



**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – (THIRD SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**WEDNESDAY, OCTOBER 14, 2015 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 CONSTITUTION OF KENYA (AMENDMENT) (No. 5) BILL (NATIONAL ASSEMBLY BILL NO.56 OF 2015)**

(The Hon. Nicolas Gumbo, M.P.)

First Reading

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

- (i) The Kenya National Examination Council (Amendment) Bill (National Assembly Bill No. 03 of 2015)  
(The Hon. Emmanuel Wangwe, M.P.)
- (ii) The Parliamentary Powers and Privileges Bill, (National Assembly Bill No. 35 of 2014)  
(The Hon. Adan Keynan, M.P.)

**10\*. THE AGRICULTURE, FISHERIES AND FOOD AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.17 OF 2015)**

(The Hon. Silas K. Tiren, M.P.)

Second Reading

**11\*. THE HEALTH RECORDS AND INFORMATION MANAGERS BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2015)**

(The Hon. Agostinho Neto, M.P.)

Second Reading

**12\*. THE ACCESS TO INFORMATION BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2015)**

(The Hon. Priscilla Nyokabi, M.P.)

Second Reading

**13\*. THE BIOMEDICAL ENGINEERS BILL (NATIONAL ASSEMBLY BILL NO. 37 OF 2015)**

(The Hon. Stephen M. Mule, M.P.)

Second Reading

**14\*. MOTION - FIREARMS TRACKING AND REGISTRATION SYSTEM**

(The Hon. (Dr.) Victor Munyaka, M.P.)

**THAT**, aware that many innocent Kenyans have been victims of crime attributable to stolen and illegally acquired firearms; concerned that, despite the proliferation of small arms, there has not been efforts to track location, movement and use of firearms held by licensed persons and the disciplined forces; acknowledging the need to adopt a mechanism for providing real-time geophysical location and movement of firearms to facilitate recovery of stolen firearms and forensic identification of guns used in crime scenes; cognizant of the fact that a number of countries continue to implement modern technologies to regulate, monitor and track use of firearms; further aware that use of electronic tracking technologies, including the Global Positioning Systems (GPS) has been used to track and record location and movement of firearms; this House **urges** the Government to fit all guns held by licensed persons and the disciplined forces with electronic tracking devices and ensure the proper and comprehensive registration of all firearms in the country in order to curb insecurity.

*(Resumption of debate interrupted on Wednesday, July 29, 2015 - Morning Sitting)  
(Balance of time – 2hr 30 mins)*

**15\*. MOTION - DECLARATION OF CATTLE RUSTLING AS A NATIONAL DISASTER & ESTABLISHMENT OF A SPECIAL FUND FOR VICTIMS**

(The Hon. William Cheptumo, M.P.)

**THAT**, aware that cattle rustling is a major menace and security threat in the South and North Rift regions and other regions in the country; noting that cattle rustling leaves behind destruction of property and loss of lives; deeply concerned that the menace has since left irreparable and negative socio-economic impact which include but are not limited to increased number of widows, widowers, orphaned children, poverty, displacement of people leading to the emergency of Internally displaced persons (IDPS), disruption of educational programmes and other economic activities owing to the destruction and/or closure of educational, health and other institutions; deeply concerned that the people living in the affected regions have been denied the enjoyment of their social, economic and political rights as guaranteed to them under the Bill of Rights as enshrined in Chapter Four of the Constitution; this House **urges** that the National Government declares cattle rustling as a national disaster and establishes a Special Fund to be used in mitigating the losses suffered by and in compensating all victims of cattle rustling and resettle all Internally displaced persons across the country created by the menace.

**16\*. MOTION - DEVELOPMENT OF A NATIONAL CURRICULUM FOR  
EMERGENCY TRAINING OF MEDICAL PERSONNEL**

(The Hon. Dr. Susan Musyoka, M.P.)

**THAT**, aware that Article 43 (1) (a) and (2) of the Constitution provides for the right to the highest attainable standard of health for every person; further aware that emergency health care is an important component of standard health services; concerned that many lives continue to be lost due to lack of adequate emergency health care and poor response to emergencies in the country; noting that only 13% of public health facilities in the Country have basic components to support emergency cases; deeply concerned that emergency patients are exposed to untrained personnel and/or good Samaritans who in most cases worsen the situation; cognizant of the need for the Country to have a well-coordinated emergency care system; this House **resolves** that the Government immediately develops and implements a national curriculum for emergency training of all medical personnel in the Country.

