



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, OCTOBER 26, 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*. 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 Moseti 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

*(Resumption of debate interrupted on Wednesday, October 19, 2016 – Morning Sitting)
(Balance of time – 2hrs 50mins)*

9*. MOTION– SUPPORT FOR YOUTH INNOVATIONS 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 innovations by creating an innovation fund and a national incubation system, among other measures.

10*. 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 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 Head teachers 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.

**11*. 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.

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

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

Second Reading

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

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

Second Reading

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.
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NOTICE PAPER

Tentative business for

Wednesday (Afternoon), October 26, 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 26, 2016:-

A. 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

(Resumption of debate interrupted on Tuesday, October 25, 2016)

B. 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)

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

(The Leader of the Majority Party)

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

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 ELECTION LAWS (AMENDMENT) (No. 3) BILL (NATIONAL ASSEMBLY BILL NO. 63 OF 2015)

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

Second Reading

(Resumption of debate interrupted on Thursday, June 30, 2016)

J. THE PENAL CODE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 13 OF 2016)

(The Chairperson, Joint Committee on National Cohesion and Equal Opportunity)

Second Reading

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 THE INVESTIGATION INTO THE GARISSA UNIVERSITY COLLEGE TERRORIST ATTACK

(The Chairperson, Departmental Committee on Administration and 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)



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (FOURTH SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, OCTOBER 26, 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 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

(Resumption of debate interrupted on Tuesday, October 25, 2016)

9*. 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)

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

(The Leader of the Majority Party)

Second Reading

- 11*. **THE COUNTY ASSEMBLY SERVICES BILL (SENATE BILL NO. 27 OF 2014)**
(The Chairperson, Departmental Committee on Administration and National Security)

Second Reading

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

Second Reading

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

Second Reading

- 14*. **THE NATIONAL HONOURS (AMENDMENT) BILL (SENATE BILL NO. 16 OF 2014)**
(The Chairperson, Departmental Committee on Administration and National Security)

Second Reading

- 15*. **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

- 16*. **THE ELECTION LAWS (AMENDMENT) (No. 3) BILL (NATIONAL ASSEMBLY BILL NO. 63 OF 2015)**
(The Chairperson, Departmental Committee on Justice and Legal Affairs)

Second Reading

(Resumption of debate interrupted on Thursday, June 30, 2016)

- 17*. **THE PENAL CODE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 13 OF 2016)**
(The Chairperson, Joint Committee on National Cohesion and Equal Opportunity)

Second Reading

(No.124)

WEDNESDAY, OCTOBER 26, 2016

(2133)

18*. 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.

19*. 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.

20*. 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.

21*. 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)

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.

*** 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 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

Tentative business for

Thursday, October 27, 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 27, 2016:-

A. MOTION – APPROVAL FOR THE APPOINTMENT OF THE DEPUTY CHIEF JUSTICE OF THE REPUBLIC OF KENYA

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

B. COMMITTEE OF THE WHOLE HOUSE

(i) The Statute Law (Miscellaneous Amendments) Bill (Senate Bill No. 6 of 2014)
(The Chairperson, Departmental Committee on Justice and Legal Affairs)

(ii) The Public Finance Management (Amendment) Bill (National Assembly Bill No. 4 of 2015)
(The Leader of the Majority Party)

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

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, October 26, 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 26, 2016 - Afternoon Sitting)

E. 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 26, 2016 - Afternoon Sitting)

F. 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 26, 2016 - Afternoon Sitting)

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

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

Second Reading

(If not concluded on Wednesday, October 26, 2016 - Afternoon Sitting)

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

(If not concluded on Wednesday, October 26, 2016 - Afternoon Sitting)

I. THE ELECTION LAWS (AMENDMENT) (No. 3) BILL (NATIONAL ASSEMBLY BILL NO. 63 OF 2015)

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

Second Reading

(If not concluded on Wednesday, October 26, 2016 - Afternoon Sitting)

J. THE PENAL CODE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 13 OF 2016)

(The Chairperson, Joint Committee on National Cohesion and Equal Opportunity)

Second Reading

(If not concluded on Wednesday, October 26, 2016 - Afternoon Sitting)

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 THE INVESTIGATION INTO THE GARISSA UNIVERSITY COLLEGE TERRORIST ATTACK

(The Chairperson, Departmental Committee on Administration and 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)

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

APPENDIX I

PETITION to be presented on

Wednesday (Afternoon), October 26, 2016

It is notified that, pursuant to Standing Orders 225, the following Petition will be presented to the House **today, Wednesday (Afternoon), October 26, 2016:-**

NO.	<u>PETITION TO BE PRESENTED BY</u>	<u>SUBJECT</u>	<u>PETITIONER(S)</u>
	The Member for Kiambu (The Hon. Jude Njomo, M.P.), <i>Pursuant to Standing Order 225(2)(a)</i>	Pollution and establishment of a dumpsite in Hekima Estate, Kiambu County	Residents of Indian Bazaar in area in Kiambu County

APPENDIX II

Status of Business before Committees

Wednesday (Afternoon) October 26, 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:

- (i) **Committee on Delegated Legislation**
- (ii) **Committee on Regional Integration**
