



REPUBLIC OF KENYA
ELEVENTH PARLIAMENT – (FOURTH SESSION)
THE NATIONAL ASSEMBLY
ORDERS OF THE DAY
SUPPLEMENTARY
WEDNESDAY, OCTOBER 12, 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*.THE INSTITUTE OF DIRECTORS OF KENYA BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2015)

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

Second Reading
(Question to be put)

9*.MOTION – CHANGES TO COMMITTEES' MEMBERSHIP

(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; April 28, 2016; June 14, 2016; and July 6, 2016 on appointment of Members to respective Committees, this House further approves the appointment of the following Members to the Committees specified hereunder:-

- (i) The Hon. Opiyo Wandayi, M.P. to be reappointed to the Departmental Committees on Agriculture, Livestock and Cooperatives; and Environment and Natural Resources to replace the Honourables Hezron Awiti Bollo, M.P and Zuleikha Hassan Juma, MP, respectively ,who now ceases to Members of the corresponding Committees;

- (ii) The Hon. Hezron Awiti Bollo, M.P. to move from the Departmental Committee on Agriculture, Livestock and Co-operatives to the Joint Committee on Parliamentary Broadcasting and Library to replace Hon. Zuleikha Hassan Juma, M.P., who now ceases to be a Member of the Joint Committee on Parliamentary Broadcasting and Library;
- (iii) The Hon. Zuleikha Hassan Juma, M.P. to be appointed to the Committee on Regional Integration Committee to replace the Hon. Florence Mutua, M.P., who now ceases to be a Member of the Committee;
- (iv) The Hon. Zuleikha Hassan Juma, M.P. to be appointed to the Departmental Committee on Education, Research and Technology, to replace the Hon. Dorcas Kedogo, M.P. who now ceases to be a Member of the Committee; and,
- (v) The Hon. James Onyango K'oyoo, M.P. to be appointed to the Committee of Privileges to replace the Hon. (Dr.) Susan Musyoka, M.P., who now ceases to be a Member of the Committee of Privileges.

10*. COMMITTEE OF THE WHOLE HOUSE

The Kenya Defence Forces (Amendment) Bill (National Assembly Bill No. 41 of 2015)
(The Leader of the Majority Party)

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

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

Second Reading

(Resumption of debate interrupted on Tuesday, October 11, 2016)

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

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

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

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

Second Reading

16*. THE COUNTY ASSEMBLY SERVICES BILL (SENATE BILL NO. 27 OF 2014)

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

Second Reading

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

(The Leader of the Majority Party)

Second Reading

*** Denotes Orders of the Day**

N O T I C E S

I. THE KENYA DEFENCE FORCES (AMENDMENT) BILL(NATIONAL ASSEMBLY BILL NO. 41 OF 2015)

1. Notice is given that the Chairperson of the Departmental Committee on Defence and Foreign Relations intends to move the following amendments to the Kenya Defence Forces (Amendment) Bill, 2015 at the Committee Stage—

CLAUSE 4

THAT, clause 4 of the Bill be amended—

- (a) in paragraph (a) by inserting the words “and National Assembly” immediately after the word “President”;
- (b) in paragraph (b) by inserting the words “and report thereon to the President and the National Assembly” immediately after the words “defence matters”;
- (c) by deleting paragraph (c) and substituting therefor the following new paragraph—

“(c) by deleting paragraph (h) and substituting therefor the following new paragraph—

(h) submit an annual report, in writing, to the President and National Assembly which shall include—

- (i) the work and accomplishment of the Ministry, the Services and the Defence Council during the period covered by the Report;
- (ii) the expenditure of the Ministry and the Services by the Principal Secretary in the Ministry; and
- (iii) such other recommendations as he or she may consider appropriate.

CLAUSE 5

THAT, clause 5 of the Bill be amended by inserting the words “to an employee of the Ministry” immediately after the word “Act”.

CLAUSE 9

THAT, clause 9 of the Bill be deleted and substituted therefor with the following new clause—

Amendment of
section 17 of No. 25
of 2012.

9. Section 17 of the principal Act is amended by —

- (a) inserting the words “in line with the chain of command” immediately after the words “responsible for”;
- (b) deleting paragraph (b).