**17\*. MOTION - ENGAGEMENT OF THE NATIONAL YOUTH SERVICE  
IN CONSTRUCTION OF DAMS**

(The Hon. Joe M. Mutambu, M.P.)

**THAT**, aware that Article 43(1)(c) of the Constitution provides that every person has the right to be free from hunger and to have adequate food of acceptable quality; further aware that Kenya's food production is heavily dependent on rain-fed agriculture; cognizant of the fact that counties such as Kitui, Makueni and Machakos in semi-arid and arid lower Eastern part of the country experience perennial food shortages due to inadequate rainfall; noting that these counties however receive seasonal rainfall whose water can be harnessed and stored for irrigation; appreciating that the Government has invested heavily in the National Youth Service in terms of machinery and technical training; this House **urges** the Government to consider engaging the labour force and machinery of the National Youth Service to construct earth-dams for harnessing water for irrigation with a view to enhancing food production and alleviating hunger among the residents of the said counties and other semi-arid and arid regions of this country.

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**\* Denotes Orders of the Day**

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# N O T I C E S

## I. THE KENYA NATIONAL EXAMINATION COUNCIL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 03 OF 2015)

**Notice is given that the Member for Mbooni (Hon. Michael Munyao) intends to move the following amendments to Kenya National Examination Council (Amendment) Bill, 2015 at the Committee Stage—**

### **NEW CLAUSE**

**THAT**, the following new clause be inserted immediately after clause 2—

Amendment section  
46 of No. 29 of  
2012.

**2A.** That the Principal Act is amended by inserting the following new section immediately after section 46—

Imposition of penalty  
on institutions for  
delayed examination  
registration.

### **46A.**

(1) The Council shall charge a non-monetary penalty to institutions whose examination registrations are received outside the stipulated time, if the delay is occasioned by the authority responsible for registration of schools.

(2) The Council may make rules prescribing the non- monetary penalties.

## II. THE PARLIAMENTARY POWERS AND PRIVILEGES BILL, (NATIONAL ASSEMBLY BILL NO. 35 OF 2014)

**1. Notice is given that the Chairperson of the Committee of Privileges intends to move the following amendments to the Parliamentary Powers and Privileges Bill, 2014 at the Committee Stage—**

### **CLAUSE 2**

**THAT**, Clause 2 of the Bill be amended by inserting the following definition in its proper alphabetical sequence—

“proceedings” means—

- (a) all things said, done or written by a Member or by any officer of either House of Parliament or by any person ordered or authorised to attend before such House or its committees, in or in the presence of such House or its committees and in the course of a sitting for the purpose of transacting the business of the House or its committees; and

- (b) all things said, done or written between Members or between Members and officers of either House of Parliament for the purpose of enabling any Member or any such officer to carry out his or her functions.

**CLAUSE 3**

**THAT**, Clause 3 (1) be amended by inserting the following paragraph immediately after paragraph (f)—

- (g) such other areas as the Speaker may designate, in writing, for the purpose of parliamentary business."

**CLAUSE 8**

**THAT**, clause 8 of the Bill be amended in sub clause 1 by deleting the words "within or outside" appearing immediately after the words "areas" and substituting therefor the words "proximate to".

**CLAUSE 13**

**THAT**, the Bill be amended by deleting clause 13.

**PART IV**

**THAT**, Bill be amended by deleting the title to PART IV and substituting therefor the title—  
**"COMMITTEE OF POWERS AND PRIVILEGES"**.

**CLAUSE 16**

**THAT**, clause 16 of the Bill be amended—

- (a) in subclause (4) by inserting the expression "(b)" immediately before the words "perform such other functions"
- (b) by deleting subclause (7) and substituting therefor the following subclause—

"(7) Each House of Parliament shall consider the report and recommendations by the Committee of Privileges in the manner set out in the Third Schedule."

**NEW HEADING**

**THAT**, the Bill be amended by inserting the following new Heading immediately after clause 16—  
**"PART IVA—BREACHES OF PRIVILEGES"**.

**CLAUSE 17**

**THAT**, clause 17 of the Bill be amended in sub clause (a) by deleting the expression "27(1)" appearing immediately before the words "sections 26,".

**CLAUSE 18**

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

- (a) renumbering subclause (5) as subclause (4);
- (b) renumbering subclause (6) as subclause (5);
- (c) renumbering sub clause (7) as subclause (6).

