



REPUBLIC OF KENYA

ELEVENTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, OCTOBER 28, 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 PARLIAMENTARY SERVICE BILL (NATIONAL ASSEMBLY BILL NO.60 OF 2015)

(The Hon. Adan Keynan, M.P.)

First Reading

9*. 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)

10*. 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

...../10*(cont'd)

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.

11*. 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.

12*. 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.

*** Denotes Orders of the Day**

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 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

NOTICE PAPER

Tentative business for

Wednesday, October 28 (Afternoon), 2015

(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 28, 2015:-

A. COMMITTEE OF THE WHOLE HOUSE

Consideration of the **Presidential Memorandum** on the Excise Duty Bill (National Assembly Bill No. 28 of 2015)

(The Leader of the Majority Party)

(Resumption of consideration interrupted on Tuesday, October 27, 2015)

B. MOTION - REPORT ON THE PETITION FOR REMOVAL OF A MEMBER OF THE NATIONAL POLICE SERVICE COMMISSION

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

C. MOTION - REPORT ON THE SPECIAL AUDIT REPORT OF THE JUDICIAL SERVICE COMMISSION AND THE JUDICIARY OF MAY, 2014

(The Chairperson, Public Accounts Committee)

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

(The Leader of the Majority Party)

Second Reading

(Resumption of debate interrupted on Tuesday, October 27, 2015)

E. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 57 OF 2015)

(The Leader of the Majority Party)

Second Reading

F. THE HEALTH BILL (NATIONAL ASSEMBLY BILL NO.14 OF 2015)

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

**I. THE NATURAL RESOURCES (CLASSES OF TRANSACTIONS SUBJECT TO
RATIFICATION) BILL (NATIONAL ASSEMBLY BILL NO. 54 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 28, 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*. COMMITTEE OF THE WHOLE HOUSE

Consideration of the **Presidential Memorandum** on the Excise Duty Bill (National Assembly Bill No. 28 of 2015)

(The Leader of the Majority Party)

(Resumption of consideration interrupted on Tuesday, October 27, 2015)

9*. MOTION - REPORT ON THE PETITION FOR REMOVAL OF A MEMBER OF THE NATIONAL POLICE SERVICE COMMISSION

(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 Petition for the Removal of a Member of the National Police Service Commission, laid on the Table of the House on Thursday, 22nd October, 2015, and in accordance with the provisions of Article 251(3) of the Constitution and Standing Order 230(5), finds that the Petition does disclose sufficient ground for the removal of Major (Rtd.) Muiu Shadrack Mutia as a Member of the National Police Service Commission.

10*. MOTION - REPORT OF THE PUBLIC ACCOUNTS COMMITTEE

(The Chairperson, Public Accounts Committee)

THAT, this House adopts the Report of the Public Accounts Committee on the Special Audit Report of the Judicial Service Commission (JSC) and the Judiciary of May, 2014, laid on the Table of the House on Tuesday, 7th July, 2015.

- 11**. THE PETROLEUM (EXPLORATION, DEVELOPMENT AND PRODUCTION) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2015)
(The Leader of the Majority Party)

Second Reading

(Resumption of debate interrupted on Tuesday, October 27, 2015)

- 12*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 57 OF 2015)
(The Leader of the Majority Party)

Second Reading

- 13*. THE HEALTH BILL (NATIONAL ASSEMBLY BILL NO.14 OF 2015)
(The Leader of the Majority Party)

Second Reading

- 14**. THE PROTECTION OF TRADITIONAL KNOWLEDGE AND TRADITIONAL CULTURAL EXPRESSIONS BILL (NATIONAL ASSEMBLY BILL NO. 48 OF 2015)
(The Leader of the Majority Party)

Second Reading

- 15**. THE FOREST CONSERVATION AND MANAGEMENT BILL (NATIONAL ASSEMBLY BILL NO. 49 OF 2015)
(The Leader of the Majority Party)

Second Reading

- 16**. THE NATURAL RESOURCES (CLASSES OF TRANSACTIONS SUBJECT TO RATIFICATION) BILL (NATIONAL ASSEMBLY BILL NO. 54 OF 2015)
(The Leader of the Majority Party)

Second Reading

* Denotes Orders of the Day

**Denotes Bill with Constitutional Timeline

NOTICES**I. THE EXCISE DUTY BILL (NATIONAL ASSEMBLY BILL NO. 28 OF 2015)****PRESIDENT'S RECOMMENDATION:**

1. Amendments recommended by H. E. the President to the Excise Duty Bill (National Assembly Bill No. 28 of 2015)

FIRST SCHEDULE

THAT, Part I of paragraph 1 of the First Schedule be amended by –

- (i) inserting the following items and the corresponding rate of excise immediately before the item on “Food supplements” as follows:-