CLAUSE 11

THAT, clause 11 of the Bill be amended by inserting the words “in times of war, emergency, or during extraneous security circumstances” immediately after the words “one year”;

CLAUSE 13

THAT, clause 13 of the Bill be amended by inserting the following new paragraph (d)—

“(d) expenditure incurred or expected to be incurred.

CLAUSE 15

THAT, clause 15 of the Bill be deleted and substituted therefor the following new clause—

Amendment of
section 33 of No. 25
of 2012.

15. Section 33 of the principal Act is amended —

- (a) in subsection (1) by inserting the words “ and other authorities” immediately after the word “Service”;
- (b) by deleting subsection (2); and
- (c) in sub-section (3) by—
 - (i) deleting the expression “(2)” and substituting therefor the expression “(1)”; and
 - (ii) deleting the words “administration, command” in subsection (3).

CLAUSE 16

THAT, clause 16 of the Bill be amended—

- (a) in sub-paragraph (i), by deleting the expression “241(3)(1)” and substituting therefor the expression “241(3)(b)”;

(b) by deleting sub-paragraph (ii) and substituting therefor the following new sub-paragraph (ii)—

“(ii) in paragraph (a) by inserting the words “or the President” immediately after the words “National Security Council”;

(c) by deleting sub-paragraph (iii) and substituting therefor the following new subparagraph (iii)—

“(iii) in paragraph (b) by inserting the words “or the President” immediately after the words “National Security Council”;

NEW CLAUSE

THAT, the Bill be amended by inserting the following new clause immediately after clause 26—

Amendment of
section 186 of No. 25
of 2012.

“26A. Section 186 of the principal Act is amended—

(a) in paragraph (b), by inserting the words “and make subsequent appeals to any other superior court” immediately after the word “High Court”;

(b) in subsection (2), by inserting the words “and make subsequent appeals to any other superior court” immediately after the word “High Court”;

CLAUSE 30

THAT, clause 30 of the Bill be amended in paragraph (a) by deleting the word “Major” and substituting therefor the words “Lieutenant Colonel”.

CLAUSE 32

THAT, clause 32 of the Bill be amended by—

(a) deleting sub-paragraph (ii) and substituting therefor the following new subparagraph —

“(ii) by inserting the words “with the consent of the Defence Council” immediately before the word “notwithstanding”;

(b) deleting paragraph (c) and substituting therefor the following new paragraph —

“(c) in subsection (9) by inserting the words “of the regular forces” immediately after the word “member”;

(c) deleting paragraph (d) and substituting therefor the following new paragraph (d)—

“(d) by deleting subsection (10) and substituting therefor the following new subsections—

“(10) The Government shall compensate members of the Defence Forces who lose their lives or suffer disabilities while undertaking military service or training.

“(11) The compensation referred to under subsection (10) may be facilitated through insurance schemes or compensation agreements as may be approved by the Defence Council from time to time.

CLAUSE 33

THAT, clause 33 of the Bill be amended—

(a) by deleting the words “reasonable time” and substituting therefor the words “ninety days”;

(b) in subsection (8) by —

(i) inserting the words “or the Service Commander” immediately after the words “Defence Council” wherever they appear;

(ii) deleting the words “reasonable time” and substituting therefor the words “fourteen days”;

CLAUSE 34

THAT, the Bill be amended by deleting clause 34.

CLAUSE 37

THAT, the Bill be amended by deleting clause 37.

CLAUSE 38

THAT, the Bill be amended by deleting clause 38.

CLAUSE 39

THAT, the Bill be amended by deleting clause 39.

CLAUSE 41

THAT clause 41 of the Bill be amended by—

(a) deleting paragraph (e);

(b) renumbering the existing subclause as subclause (1);

(c) inserting the following new subclause (2)—

“(2) The Standing Orders shall not be inconsistent with this Act.

2. Notice is given that the Member for Limuru (Hon. Eng. John Kiragu), intends to move the following amendments to the Kenya Defence Forces (Amendment) Bill, 2015 at the Committee Stage—

CLAUSE 3

THAT, clause 3 of the Bill be deleted and substituted with the following—

3. Section 8 of the principal Act be amended—

(a) by inserting the following new subsection immediately after subsection (1)—

“(1A) In addition to the functions under subsection (1), the Defence Forces shall undertake research and development and production of defence equipment to meet the defence needs of the country.”

(b) by deleting subsections (3) and (4).