**NEW PART**

**THAT**, the Bill be amended by inserting the following new Part immediately after clause 18—

**PART IVB—OFFICE OF STANDARDS AND ETHICS**

Establishment  
of Office.

**18A.** (1) There is established the Office of Standards and Ethics in each House of Parliament as an office in the Parliamentary Service.

(2) The Office shall be headed by an Administrator who shall be—

(a) nominated for appointment by the Parliamentary Service Commission through a competitive recruitment process;

(b) vetted by the relevant Committee of Powers and Privileges; and

(c) approved for appointment by the relevant House of Parliament.

(3) The qualifications for appointment to the Office are the same as for the appointment as a judge of the High Court.

Functions of  
the  
Administrator.

**18B.** The Administrator shall—

(a) on receipt of a formal complaint from any person or on the recommendation of the relevant Committee of Powers and Privileges, investigate any information or allegation of alleged breaches of parliamentary privilege or the Code of Conduct for Members of Parliament;

(b) report to the Committee of Powers and Privileges at the conclusion of investigations for the Committee to consider and make recommendations to the House; and

(c) maintain a register of interests declared by Members of Parliament.

Administrator's  
term of office  
and  
remuneration.

**18C.** (1) The Administrator holds office for a term of six years and is not eligible for re-appointment.

(2) The terms and conditions of service for the Administrator shall be specified in the instrument of his or her appointment.

Removal from  
office.

**18D.** (1) The Administrator may be removed from office for—

(a) a serious violation of the Constitution, including a contravention of Chapter Six;

(b) gross misconduct;

(c) physical infirmity or mental incapacity to discharge his or her functions;

(d) incompetence; or

(e) bankruptcy.

(2) A person desiring the removal of the Administrator on any ground specified in subsection (1) may present a petition to the relevant House of Parliament setting out the alleged facts constituting that ground.

(3) The Committee of Powers and Privileges of the relevant House shall consider the petition and make recommendations to the relevant House of Parliament.

(4) If the Committee reports that it finds the allegations—

- (a) unsubstantiated, no further proceedings shall be undertaken; or
  - (b) substantiated, the relevant House of Parliament shall vote on the resolution requiring the Administrator to be removed from office.
- (5) If a resolution under subsection (4) (b) requiring the removal from office of an Administrator is supported by a majority of the members of the relevant House of Parliament—
- (a) the relevant Speaker shall deliver the resolution to the Parliamentary Service Commission ; and
  - (b) the Commission shall dismiss the Administrator.

**CLAUSE 20**

**THAT**, clause 20 of the Bill be amended—

- (a) in sub clause (1), by deleting the words “,and may order the property of the witness , or any part thereof to be attached and sold for the purpose of satisfying all costs of such attachment together with the amount of the said fine, if any”.
- (b) by deleting sub clause (2) and substituting therefor the following clause—  
“(2) A person may pay the fine under subsection (1) to the Clerk of the relevant House.”
- (c) by deleting subclause (3) and substituting therefor the following subclause—  
“(3) Parliament or its committee may order the arrest of a person who fails to honour a summons.”

**CLAUSE 23**

**THAT**, clause 23 of the Bill be amended by deleting subclause (2).

**CLAUSE 27**

**THAT**, the Bill be amended by deleting clause 27.

**CLAUSE 28**

**THAT**, clause 28 of the Bill be amended in sub clause (2) by deleting the word “including” appearing immediately after the word “person” and substituting therefor the word “or”.

**CLAUSE 29**

**THAT**, clause 29 of the Bill be amended in sub clause (3) by inserting the word “a” immediately after the words “directed at” appearing in paragraph (b).

**CLAUSE 34**

**THAT**, the Bill be amended by deleting Clause 34.

**CLAUSE 37**

**THAT**, the Bill be amended by deleting clause 37 and substituting therefor the following clause—

Officers of a House of Parliament to have powers of police officer.

**37.** (1) Every officer of a House of Parliament shall, for the purposes of this Act and of the application of the provisions of the criminal law, have all the powers and enjoy all the privileges of a police officer.

(2) In this section, "officer of a House of Parliament" means any officer acting within the precincts of Parliament under the orders of the Speaker."

