



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, OCTOBER 05, 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 BASIC EDUCATION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 39 OF 2016)

(The Hon. Grace Kiptui, M.P.)

First Reading

9*. THE KENYATTA MAUSOLEUM BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2016)

(The Hon. Muthomi Njuki, M.P.)

Second Reading

*(Resumption of debate interrupted on Wednesday, August 17, 2016 – Morning Sitting)
(Balance of time – 2 hours)*

10*. MOTION – DEPLOYMENT OF CHAPLAINS TO LEARNING INSTITUTIONS

(The Hon. Geoffrey Odanga, M.P.)

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 counseling departments operating in these institutions.

*(Resumption of debate interrupted on Wednesday, August 10, 2016 – Morning Sitting)
(Balance of time – 2 hours)*

11*. MOTION – FREE ISSUANCE OF KENYA POLICE MEDICAL EXAMINATION (P3) FORMS

(The Hon. Omar Mwinyi, M.P.)

THAT, aware that the Kenya Police Medical Examination (P3) form is a legal document that is produced in a court of law as evidence in cases which involve body injury; noting that victims are required to have the P3 form completed by a certified public medical officer; further aware that the victims are charged a fee for this service by the hospitals attending to this particular service; concerned that most citizens are financially challenged hence the medical fee charged by the hospitals, is in contravention of Article 48 of the Constitution on access to justice; deeply concerned that if the situation is left unchecked, it may lead to continued abuse of the poor, delayed justice and possible incidents of unrest; this House **urges** the Government to ensure that completion of P3 forms is offered free of charge at all public healthcare facilities.

12*. MOTION – SUPPORT FOR YOUTH INNOVATION BY THE GOVERNMENT

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

THAT, aware that there are many talents amongst the youth of this country; having noted that this talents have been severally displayed through various inventions and innovations by the youth in platforms such as the Science Congress and the Annual Youth Innovation Week; concerned, that most of these discoveries do not go beyond making sensational newspaper and electronic media stories; noting that most of these innovations are aimed at addressing the problems that afflict us as Kenyans on a daily basis; further concerned that there is inadequate enabling legislation and administrative measures to support these innovations; cognizant of the fact that the Kenya Vision 2030 seeks to make our country an industrialized middle-income economy in the next 14 years; aware of the immense potential for wealth creation and job opportunities that such innovations would generate if well-developed and commercialized; also recognizing that our imports are well in excess of Kshs. 1.3 billion shillings, a gap that would be narrowed if we had our own local production, this House **urges** the Government to support youth innovation by creating an innovation fund and a national incubation system, among other measures.

13*. MOTION – ESTABLISHMENT OF A SELECT COMMITTEE TO INVESTIGATE MATTERS RELATING TO GMOs

(The Hon. (Dr.) Wilber Ottichilo, M.P.)

THAT, aware that the Government banned the importation of Genetically Modified Organisms (GMO) imports in 2012; further aware that the Ministry of Health which initiated the ban has consistently maintained that GMO foods are not safe for human and animal consumption; considering that no tangible evidence on the same has been provided; cognizant of the fact that local and international scientific institutions and stakeholders have consistently endorsed the use of GMO foods as a necessary measure for the present and future food security in the Country; concerned that the National Bio-Safety Authority (NBA) established under Bio-Safety Act was not involved in the decision to ban the use of GMO foods in the country; concerned that the Country continues to lose millions of shillings monthly in lost business opportunities related to GMO products; further concerned that research on bio-technology and bio-safety has stalled; this House **resolves** to establish a Select Committee to comprehensively investigate and inquire into all matters relating to GMOs, consider and review all related research findings and make recommendations and table its report within ninety (90) days and approves the following Members to constitute the Committee:-

1. The Hon. (Dr.) Wilber Ottichilo, MP - Chairperson
2. The Hon. Japhet Kareke Mbiuki, MP
3. The Hon. Rachael Amolo Ameso, MP
4. The Hon. Ejidius Njogu Barua, MP
5. The Hon. Sunjeev Kaur Birdi, MP
6. The Hon. Timothy Moseseti Bosire, MP
7. The Hon. Joyce Akai Emanikor, MP
8. The Hon. James Wambura Nyikal, MP
9. The Hon. Florence Kajuju, MP
10. The Hon. Robert Pukose, MP
11. The Hon. Cecilia Chelanga Ngetich, MP
12. The Hon. Florence Mwikali Mutua, MP
13. The Hon. Rachael Koki Nyamai, MP
14. The Hon. Francis Chachu Ganya, MP
15. The Hon. Harrison Garama Kombe, MP
16. The Hon. Ferdinand Wanyonyi, MP
17. The Hon. Richard Katemi Makenga, MP

14*. MOTION – RECRUITMENT OF SCHOOL BURSARS TO ENSURE PRUDENT UTILIZATION/MANAGEMENT OF FREE PRIMARY EDUCATION FUNDS

(The Hon. James Lusweti, M.P.)

