



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, AUGUST 09, 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 ON THE INQUIRY INTO ALLEGED IMPORTATION OF ILLEGAL AND CONTAMINATED SUGAR INTO THE COUNTRY

(The Co-Chairpersons, Joint Departmental Committees on Agriculture & Livestock and Trade, Industry & Cooperatives)

THAT, this House adopts the Report of the Joint sittings of the Departmental Committees on Agriculture & Livestock and Trade, Industry & Cooperatives on the *Inquiry into Alleged Importation of illegal and Contaminated Sugar into the Country*, laid on the Table of the House on Wednesday, August 01, 2018.

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

(The Leader of the Majority Party)

Second Reading

10*. THE URBAN AREAS AND CITIES (AMENDMENT) BILL (SENATE BILL NO. 4 OF 2017)

(The Leader of the Majority Party)

Second Reading

11*. THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 11 OF 2017)

(The Leader of the Majority Party)

Second Reading

12*. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2018)

(The Chairperson, Departmental Committee on Finance & National Planning)

Second Reading

13*. THE WAREHOUSE RECEIPT SYSTEM BILL (SENATE BILL NO. 10 OF 2017)

(The Leader of the Majority Party)

Second Reading

14*. MOTION - REPORT OF THE 49TH SESSION OF THE ACP PARLIAMENTARY ASSEMBLY AND INTER-SESSIONAL MEETINGS

(The Hon. Katoo Ole Metito, MP - Leader of the Delegation)

THAT, this House **notes** the Report of the 49th Session of the ACP Parliamentary Assembly and Inter-Sessional Meetings of the ACP-EU Joint Parliamentary Assembly held at the ACP House and the European Parliament in Brussels, Belgium on March 20th - 22nd, 2018, laid on the Table of the House on Tuesday, 24th July, 2018.

15*. MOTION - REPORT OF 138TH ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS

(The Hon. William Kamket, MP - Leader of the Delegation)

THAT, this House **notes** the Report of the 138th Assembly of the Inter-Parliamentary Union (IPU) and related Meetings held in Geneva, Switzerland on March 22 -28, 2018, laid on the Table of the House on Tuesday, 24th July, 2018.

16*. MOTION- REPORT OF THE COMMITTEE ON MEMBERS' SERVICES AND FACILITIES ON A BENCHMARKING VISIT TO THE PARLIAMENT OF THE UNITED KINGDOM AND NORTHERN IRELAND

(The Chairperson, Committee on Members' Services and Facilities)

THAT, this House **notes** the Report of the Committee on Members' Services and Facilities on a benchmarking visit to the Parliament of the United Kingdom and Northern Ireland Assembly held between March 12 & 16, 2018, laid on the Table of the House on Tuesday, April 24, 2018.

17*. MOTION- REPORT ON IMPROVEMENT OF SERVICES AND FACILITIES

(The Chairperson, Committee on Members' Services and Facilities)

THAT, this House adopts the Report of the Committee on Members' Services and Facilities on the Improvement of Services and Facilities for Members, laid on the Table of the House on Tuesday, April 24, 2018.

*** Denotes Orders of the Day**

NOTICES

I. REPORT ON THE INQUIRY INTO ALLEGED IMPORTATION OF ILLEGAL AND CONTAMINATED SUGAR IN THE COUNTRY

- 1) Notice is given that the Member for Homa Bay County (the Hon. Gladys Wanga) wishes to move the following amendments to the Motion on the Report of the Joint Committees on the Inquiry into Alleged Importation of Contaminated Sugar in the Country —

THAT, the Motion be amended by inserting the following words immediately after the figure “2018”–

“Subject to insertion of the following new recommendations-

- a.) That recommendation No. 5.5 on page 60 of the Report be deleted and substituted with the following new recommendation-
- 5.5 the Cabinet Secretary for the National Treasury should be held responsible for the excess importation of sugar into the country and consequent tax evasion based on the Gazette Notice No. 4536, Gazette Notice No. 9801, Gazette Notice No. 9802 and Gazette Notice No. 10149.*
- b.) That recommendation No. 5.6 on page 60 of the Report be deleted and substituted with the following new recommendation-
- 5.6 the then Cabinet Secretary for Agriculture, Livestock and Fisheries should be held responsible for recommending waiver of duty for the fourteen (14) companies which imported sugar under Gazette Notice No.9802.*
- c.) That recommendation No. 5.11 on page 61 of the Report be deleted and substituted with the following new recommendation-
- 5.11 the then Cabinet Secretary, Ministry of Trade, Industry and Co-operatives under whose docket KEBS falls to should be held responsible for failure to undertake adequate market surveillance to guarantee the safety and quality of sugar in the country.*
- d.) That recommendation No. 5.16 on page 62 be amended by inserting the following new sub-paragraph (c)-

(c) that the owners of the sugar whose samples were tested and found to contain traces of Mercury with references; Moi Base, Eastleigh Ref: F/MISC/267/17-18 and Webuye West, Bungoma Ref: F/MISC/270/17-18, including owners of Diamond Wholesalers and Paleah Stores mentioned in paragraph 5.15 be held responsible.

e) That a new recommendation 5.17 be inserted on page 62 as follows-

That the Ministry of Health, assisted by the relevant government agencies, should conduct random tests on sugar that is currently on the shelves across the country and report back to Parliament on its suitability for human consumption within six months.