#### **CLAUSE 41**

**THAT**, clause 41 of the Bill be amended—

- (a) in sub clause (1) by deleting the words "the National Assembly" appearing immediately after the words "Speaker of" and substituting therefor the words "either House of Parliament";
- (b) by deleting sub clause (3) and substituting therefor the following sub clause—  
"(3) The Code of Conduct regulating the conduct of Members of the respective House of Parliament shall be as set out in the Fourth Schedule."
- (c) in sub clause (4) by deleting the words "and Code of Conduct" appearing immediately after the words "copies of orders";

#### **NEW SCHEDULES**

**THAT**, the Bill be amended by inserting the following new schedules immediately after the Second Schedule—

#### **THIRD SCHEDULE**

##### **CONSIDERATION OF REPORT BY THE COMMITTEE OF POWERS AND PRIVILEGES**

**(s. 16 (7))**

1. Every Report by the Committee of Powers and Privileges concerning any inquiry into the conduct of a Member shall, as soon as possible after it has been completed, be laid by a member of that Committee on the Table of the House.
2. If the Report does not recommend any disciplinary action there shall be no further proceedings whatsoever in respect thereof, other than (where necessary) further inquiry and Report by the Committee of Powers and Privileges.
3. (1) If the Report recommends any disciplinary action, a member of the Committee of Powers and Privileges shall as soon as possible after the report has been laid, but after giving at least one day's previous notice, move that the House adopts the Report.  
(2) A Motion to adopt the Report shall be debated in the usual manner and in the open; except that—
  - (a) in exceptional circumstances to be determined by the Speaker, strangers may be ordered to withdraw throughout the debate; and
  - (b) no amendment may be moved, other than an amendment of the disciplinary action recommended by the Report or an amendment to the effect that the Report be referred back to the Committee of Powers and Privileges for further inquiry.
4. Where the House adopts any recommendation of the Report for disciplinary action, with or without amendment, the Speaker shall forthwith take action accordingly.



**FOURTH SCHEDULE****CODE OF CONDUCT FOR MEMBERS OF PARLIAMENT****(s. 41(3))**

Application and Purpose.

1. (1) This Code applies to and provides a framework of reference for Members of Parliament when discharging their duties and responsibilities.

(2) The purpose of this Code is to create public trust and confidence in Members of Parliament and to protect the integrity of Parliament.

Members bound by General Principles of Conduct.

2. (1) Members are bound by the General Principles of Conduct whenever any of them performs the roles of either House of Parliament set out under Articles 97 and 98 of the Constitution.

(2) The General Principles of Conduct include—

- (a) selflessness;
- (b) integrity;
- (c) objectivity;
- (d) accountability;
- (e) openness;
- (f) honesty; and
- (g) leadership.

Members to be faithful, conscientious and impartial.

3. Members of the House shall—

- (a) be faithful and bear true allegiance to the people and the Republic of Kenya.
- (b) faithfully and conscientiously discharge their duties and obey, respect, uphold, preserve, protect and defend the Constitution and the rule of law;
- (c) do right to all persons in accordance with the Constitution and the laws and conventions of Parliament; and
- (d) promote unity among Kenyans, irrespective of race, tribe, colour, creed or sex.

Members to act in the public interest.

4. Members of the House shall, in the conduct of their parliamentary duties, act in the public interest, and resolve any conflict between their personal interest and the public interest in favour of the public interest.

Members not to accept improper reward.

5. Members of the House shall not—

- (a) accept or agree to accept any financial inducement as an incentive or reward for the performance of their duties;
- (b) seek to profit or profit from membership of the House by accepting or agreeing to accept payment or other incentive or reward in return for providing parliamentary advice or services; or
- (c) incur a financial or other obligation that unduly influences the Member in the performance of his or her duties.

Members to register interests.

6. (1) Members of the House shall—

- (a) register with the Office of Standards and Ethics all financial and non-financial interests that may reasonably influence their parliamentary actions;
  - (b) before contributing to debate in the House or its Committees, or communicating with State Officers or other public servants, declare any relevant interest in the context of parliamentary debate or the matter under discussion; and
  - (c) observe any rules agreed of the House in respect of financial support for Members or the facilities of the House.
- (2) A relevant interest is an interest that may be seen by a reasonable member of the public to influence the way in which a Member discharges his or her parliamentary duties.
- (3) Members shall ensure that registered interests are accurate and updated within one month of any change in particulars.

Members to uphold the dignity of the House.

7. A member of the House shall uphold the dignity and integrity of the House by—

- (a) promoting respect for the House and its institutions at all times.
- (b) ensuring that the member's non-parliamentary activities do not interfere with or compromise the member's official duties or bring the House into disrepute.

