



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

TUESDAY, JULY 31, 2018 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*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE PUBLIC PRIVATE PARTNERSHIPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 52 OF 2017)

(The Leader of the Majority Party)

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Public Private Partnerships (Amendment) Bill (National Assembly Bill No. 52 of 2017)

(Question to be put and Third Reading)

9*. COMMITTEE OF THE WHOLE HOUSE

The Kenya Coast Guard Service Bill (National Assembly Bill No. 45 of 2017)
(The Leader of the Majority Party)

10*. THE LAND VALUE INDEX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2018)

(The Leader of the Majority Party)

Second Reading

(Resumption of debate interrupted on Tuesday, July 24, 2018)

11*. MOTION - REPORT ON THE INQUIRY INTO FOREST RESOURCES MANAGEMENT AND LOGGING ACTIVITIES IN KENYA

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

THAT, this House adopts the Report of the Departmental Committee on Environment and Natural Resources on the Inquiry into Forest Resources Management and Logging Activities in Kenya, laid on the Table of the House, Thursday, May 3, 2018.

12*. THE WAREHOUSE RECEIPT SYSTEM BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2018)

(The Leader of the Majority Party)

Second Reading

13*. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2018)

(The Leader of the Majority Party)

Second Reading

14*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2018)

(The Leader of Majority Party)

Second Reading

15*. THE HEALTH LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2018)

(The Leader of Majority Party)

Second Reading

*** Denotes Orders of the Day**

N O T I C E S

I. THE KENYA COAST GUARD SERVICE BILL
(NATIONAL ASSEMBLY BILL NO. 45 OF 2017)

Notice is given that the Member for Kiambaa (Hon. Paul Koinange), intends to move the following amendments to the Kenya Coast Guard Service Bill, 2017 at the Committee Stage—

CLAUSE 2

THAT Clause 2 of the Bill be amended

(a) by deleting the expression “(1)”

(b) by inserting the following new definition in proper alphabetical sequence—

“baseline” means the baseline set out the First Schedule of the Maritime Zones Act;

“contiguous zone” means the waters contiguous to the territorial sea and extending twenty four nautical miles into the ocean from the baseline;

“inland waters” means all water masses forming part of the territory of the Republic of Kenya including lakes and rivers but excludes the territorial sea and internal waters;

“internal waters” means water on the landward side of the baseline;

“territorial sea” means part of the sea demarcated under the First Schedule of the Maritime Zones Act;

CLAUSE 4

THAT Clause 4 of the Bill be amended—

(a) by inserting the expression “(1)” immediately before the clause

(b) by inserting the following new subclause immediately after the clause—

“(2) The Cabinet Secretary shall be responsible for the implementation of the Act.”

CLAUSE 8

THAT, Clause 8 of the Bill be amended in sub-clause (1) by inserting the following new paragraph immediately after paragraph (a)—

- “(ba) to enforce prevention of trafficking of the narcotic drugs, prohibited plants and psychotropic substances;
- (bb) to enforce prevention of trafficking of illegal goods;
- (bc) to enforce prevention of trafficking of illegal firearms”

CLAUSE 18

THAT, Clause 8 of the Bill be amended in by inserting the words “and the term shall be non-renewable” immediately after the word “years”

CLAUSE 56

THAT, Clause 56 of the Bill be amended in sub-clause (1)—

- (a) by inserting the following new paragraph immediately after paragraph (a)—
 - “(aa) harmonize the entry level and rank for the personnel of the Service ”
- (b) by deleting paragraph (f)

FIRST SCHEDULE

THAT, the FIRST SCHEDULE of the Bill be amended in Part II—

- (a) by deleting the word “petty” and substituting therefor the word “warrant” appearing in paragraph (1)
- (b) by deleting the word “petty” and substituting therefor the word “warrant” appearing in paragraph (2)

The House resolved on Wednesday, February 14, 2018 as follows-

- II. **THAT**, notwithstanding the provisions of Standing Order 97(4), that, each speech in a debate on a **Report of a Committee**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House, be limited as follows:- A maximum of sixty (60) minutes for the Mover in moving and thirty (30) minutes in replying, and a maximum of ten (10) minutes for any other Member speaking, except the Leader of the Majority Party and the Leader of the Minority Party, who shall be limited to a maximum of fifteen (15) minutes each; and that priority be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.
- III. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on **Bills sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** 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.

NOTICE PAPER I

Tentative business for

Wednesday (Morning), August 01, 2018

(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 (Morning), August 01, 2018:-

A. MOTION- INSTALLATION OF CCTV CAMERAS IN ALL PUBLIC SECONDARY SCHOOLS

(The Hon. Robert Mbui, M.P.)

(Question to be put)

B. MOTION - REVIVAL OF THE CASHEWNUTS SUB-SECTOR IN KENYA

(The Hon. Owen Baya, M.P.)

(Resumption of debate interrupted on Wednesday, July 25, 2018 – Morning Sitting)

(Balance of time-1hr 3 minutes)

C. MOTION - ESTABLISHMENT OF A NATIONAL RUGBY UNION STADIUM IN THE COUNTRY AND HIGH PERFORMANCE CENTRES OF EXCELLENCE IN EVERY REGION

(The Hon. Gideon Keter, M.P.)

D. THE CONSTITUTION OF KENYA (AMENDMENT) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 5 OF 2018)

(The Hon. Chris Wamalwa, M.P.)

