI COUNTY**

(The Chairperson, Departmental Committee on Lands)

**THAT**, this House adopts the Report of the Departmental Committee on Lands on its the Investigation into the ownership of Mombasa Cement Limited Land in Kilifi County, laid on the Table of the House on Tuesday, 24<sup>th</sup> November 2015.

**17\*. MOTION – ADOPTION OF THE REPORT ON THE INVESTIGATION INTO WILDLIFE POACHING IN KENYA**

(The Chairperson, Departmental Committee on Environment and Natural Resources)

**THAT**, this House adopts the Report of the Departmental Committee on Environment and Natural Resources on the Investigation into Wildlife Poaching in Kenya, laid on the Table of the House on Thursday, October 01, 2015.

**18\*. MOTION – ADOPTION OF THE REPORT ON THE INVESTIGATION INTO THE GARISSA UNIVERSITY COLLEGE TERRORIST ATTACK**

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

**THAT**, this House adopts the Report of the Departmental Committee on Administration and National Security on the Investigation into the Garissa University College Terrorist Attack, laid on the Table of the House on Tuesday, November 17, 2015.

**19\*. MOTION – ADOPTION OF REPORT ON THE INQUIRY INTO THE PROCUREMENT OF THE APRON BUSES BY THE KENYA AIRPORTS AUTHORITY**

(The Chairperson, Departmental Committee on Transport, Public Works and Housing)

**THAT**, this House adopts the Report of the Departmental Committee on Transport, Public Works and Housing on the Inquiry into the Procurement of the Apron Buses by the Kenya Airports Authority, laid on the Table of the House on Thursday, November 19, 2015.

20\*. **MOTION** – **ADOPTION OF THE REPORT ON THE INQUIRY INTO THE IMPORTATION OF FERTILIZER BY THE MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES THROUGH THE NATIONAL CEREALS AND PRODUCE BOARD**

(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 Inquiry into the Importation of a Consignment of Fertilizer by the Ministry of Agriculture, Livestock and Fisheries through the National Cereals and Produce Board, laid on the Table of the House on Tuesday, November 24, 2015.

21\*. **MOTION** – **ADOPTION OF THE REPORT ON THE INQUIRY INTO DEGAZZETEMENT OF GOVERNMENT LAND BELONGING TO CHORLIM COOPERATIVE SOCIETY**

(The Chairperson, Departmental Committee on Lands)

**THAT**, this House adopts the Report of the Departmental Committee on Lands on degazettement of Government Land belonging to Chorlim Co-operative Society, laid on the Table on Tuesday, December 2, 2014.

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**\* Denotes Orders of the Day**

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(No.136)

WEDNESDAY, NOVEMBER 30, 2016

(2233)

## N O T I C E S

### I. THE WITNESS PROTECTION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2016)

Notice is given that Chairperson of the Departmental Committee on Justice and Legal Affairs, (Hon. Samuel Chepkong'a) intends to move the following amendments to the Witness Protection (Amendment) Bill, 2016 at the Committee Stage—

#### CLAUSE 4

**THAT**, the Bill be amended by deleting clause 4.

#### CLAUSE 5

**THAT**, clause 5 of the Bill be amended by deleting paragraph (a).

#### CLAUSE 6

**THAT**, clause 6 of the Bill be amended by—

(a) deleting paragraph (e) and substituting thereof the following paragraph—

(e) by inserting the following new subsection immediately after subsection (7)-

(7A) The Board shall consider the petition and, if it satisfied that it discloses a ground under subsection (6), the Board shall dismiss the Director.

(b) deleting paragraph (f) and substituting thereof the following new paragraph-(f) by deleting subsection (8);

(c) deleting paragraph (g) and substituting thereof the following new paragraph-(g) by deleting subsection (9);

(d) deleting paragraph (h) and substituting thereof the following new paragraph-(h) by deleting subsection (10); and

(e) inserting the following new paragraph immediately after paragraph (h)-

(i) by deleting subsection (11).