CLAUSE 6

THAT, clause 6 of the Bill be deleted and substituted with the following—

6. Section 12 of the principal Act be amended—

(a) by inserting the following new paragraphs immediately after paragraph (g)—

“(ga) instigate an integrated program for research, development and production for defence purposes; and

(gb) recommend measures of co-ordination of research, development and production among defence forces and other stakeholders on matters of national security interest.”

(b) by deleting the words "of the Defence Forces" and substituting therefor the words "instructions or directives issued to Service Commanders" in paragraph (l)

3. Notice is given that the Member for Homa Bay Town (Hon. Peter Kaluma) intends to move the following amendments to the Kenya Defence Forces (Amendment) Bill, 2015 at the Committee Stage-

CLAUSE 32

THAT, the Bill be amended in clause 32 by deleting paragraph (d) and substituting therefor the following new paragraph (d)—

“ (d) by deleting subsection (10) and substituting therefor the following new subsection—
“(10) The Government shall compensate—

- (a) a member who suffers disability; or
- (b) the dependents of a member who loses their life,
while undertaking military service."

(11) Subject to subsection (10)(b), the compensation shall in addition to any existing non-monetary benefit provided under this Act, include—

- (a) lump sum pay of a minimum of Kenya shillings twenty million within ninety days of confirmation of death; and
- (b) waiver of fees or tuition charges in all public institutions of learning up to college level for the member's children.

(12) The compensation referred to under subsection (10) may be facilitated through insurance schemes or compensation agreements as may be approved by the Defence Council from time to time."

(The proposed amendment is Subject to the provisions of Article 114 of the Constitution)

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.
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NOTICE PAPER

Tentative business for

Thursday, October 13, 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 13, 2016:-

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

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, October 12, 2016 - Afternoon Sitting)

B. 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 12, 2016 - Afternoon Sitting)

C. 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 12, 2016 - Afternoon Sitting)

D. THE COUNTY ASSEMBLY SERVICES BILL (SENATE BILL NO. 27 OF 2014)

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

Second Reading

(If not concluded on Wednesday, October 12, 2016 - Afternoon Sitting)

E. THE PUBLIC PRIVATE PARTNERSHIPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 25 OF 2016)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, October 12, 2016 - Afternoon Sitting)

F. THE CONSTITUTION OF KENYA (AMENDMENT) BILL No. 3 (NATIONAL ASSEMBLY BILL NO. 18 OF 2015)

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

Second Reading

G. THE NATIONAL HONOURS (AMENDMENT) BILL (SENATE BILL NO. 16 OF 2014)

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

Second Reading

H. THE NATIONAL FLAG, EMBLEMS AND NAMES (AMENDMENT) BILL (SENATE BILL NO. 2 OF 2013)

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

Second Reading

I. THE CONTEMPT OF COURT BILL (NATIONAL ASSEMBLY BILL NO. 32 OF 2016)

(The Leader of the Majority Party)

Second Reading

J. MOTION – ADOPTION OF THE REPORT ON THE DEGAZZETEMENT OF GOVERNMENT LAND BELONGING TO CHORLIM COOPERATIVE SOCIETY

(The Chairperson, Departmental Committee on Lands)

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

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

L. MOTION – ADOPTION OF THE REPORT ON INVESTIGATIONS INTO THE GARISSA UNIVERSITY COLLEGE TERRORIST ATTACK

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

M. 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)

N. MOTION – ADOPTION OF THE REPORT 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

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

APPENDIX I

PETITION to be presented on

Wednesday (Afternoon), October 12, 2016

It is notified that, pursuant to Standing Orders 225, the following Petition will be presented to the House **today, Wednesday (Afternoon), October 12, 2016:-**

NO.	<u>PETITION TO BE PRESENTED BY</u>	<u>SUBJECT</u>	<u>PETITIONER(S)</u>
001	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
002	The Nominated Member (The Hon. Sunjeev K. Birdi, M.P.), <i>Pursuant to Standing Order 225(2)(a)</i>	Engagement of residents of Narok county by the China Road and Bridge in the construction of the Standard Gauge Railway Project	Residents of Narok County

APPENDIX II

Status of Business before Committees

Wednesday (Afternoon) October 12, 2016

In accordance with the Speaker's communication of 14th 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 Labour and Social Welfare