THAT, aware that Free Primary Education is an important milestone to economic and social development in the country; further aware that since the introduction of Free Primary

...../14*. (Cont'd)

Education (FPE) in 2002, the Government has spent huge amount of money on the programme; noting that the recent Report by the Ministry of Education submitted to the Ethics and Anti-Corruption Commission (EACC) indicated that the Government could be losing millions of capitation funds in public schools through inflated enrollment figures, fraudulent deals that include irregular allocation of funds, procurement of goods and questionable expenditure by Head teachers; concerned that the spirit of FPE was to provide a chance to every student in the country to acquire free education, giving effect to Article 43(1)(f) of the Constitution; noting that most Headteachers do not possess requisite financial management skills to proficiently handle FPE funds; this House **urges** that the Government, through County Education Boards to recruit School Bursars to ensure prudent utilization/management of FPE funds disbursed to various schools in the country.

15*. MOTION- FORMULATION OF A POLICY TO GUARANTEE CAREER ADVANCEMENT, PROMOTIONS AND SECURITY OF TENURE FOR PUBLIC SERVANTS

(The Hon. Joyce Emanikor, M.P.)

THAT, aware that a sufficiently skilled and trained workforce is an essential pillar for attainment of Kenya's Vision 2030; further aware that the number of doctors, accountants, engineers, teachers, nurses, lecturers, scientists and other professionals in the public sector undertaking further studies of specialized skills within or outside the country is on the increase; deeply concerned that quite a number of professionals seemingly get demoralized by the fact that on returning from studies abroad or after undertaking further studies locally they are either deployed to lower positions, placed below supervisors whose skills they exceed or stagnate in the same position they were before furthering their skills; further concerned by the fact that most of them thereafter opt to leave the public service for the private sector, civil society or Non-Governmental Organizations (NGOs) or even migrate abroad in search of greener pastures leading to regrettable brain drain; this House **resolves** that the Government establishes a comprehensive policy to guarantee career advancement, promotions and security of tenure for public servants and officers who undertake to refine their skills through further studies.

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

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

Second Reading

17*. THE KENYA UWEZO FUND BILL (NATIONAL ASSEMBLY BILL NO. 65 OF 2015)

(The Hon. David Kangogo, M.P.)

Second Reading

*** Denotes Orders of the Day**

...../Notices

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** 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.

NOTICE PAPER

Tentative business for

Wednesday (Afternoon), October 05, 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), October 05, 2016:-

A. COMMITTEE OF THE WHOLE HOUSE

The County Assemblies Powers and Privileges Bill (Senate Bill No. 14 of 2014)
(The Chairperson, Departmental Committee on Justice and Legal Affairs)

B. THE PUBLIC FUNDRAISING APPEALS BILL (SENATE BILL NO. 28 OF 2014)

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

Second Reading

(Resumption of debate interrupted on Tuesday, October 04, 2016)

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

(The Leader of the Majority Party)

Second Reading

D. MOTION - APPROVAL OF SESSIONAL PAPER ON THE NATIONAL
CHILDREN POLICY

(The Chairperson, Departmental Committee on Labour and Social Welfare)

E. MOTION - APPROVAL OF SESSIONAL PAPER ON THE NATIONAL
POLICY ON ELIMINATION OF CHILD LABOUR

(The Chairperson, Departmental Committee on Labour and Social Welfare)

F. MOTION - ADOPTION OF THE TWENTIETH REPORT OF THE
PUBLIC INVESTMENTS COMMITTEE

(The Chairperson, Public Investments Committee)

G. THE NATIONAL YOUTH SERVICE BILL (SENATE BILL NO. 26 OF 2014)

(The Chairperson, Departmental Committee on Labour and Social Welfare)

Second Reading

H. THE COUNTY EARLY CHILDHOOD EDUCATION BILL (SENATE BILL NO. 23 OF 2014)

(The Chairperson, Departmental Committee on Education, Research and Technology)

Second Reading

I. THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (SENATE BILL NO. 24 OF 2014)

(The Chairperson, Departmental Committee on Labour and Social Welfare)

Second Reading

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

(The Leader of the Majority Party)

Second Reading



REPUBLIC OF KENYA
ELEVENTH PARLIAMENT – (FOURTH SESSION)
THE NATIONAL ASSEMBLY
ORDERS OF THE DAY

WEDNESDAY, OCTOBER 05, 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*. COMMITTEE OF THE WHOLE HOUSE

The County Assemblies Powers and Privileges Bill (Senate Bill No. 14 of 2014)
(The Chairperson, Departmental Committee on Justice and Legal Affairs)

9*. THE PUBLIC FUNDRAISING APPEALS BILL (SENATE BILL NO. 28 OF 2014)
(The Chairperson, Departmental Committee on Justice and Legal Affairs)

Second Reading

(Resumption of debate interrupted on Tuesday, October 04, 2016)

10*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) (No.2) BILL
(NATIONAL ASSEMBLY BILL NO. 58 OF 2015)
(The Leader of the Majority Party)

Second Reading

11*. MOTION - APPROVAL OF SESSIONAL PAPER ON THE NATIONAL
CHILDREN POLICY
(The Chairperson, Departmental Committee on Labour and Social Welfare)

THAT, this House adopts Sessional Paper No. 6 of 2014 on the National Children Policy, laid on the Table of the House on Tuesday, August 25, 2015.