Fruit juices (including grape must), and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter.	Shs. 10 per litre
--	--------------------------

- (ii) deleting the items relating to cigarettes appearing immediately after the item on “catridge for use in electronic cigarettes” and substituting therefor the following item and the corresponding rate of excise duty:

Cigarettes containing tobacco or tobacco substitutes	Shs. 2500 per mille
---	----------------------------

- (iii) deleting the item relating to “Motor vehicles of tariff heading 87.02, 87.03 and 87.04” and the corresponding rates of excise duty and substituting therefor the following:

Motor vehicles of tariff heading 87.02, 87.03 and 87.04	Less than three years old from the date of first registration
	Kshs. 150,000 per unit
	Over three years old from the date of first registration
	Kshs. 200,000 per unit

- (iv) inserting the following item and its corresponding rate of excise duty immediately before the item referring to “Plastic shopping bags”:

Motor cycles of tariff 87.11 other than motor cycles ambulances	Shs. 10,000 per unit.
--	------------------------------

2. Notice is given that the Chairperson of the Departmental Committee on Finance, Planning and Trade intends to move the following amendments to the recommendations contained in the Presidential Memorandum on the Excise Duty Bill, 2015 at the Committee Stage—

- (i) Part I of Paragraph 1 of the First Schedule: *Fruit juices and corresponding rate of excise duty-*

THAT, the recommendation by H.E the President to insert a new item in Part I of Paragraph 1 of the First Schedule, relating to *Fruit juices (including grape must), and vegetable juices, unfermented and not containing added spirit, whether or not containing added sugar or other sweetening matter and corresponding rate of excise duty*, be deleted

(The Speaker has determined the proposed amendment as having the effect of negating the President's Reservations and two-thirds majority of Members is required for its passage)

- (ii) Part I of Paragraph 1 of the First Schedule: *Cigarettes and corresponding rate of excise duty-*

THAT, the proposed recommendation by H.E the President on Part I of Paragraph 1 of the First Schedule relating to *cigarettes and corresponding rate of excise duty* be **further** amended by deleting the proposed item and corresponding rates of excise duty and substituting therefor the following —

Plain cigarettes or plain cigarettes and soft cap cigarettes with ex-factory price of up to Kshs.4,000	Kshs.1,500 per mille
Soft Cap cigarettes and Hinge lid cigarettes with ex-factory price exceeding Kshs.4,000	Kshs.2,500 per mille

(The Speaker has determined the proposed amendment as having the effect of negating the President's Reservations and two-thirds majority of Members is required for its passage)

- (iii) Part I of Paragraph 1 of the First Schedule: *Motor Vehicles and corresponding rate of excise duty*-

THAT, the proposed recommendation by H.E the President to amend Part I of Paragraph 1 of the First Schedule relating to *Motor Vehicles of tariff heading 87.02, 87.03 and 87.04 and corresponding rate of excise duty* be deleted

(The Speaker has determined the proposed amendment as having the effect of negating the President's Reservations and two-thirds majority of Members is required for its passage)

- (iv) Part I of Paragraph 1 of the First Schedule: *Motor Cycles and corresponding rate of excise duty*-

THAT, the proposed recommendation by H.E the President to amend Part I of Paragraph 1 of the First Schedule relating to *Motor cycles of tariff 87.11 other than motor cycles ambulances and corresponding rate of excise duty*, be deleted

(The Speaker has determined the proposed amendment as having the effect of negating the President's Reservations and two-thirds majority of Members is required for its passage)

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.
-

NOTICE PAPER

Tentative business for

Thursday October 29, 2015

(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 29, 2015:-

A. 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 28, 2015 – Afternoon Sitting)

B. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 57 OF 2015)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, October 28, 2015 – Afternoon Sitting)

C. THE HEALTH BILL (NATIONAL ASSEMBLY BILL NO.14 OF 2015)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, October 28, 2015 – Afternoon Sitting)

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

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, October 28, 2015 – Afternoon Sitting)

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

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, October 28, 2015 – Afternoon Sitting)

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

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, October 28, 2015 – Afternoon Sitting)

APPENDIX

Status of Business Before Committees

Wednesday October 27, 2015

In accordance with the Speaker's communication of 14th October, 2015 the Chairpersons of the following Committees will **today** be called upon to appraise the House on the Status of the Business pending before their respective Committees:

- A. The Departmental Committee on Defence and Foreign Relations
- B. The Departmental Committee on Education, Research and Technology
- C. The Departmental Committee on Energy, Communication and Information