Second Reading

E. MOTION- CONSTRUCTION OF POST-TRAUMA CARE FACILITIES FOR SURVIVORS OF SEXUAL AND GENDER BASED VIOLENCE

(Hon. Jessica Mbalu, M.P.)

F. MOTION - ESTABLISHMENT OF SPECIAL NEEDS PRIMARY AND SECONDARY SCHOOLS IN EVERY CONSTITUENCY(The

(The Hon. Mishi Juma Mboko, M.P.)

NOTICE PAPER II

Tentative business for

Wednesday (Afternoon), August 01, 2018

(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 (Morning), August 01, 2018:-

A. MOTION - REPORT ON THE INQUIRY INTO FOREST RESOURCES MANAGEMENT AND LOGGING ACTIVITIES IN KENYA

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

(If not concluded on Tuesday, August 01, 2018)

B. THE WAREHOUSE RECEIPT SYSTEM BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2018)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, August 01, 2018)

C. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2018)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, August 01, 2018)

D. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2018)

(The Leader of Majority Party)

Second Reading

(If not concluded on Tuesday, August 01, 2018)

E. THE HEALTH LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2018)

(The Leader of Majority Party)

Second Reading

APPENDIX

THE NATIONAL ASSEMBLY SCHEDULE of Questions for Tuesday, July 31, 2018

It is notified that pursuant to Standing Orders 191 and 216, the Cabinet Secretaries for Public Service, Youth and Gender; The Attorney General; and Agricultural and Livestock, will appear before the following Departmental Committees on Tuesday, July 31, 2018 at the times hereunder:-

<u>Departmental Committee</u>	<u>Cabinet Secretary</u>	<u>Time</u>	<u>Venue</u>
(i) Labour and Social Welfare	<i>Cabinet Secretary for Public Service, Youth and Gender</i>	10.00 am – 12.00 pm	<i>National Assembly Chamber</i>
(ii) Justice and Legal Affairs	<i>The Attorney General</i>	10.00 am – 11.00 am	<i>Mini Chamber, County Hall</i>
(iii) Agriculture and Livestock	<i>Cabinet Secretary for Agricultural and Livestock</i>	11.00 am -12.00 pm	<i>Mini Chamber, County Hall</i>

The Committees' Agenda has been determined as follows-

AGENDA

1. Prayers
 2. Communication from the Chairperson(s)
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I. QUESTIONS UNDER THE DEPARTMENTAL COMMITTEE ON LABOUR AND SOCIAL WELFARE

Questions to the Cabinet Secretary for Public Service, Youth and Gender:-

- (i) Question No. 049/2018 by the Member for Oljororok Constituency (Hon. Michael Muchira, MP):-

Recognizing that the Constitution of Kenya, 2010 provides that the State shall take measures including affirmative action programmes to ensure that the youth access employment; noting that circular No OP.CAB.2/7A issued in March 2009 prescribed the mandatory retirement age for a public officer as 60 years while circular No. OP/CAB.9/1A dated 27th February 2018 lifted the mandatory retirement age for public officers employed as Chief Executive Officer of state agencies from 60 years; could the Cabinet Secretary apprise the Committee on the programmes being put in place by the Ministry, if any, to ensure that the youth accesses employment, that there are succession plans in all government agencies and ministries, and whether there are plans to review the mandatory retirement age for public servants from 60 to 55 years.

(ii) Question No. 059/2018 by the Member for Samburu West Constituency (Hon. Naisula Lesuuda, MP):-

Is the Cabinet Secretary aware of H.E the President's directive that all disciplined forces must absorb a certain number of National Youth Service (NYS) graduates at every recruitment? If so, could the Cabinet Secretary apprise the Committee on the following:-

- a) The number of NYS graduates recruited into various disciplined forces since the year 2017 taking into account region, ethnic and gender representation; and
- b) Measures put in place by the Ministry to ensure that the said directive is sustainable.

II. QUESTIONS UNDER THE DEPARTMENTAL COMMITTEE JUSTICE AND LEGAL AFFAIRS

Questions to the Attorney General:

(i) Question No. 060/2018 by the Member for Kiharu Constituency (Hon. Ndindi Nyoro, MP):-

Aware that the High Court of Kenya on 16th August 2017 awarded the late Hon. Kenneth Stanley Njindo Matiba, a renowned second liberation hero a total of Kshs 504 million as compensation from the state as damages for torture and cruelty meted on him during his detention in 1990s and for financial losses and other damages suffered, an amount that now stands at over Kshs 1, 834, 151, 170.71 inclusive of interest, could the Attorney General inform the Committee on why there has been reluctance by the State to pay the compensation, and further state when the said compensation would be paid.

III. **QUESTIONS UNDER THE DEPARTMENTAL COMMITTEE ON AGRICULTURE AND LIVESTOCK**

Questions to the Cabinet Secretary for Agricultural and Livestock: -

Question No. 076/2018 by the Member for Mumias East Constituency (Hon. Benjamin Washiali, MP):-

Aware that the Sugar Industry in Kenya is currently facing very serious challenges which have resulted in very poor performance currently experienced; could the Cabinet Secretary brief the Committee on the following;

- a) When the Ministry plans to gazette the Sugar regulations?
- b) The policy framework guidelines regarding licensing of importation of sugar
- c) The role of the Ministry in management and supervision of the sugar industry especially regarding Mumias Sugar Company?
- d) The available options for reviving the Kenya Sugar industry in general and in particular the Mumias Sugar Company?

Considering that Agriculture is a devolved function, could the national Government consider relinquishing its 20 percent shareholding in Mumias Sugar Company to the County Government of Kakamega?