(No.136)

**WEDNESDAY, NOVEMBER 30, 2016**

(2234)

**CLAUSE 10**

**THAT**, the Bill be amended by deleting clause 10.

**CLAUSE 11**

**THAT**, clause 11 of the Bill be amended—

- (a) in paragraph (a) by deleting the word “Attorney General” and substituting thereof the word “Solicitor General” ;
- (b) in paragraph (b) by deleting the word “Cabinet Secretary” and substituting thereof the word “Principal Secretary”; and
- (c) in paragraph (c) by deleting the word “Cabinet Secretary” and substituting thereof the word “Principal Secretary.”

**CLAUSE 14**

**THAT**, clause 14 of the Bill be amended in the proposed new section 3U (6) by deleting paragraph (a) and substituting thereof the following new paragraph—

- (a) by regulations provide guidelines for the operation of the committee; and

**CLAUSE 19**

**THAT** clause 19 of the Bill be amended in the proposed new paragraph (b) by deleting the word “Attorney General.”

II. **THE BRIBERY BILL (NATIONAL ASSEMBLY BILL NO. 16 OF 2016)**

**Notice is given that Chairperson of the Departmental Committee on Justice and Legal Affairs (Hon. Samuel Chepkong’a) intends to move the following amendments to the Bribery Bill, 2016 at the Committee Stage—**

**CLAUSE 2**

**THAT** clause 2 of the Bill be amended in the definition of “Cabinet Secretary” by deleting the words “the prevention of bribery” and substituting therefor the words “to justice”.

**CLAUSE 10**

**THAT** clause 10 of the Bill be amended by deleting sub clause (2).

**CLAUSE 16**

**THAT** clause 16 of the Bill be amended in sub clause (2) by deleting the words “to be proceeded against and punished accordingly” and substituting therefor the words “for prosecution”.

**CLAUSE 17**

**THAT** clause 17 of the Bill be amended in sub clause (1) by inserting the words “partners and the” immediately after the words “name of the”.

**CLAUSE 18**

**THAT** clause 18 of the Bill be amended —

- (a) in sub clause (1) by deleting the word “one” appearing in paragraph (a) and substituting therefor the word “five”;
- (b) in sub clause (5) by deleting the word “behaviour” and substituting therefor the word “offences”;
- (c) in sub clause (9) by deleting the word “less” and substituting therefor the word “more”;
- (d) in sub clause (10) deleting the word “less” and substituting therefor the word “more”;
- (e) in sub clause (11) by inserting the words “not more than” immediately before the words “ten years after conviction”; and
- (f) deleting sub clause (13).

**CLAUSE 21**

**THAT** clause 21 of the Bill be amended —

- (a) in sub clause (1) by inserting the word “informant” immediately after the word “whistleblower”;
- (b) in sub clause (2) by deleting the word “unfavorable” and substituting therefor the word “unfavorable”; and
- (c) in sub clause (3) by deleting the words “on a case by case basis” immediately after the words “Witness Protection Agency”

**NEW CLAUSE 23A**

**THAT** the Bill be amended by inserting the following new clause immediately after clause 23-

Amendment of section 56 of  
No. 3 of 2003

23A. Section 56 of the Anti-Corruption and Economic Crimes Act, 2003, is amended in sub-section(1) by deleting the words "on evidence" and substituting therefor the words "if it is satisfied that there are reasonable grounds to suspect"

**CLAUSE 26**

**THAT** clause 26 of the Bill be amended in sub-clause (2) by deleting the word "commenced" and substituting therefor the word "instituted".