...../12*.

- 12*. **MOTION - APPROVAL OF SESSIONAL PAPER ON THE NATIONAL POLICY ON ELIMINATION OF CHILD LABOUR**
(The Chairperson, Departmental Committee on Labour and Social Welfare)

THAT, this House adopts Sessional Paper No. 1 of 2015 on the National Policy on Elimination of Child Labour, laid on the Table of the House on Wednesday, August 19, 2015.

- 13*. **MOTION - ADOPTION OF THE TWENTIETH REPORT OF THE PUBLIC INVESTMENTS COMMITTEE**
(The Chairperson, Public Investments Committee)

THAT, this House adopts the Twentieth Report of the Public Investments Committee on the Accounts of State Corporations, laid on the Table of the House on Thursday December 03, 2015.

- 14*. **THE NATIONAL YOUTH SERVICE BILL (SENATE BILL NO. 26 OF 2014)**
(The Chairperson, Departmental Committee on Labour and Social Welfare)

Second Reading

- 15*. **THE COUNTY EARLY CHILDHOOD EDUCATION BILL (SENATE BILL NO. 23 OF 2014)**
(The Chairperson, Departmental Committee on Education, Research and Technology)

Second Reading

- 16*. **THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (SENATE BILL NO. 24 OF 2014)**
(The Chairperson, Departmental Committee on Labour and Social Welfare)

Second Reading

- 17*. **THE WITNESS PROTECTION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2016)**
(The Leader of the Majority Party)

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 any **Sessional Paper** be limited as follows: -A maximum of sixty (60) minutes, with not more than ten (10) minutes for the Mover in moving and five (5) minutes for any other Member speaking, **including** the Leader of the Majority Party and the Leader of the Minority Party and that five (5) minutes before the expiry of the time, the Mover shall be called upon to reply; and further that priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that Order.
- 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, 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** 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, October 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 Thursday, October 06, 2016:-

A. MOTION - CHANGES TO COMMITTEES' MEMBERSHIP

(The Chairperson, Committee on Selection)

**B. MOTION - APPROVAL OF SESSIONAL PAPER ON THE
NATIONAL POLICY ON ELIMINATION OF CHILD LABOUR**

(The Chairperson, Departmental Committee on Labour and
Social Welfare)

(If not concluded on Wednesday, October 05, 2016 - Afternoon Sitting)

**C. MOTION - ADOPTION OF THE TWENTIETH REPORT OF THE
PUBLIC INVESTMENTS COMMITTEE ON THE ACCOUNTS
OF STATE CORPORATIONS**

(The Chairperson, Public Investments Committee)

(If not concluded on Wednesday, October 05, 2016 - Afternoon Sitting)

**D. THE WITNESS PROTECTION (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILL NO. 12 OF 2016)**

(The Leader of the Majority Party)

Second Reading

**E. THE COMPETITION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL
NO. 24 OF 2016)**

(The Leader of the Majority Party)

Second Reading

**F. THE INSURANCE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL
NO. 28 OF 2016)**

(The Leader of the Majority Party)

Second Reading

G. THE NATIONAL YOUTH SERVICE BILL (SENATE BILL NO. 26 OF 2014)

(The Chairperson, Departmental Committee on Labour and Social Welfare)

Second Reading

(If not concluded on Wednesday, October 05, 2016 - Afternoon Sitting)

H. THE COUNTY EARLY CHILDHOOD EDUCATION BILL (SENATE BILL NO. 23 OF 2014)

(The Chairperson, Departmental Committee on Education, Research and Technology)

Second Reading

(If not concluded on Wednesday, October 05, 2016 - Afternoon Sitting)

I. THE PERSONS WITH DISABILITIES (AMENDMENT) BILL (SENATE BILL NO. 24 OF 2014)

(The Chairperson, Departmental Committee on Labour and Social Welfare)

Second Reading

(If not concluded on Wednesday, October 05, 2016 - Afternoon Sitting)

APPENDIX

PETITION to be presented on

Wednesday (Afternoon), October 05, 2016

It is notified that, pursuant to Standing Orders 225, the following Petition will be presented to the House **today, Wednesday (Afternoon), October 05, 2016:-**

NO.	<u>PETITION TO BE PRESENTED BY</u>	<u>SUBJECT</u>	<u>PETITIONER(S)</u>
001	The Member for Embakasi West (The Hon. George Theuri M.P.), <i>Pursuant to Standing Order 225(2)(a)</i>	Irregular Allocation of Land LR No. 11397/3	Residents of Mowlem Ward, Embakasi West Constituency
002	The Member for Manyatta (The Hon. John Muchiri, M.P.), <i>Pursuant to Standing Order 225(2)(a)</i>	Compulsory Land Acquisition in Manyatta Township by the Government	Land owners and concerned residents of Manyatta Constituency