2) Notice is given that the Nominated Member (Hon. Godfrey Osotsi), wishes to move the following amendments to the Motion on the Report of the Joint Committees on the Inquiry into Alleged Importation of Contaminated Sugar in the Country —

THAT, the Motion be amended by inserting the following words after the figure “2018”

“Subject to insertion of the following new recommendations after recommendation 5.16 on page 62 of the Report-

- 5.17 That, in view of observation No. 4.19 of the Report regarding *excess sugar in supply*, within twenty one (21) days, the inter-ministerial Multi-Agency Taskforce on Sugar undertakes a thorough and comprehensive audit of the sugar imported into the country between May, 2017 and August 2018 to determine-
- (i) the exact quantities and quality of the sugar imported during the said period ; and,
 - (ii) the amount of excess sugar so imported against the projected demand.
- 5.18 That, the Ministry of Agriculture, having conducted the audit specified in recommendation 5.17, immediately puts in place and enforces a temporary embargo (ban) on any further importation of sugar until any safe sugar found to be excess is consumed;
- 5.19 That, within Sixty days(60), the Cabinet Secretary for Agriculture submits a report to the National Assembly on the findings of the audit under recommendation 5.17 and a confirmation of the implementation of recommendation 5.18;

- 5.20 That, in view of the submission by the Ministry of Agriculture as contained in paragraphs 2.18 and 2.19 of the Report regarding absence of regulations to streamline the sugar sector, within thirty (30) days, the Cabinet Secretary for Agriculture ensures that the said sugar regulations are concluded and *Gazetted* in accordance with the Statutory Instruments Act; and,
- 5.21 That, the Cabinet Secretaries for Agriculture and the National Treasury ensure that any future importation of sugar that enjoys any duty benefit including duty free arrangement is restricted to allowing direct importation only by-
- (i) state corporations dealing with sugar; or,
 - (ii) any other company for which the Government of Kenya has a shareholding.

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

- II. 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, 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.
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NOTICE PAPER

Tentative business for

Tuesday, August 14, 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 Tuesday, August 14, 2018:-

A. MOTION - REPORT ON THE INQUIRY INTO ALLEGED IMPORTATION OF ILLEGAL AND CONTAMINATED SUGAR INTO THE COUNTRY

(The Co-Chairpersons, Joint Departmental Committees on Agriculture & Livestock and Trade, Industry & Cooperatives)

(If not concluded on Thursday, August 8, 2018)

B. COMMITTEE OF THE WHOLE HOUSE

The Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 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 Thursday, August 8, 2018)

D. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 20 OF 2018)

(The Chairperson, Departmental Committee on Finance & National Planning)

Second Reading

(If not concluded on Thursday, August 8, 2018)

E. THE WAREHOUSE RECEIPT SYSTEM BILL (SENATE BILL NO. 10 OF 2017)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, August 8, 2018)

F. THE URBAN AREAS AND CITIES (AMENDMENT) BILL (SENATE BILL NO. 4 OF 2017)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, August 8, 2018)

G. THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 11 OF 2017)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, August 8, 2018)

H. MOTION - REPORT OF THE 49TH SESSION OF THE ACP PARLIAMENTARY ASSEMBLY AND INTER-SESSIONAL MEETINGS

(The Hon. Katoo Ole Metito, MP - Leader of the Delegation)

I. MOTION - REPORT OF 138TH ASSEMBLY OF THE INTER-PARLIAMENTARY UNION (IPU) AND RELATED MEETINGS

(The Hon. William Kamket, MP - Leader of the Delegation)

J. MOTION- REPORT OF THE COMMITTEE ON MEMBERS' SERVICES AND FACILITIES ON A BENCHMARKING VISIT TO THE PARLIAMENT OF THE UNITED KINGDOM AND NORTHERN IRELAND

(The Chairperson, Committee on Members' Services and Facilities)

K. MOTION- REPORT ON IMPROVEMENT OF SERVICES AND FACILITIES

(The Chairperson, Committee on Members' Services and Facilities)