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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 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.
  - 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** 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 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.
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# **NOTICE PAPER II**

Tentative business for

Thursday (Afternoon), December 01, 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 (Afternoon), December 01, 2016:-

**E. CONSOLIDATED PROCEDURAL MOTIONS**

**F. APPOINTMENT OF A JOINT COMMITTEE**

**G. COMMITTEE OF THE WHOLE HOUSE**

(i) The County Governments (Amendment) Bill (Senate Bill No. 4 of 2016)  
(The Leader of the Majority Party)

(ii) The Election Laws (Amendment) (No.3) Bill (National Assembly No. Bill No. 63 of 2015)  
(Chairperson of the Departmental Committee on Justice and Legal Affairs)

**H. THE PUBLIC SERVICE COMMISSION BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2016)**

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Wednesday, November 30, 2016, Afternoon sitting)*

**I. MOTION – ADOPTION OF THE REPORT ON INVESTIGATION INTO THE OWNERSHIP OF MOMBASA CEMENT LIMITED LAND IN KILIFI COUNTY**

(The Chairperson, Departmental Committee on Lands)  
*(If not concluded on Wednesday, November 30, 2016, Afternoon sitting)*

**J. MOTION – ADOPTION OF THE REPORT ON THE INVESTIGATION INTO WILDLIFE POACHING IN KENYA**

(The Chairperson, Departmental Committee on Environment and Natural Resources)

*(If not concluded on Wednesday, November 30, 2016, Afternoon sitting)*

**K. MOTION – ADOPTION OF THE REPORT ON THE INVESTIGATION INTO THE GARISSA UNIVERSITY COLLEGE TERRORIST ATTACK**

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

*(If not concluded on Wednesday, November 30, 2016, Afternoon sitting)*

**L. MOTION – ADOPTION OF REPORT ON THE INQUIRY INTO THE PROCUREMENT OF THE APRON BUSES BY THE KENYA AIRPORTS AUTHORITY**

(The Chairperson, Departmental Committee on Transport, Public Works and Housing)

*(If not concluded on Wednesday, November 30, 2016, Afternoon sitting)*

**M. MOTION – ADOPTION OF THE REPORT ON THE INQUIRY INTO THE IMPORTATION OF FERTILIZER BY THE MINISTRY OF AGRICULTURE, LIVESTOCK AND FISHERIES THROUGH THE NATIONAL CEREALS AND PRODUCE BOARD**

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

*(If not concluded on Wednesday, November 30, 2016, Afternoon sitting)*

**N. MOTION – ADOPTION OF THE REPORT ON THE INQUIRY INTO DEGAZZETEMENT OF GOVERNMENT LAND BELONGING TO CHORLIM COOPERATIVE SOCIETY**

(The Chairperson, Departmental Committee on Lands)

*(If not concluded on Wednesday, November 30, 2016, Afternoon sitting)*

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

# APPENDIX I

PETITIONS to be presented on

Wednesday (Afternoon), November 30, 2016

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It is notified that, pursuant to Standing Orders 225, the following Petition will be presented to the House **today, Wednesday (Afternoon), November 30, 2016:-**

<b>NO.</b>	<b><u>PETITION TO BE PRESENTED BY</u></b>	<b><u>SUBJECT</u></b>	<b><u>PETITIONER(S)</u></b>
<b>001</b>	The Member for Laikipia North (The Hon. Lempurkel Mathew, M.P.), <i>Pursuant to Standing Order 225(2)(a)</i>	Police training camp in Laikipia North Constituency	Residents of Laikipia County
<b>002</b>	The Member for Kiambu (The Hon. Jude Njomo, M.P), <i>Pursuant to Standing Order 225(2)(a)</i>	Review of house allowance for civil servants in Kiambu County	Civil servants in Kiambu County
<b>003</b>	The Member for Eldama Ravine (The Hon. Moses Lessonet, M.P), <i>Pursuant to Standing Order 225(2)(a)</i>	Impending closure of Kisii University Eldama Ravine Campus	Kisii University Ravine Campus

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# APPENDIX II

## Status of Business before Committees

Wednesday (Afternoon) November 30, 2016

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

**Departmental Committee on Agriculture, Livestock and Cooperatives**

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