Members to treat others with respect.  
Members' official duties to take precedence.

8. A member of the House shall treat other members with respect and strive to have cordial relations with all other members.
9. A member of the House shall ensure that parliamentary duties of the member take precedence over the member's other activities.

Members to abide by Code.

10. Members undertake to abide by this Code upon taking the oath of office and at the start of each Parliament.

Members to comply with General Code.  
No. 19 of 2012.

11. A member of the House shall comply with the requirements imposed under the General Leadership and Integrity Code set out in Part II of the Leadership and Integrity Act, 2012.

Committee to enforce Code, prescribe penalties for breach.

12. The Committee shall enforce this Code and have power to recommend penalties for its breach similar to penalties for breach of parliamentary privilege.

**2. Notice is given that the Member for Aldas (Hon. Adan Keynan), intends to move the following amendments to the Parliamentary Powers and Privileges Bill, 2014 at the Committee Stage—**

**CLAUSE 2**

**THAT**, Clause 2 of the Bill be amended by inserting the following definition in its proper alphabetical sequence—

“proceedings” means—

- (c) all things said, done or written by a Member or by any officer of either House of Parliament or by any person ordered or authorised to attend before such House or its committees, in or in the presence of such House or its committees and in the course of a sitting for the purpose of transacting the business of the House or its committees; and

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- (g) such other areas as the Speaker may designate, in writing, for the purpose of parliamentary business."

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3. (1) If the Report recommends any disciplinary action, a member of the Committee of Powers and Privileges shall as soon as possible after the report has been laid, but after giving at least one day's previous notice, move that the House adopts the Report.  
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  - (a) in exceptional circumstances to be determined by the Speaker, strangers may be ordered to withdraw throughout the debate; and
  - (b) no amendment may be moved, other than an amendment of the disciplinary action recommended by the Report or an amendment to the effect that the Report be referred back to the Committee of Powers and Privileges for further inquiry.
4. Where the House adopts any recommendation of the Report for disciplinary action, with or without amendment, the Speaker shall forthwith take action accordingly.

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**CODE OF CONDUCT FOR MEMBERS OF PARLIAMENT**

**(s. 41(3))**

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Members bound by  
General Principles of  
Conduct.

- (2) The purpose of this Code is to create public trust and confidence in Members of Parliament and to protect the integrity of Parliament.
2. (1) Members are bound by the General Principles of Conduct whenever any of them performs the roles of either House of Parliament set out under Articles 97 and 98 of the Constitution.
- (2) The General Principles of Conduct include—

- (a) selflessness;
- (b) integrity;
- (c) objectivity;
- (d) accountability;
- (e) openness;
- (f) honesty; and
- (g) leadership.

Members to be  
faithful,  
conscientious and  
impartial.

3. Members of the House shall—

- (a) be faithful and bear true allegiance to the people and the Republic of Kenya.
- (b) faithfully and conscientiously discharge their duties and obey, respect, uphold, preserve, protect and defend the Constitution and the rule of law;
- (c) do right to all persons in accordance with the Constitution and the laws and conventions of Parliament; and
- (d) promote unity among Kenyans, irrespective of race, tribe, colour, creed or sex.

Members to act in  
the public interest.

4. Members of the House shall, in the conduct of their parliamentary duties, act in the public interest, and resolve any conflict between their personal interest and the public interest in favour of the public interest.

Members not to  
accept improper  
reward.

5. Members of the House shall not—

- (a) accept or agree to accept any financial inducement as an incentive or reward for the performance of their duties;
- (b) seek to profit or profit from membership of the House by accepting or agreeing to accept payment or other incentive or reward in return for providing parliamentary advice or services; or
- (c) incur a financial or other obligation that unduly influences the Member in the performance of his or her duties.

Members to register  
interests.

6. (1) Members of the House shall—

- (a) register with the relevant Speaker all financial and non-financial interests that may reasonably influence their parliamentary actions;
- (b) before contributing to debate in the House or its Committees, or communicating with State Officers or other public servants, declare any relevant interest in the context of parliamentary debate or the matter under discussion;
- (2) A relevant interest is an interest that may be seen by a reasonable member of the public to influence the way in which a Member discharges his or her parliamentary duties.
- (3) Members shall ensure that registered interests are accurate and updated within one month of any change in particulars.

Members to uphold  
the dignity of the  
House.

7. A member of the House shall uphold the dignity and integrity of the House by—

(a) promoting respect for the House and its institutions at all times.

(b) ensuring that the member's non-parliamentary activities do not interfere with or compromise the member's official duties or bring the House into disrepute.

Members to treat  
others with respect.

8. A member of the House shall treat other members with respect and strive to have cordial relations with all other members.

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9. A member of the House shall ensure that parliamentary duties of the member take precedence over the member's other activities.

Members to abide by  
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10. Members undertake to abide by this Code upon taking the oath of office and at the start of each Parliament.

Members to comply  
with General Code.

11. A member of the House shall comply with the requirements imposed under the General Leadership and Integrity Code set out in Part II of the Leadership and Integrity Act, 2012.

No. 19 of 2012.

Committee to  
enforce Code,  
prescribe penalties  
for breach.

12. The Committee shall enforce this Code and have power to recommend penalties for its breach similar to penalties for breach of parliamentary privilege.

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**The House resolved on Wednesday, February 11, 2015 as follows:-**

III. **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.

IV. **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, October 14 (Afternoon), 2015

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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 Wednesday (Afternoon) October 14, 2015:-

- A. **THE ELECTIONS LAWS (AMENDMENT) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 53 OF 2015)**  
(The Leader of the Majority Party)  
First Reading
- B. **THE NATURAL RESOURCES (CLASSES OF TRANSACTIONS SUBJECT TO RATIFICATION) BILL (NATIONAL ASSEMBLY BILL NO. 54 OF 2015)**  
(The Leader of the Majority Party)  
First Reading
- C. **THE SMALL CLAIMS COURT BILL (NATIONAL ASSEMBLY BILL NO. 51 OF 2015)**  
(The Leader of the Majority Party)  
Second Reading  
*(Resumption of debate interrupted on Tuesday, October 13, 2015)*
- D. **MOTION - ESTABLISHMENT OF A SELECT COMMITTEE**  
(The Hon. Samuel Chepkonga, M.P.)  
*(THIS IS A MAJORITY PARTY SPONSORED MOTION)*
- E. **THE COURT OF APPEAL (ORGANIZATION AND ADMINISTRATION) BILL (NATIONAL ASSEMBLY BILL NO. 52 OF 2015)**  
(The Leader of the Majority Party)  
Second Reading
- F. **THE PETROLEUM (EXPLORATION DEVELOPMENT AND PRODUCTION) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2015)**  
(The Leader of the Majority Party)  
Second Reading
- G. **THE COMMUNITY LAND BILL (NATIONAL ASSEMBLY BILL NO. 45 OF 2015)**  
(The Leader of the Majority Party)  
Second Reading
- H. **THE PHYSICAL PLANNING BILL (NATIONAL ASSEMBLY BILL NO. 46 OF 2015)**  
(The Leader of the Majority Party)  
Second Reading
-





**REPUBLIC OF KENYA**

**ELEVENTH PARLIAMENT – (THIRD SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**WEDNESDAY OCTOBER 14, 2015 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 ELECTION LAWS (AMENDMENT) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 53 OF 2015)**

(The Leader of the Majority Party)

First Reading

**9\*\*. THE NATURAL RESOURCES (CLASSES OF TRANSACTIONS SUBJECT TO RATIFICATION) BILL (NATIONAL ASSEMBLY BILL NO. 54 OF 2015)**

(The Leader of the Majority Party)

First Reading

**10\*\*. THE SMALL CLAIMS COURT BILL (NATIONAL ASSEMBLY BILL NO. 51 OF 2015)**

(The Leader of the Majority Party)

Second Reading

*(Resumption of debate interrupted on Tuesday, October 13, 2015)*

**11\*. MOTION - ESTABLISHMENT OF A SELECT COMMITTEE**

(The Hon. Samuel Chepkonga, M.P.)

**THAT**, aware that following the 2007 post-election violence, various state and non-state agencies carried out independent investigations, either on their own motion or in the exercise of their statutory functions; **Further aware** that, some of those agencies, including the Commission appointed by the then President to inquire into the matters pertaining to the Post Election Violence (*the Waki Commission*), either submitted or publicized their findings and/or reports, which are yet to be discussed by the National Assembly; **Cognizant** of the fact that the matter of possible compromise and allegations of skewed investigations has been of concern to the People of Kenya, including allegations that some of the witnesses who testified before the Commission and other agencies may have been procured;

...../11\*(Cont'd)

**Recalling** that Article 95 of the Constitution provides that the National Assembly deliberates on and resolves issues of concern to the people; **Further recalling** that, in 2010, Parliament amended the Commission of Inquiry Act (CAP. 102) to accord the National Assembly an opportunity to receive and discuss such findings or reports; this House –

- (a) **resolves** to establish a select Committee to inquire into and report on the allegations of the skewed and compromised investigations by the various state and non-state agencies on the matter of the 2007-Post Election Violence;
- (b) **also resolves** that the Committee elects its chairperson and vice-chairperson from amongst its Members;
- (c) **further resolves** that the Committee submits its report to the House within ninety (90) days, to inform the debate on the subsequent motion for noting the contents of *the Report of the Commission of Inquiry into the Post Election Violence (CIPEV)* which was tabled in the House on 4<sup>th</sup> December 2008 ; and,
- (d) **approves** the appointment of the following Members to the Committee:-

- 1. The Hon. Florence Kajuju, MP
- 2. The Hon. Moses Cheboi, MP
- 3. The Hon. Kimani Ichung'wah, MP
- 4. The Hon. Alice Ng'ang'a, MP
- 5. The Hon. David Ochieng, MP
- 6. The Hon. Tom. J. Kajwang, MP
- 7. The Hon. Boniface Otsiula, MP
- 8. The Hon. Samuel Chepkonga, MP
- 9. The Hon. Mati Munuve, MP
- 10. The Hon. David Gikaria, MP
- 11. The Hon. Jimmy Angwenyi, MP
- 12. The Hon. Abdulaziz Farah, MP
- 13. The Hon. Mishi Mboko, MP
- 14. The Hon. Katoo Ole Metito, MP
- 15. The Hon. Wilber Ottichillo, MP

**(THIS IS A MAJORITY PARTY SPONSORED MOTION)**

**12\*\*. THE COURT OF APPEAL (ORGANIZATION AND ADMINISTRATION)  
BILL (NATIONAL ASSEMBLY BILL NO. 52 OF 2015)**

(The Leader of the Majority Party)

Second Reading

**13\*\*. THE COMMUNITY LAND BILL (NATIONAL ASSEMBLY BILL NO. 45 OF 2015)**

(The Leader of the Majority Party)

Second Reading

**14\*\*. THE PHYSICAL PLANNING BILL (NATIONAL ASSEMBLY BILL NO. 46 OF 2015)**

(The Leader of the Majority Party)

Second Reading

**15\*\*. THE PETROLEUM (EXPLORATION DEVELOPMENT AND PRODUCTION) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2015)**

(The Leader of the Majority Party)

Second Reading

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**\* Denotes Orders of the Day**

**\*\*Denotes Bill with Constitutional Timeline**

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## N O T I C E S

### The House resolved on Wednesday, February 11, 2015 as follows:-

- I. **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.
  
- 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.

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...../Notice Paper

# NOTICE PAPER

Tentative business for

Thursday October 15, 2015

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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 October 15, 2015:-

**A. THE COURT OF APPEAL (ORGANIZATION AND ADMINISTRATION) BILL  
(NATIONAL ASSEMBLY BILL NO. 52 OF 2015)**

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Wednesday, October 14, 2015 – Afternoon Sitting)*

**B. THE COMMUNITY LAND BILL (NATIONAL ASSEMBLY BILL NO. 45 OF 2015)**

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Wednesday, October 14, 2015 – Afternoon Sitting)*

**C. THE PHYSICAL PLANNING BILL (NATIONAL ASSEMBLY BILL NO. 46 OF 2015)**

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Wednesday, October 14, 2015 – Afternoon Sitting)*

**D. THE PETROLEUM (EXPLORATION DEVELOPMENT AND PRODUCTION) BILL  
(NATIONAL ASSEMBLY BILL NO. 44 OF 2015)**

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Wednesday, October 14, 2015 – Afternoon Sitting)*

**E. THE PROTECTION OF THE TRADITIONAL KNOWLEDGE AND TRADITIONAL  
CULTURAL EXPRESSIONS BILL (NATIONAL ASSEMBLY BILL NO. 48 OF 2015)**

(The Leader of the Majority Party)

Second Reading

**F. THE FOREST CONSERVATION AND MANAGEMENT BILL (NATIONAL ASSEMBLY  
BILL NO. 49 OF 2015)**

(The Leader of the Majority Party)

Second Reading

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