



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – (SECOND SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**WEDNESDAY, AUGUST 08, 2018 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 – REVIVAL OF THE CASHEWNUTS SUB-SECTOR IN KENYA**

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

**THAT**, aware that agriculture is the main stay of the Kenyan economy, contributing to food security and employment of rural households; further aware that Cashew Nuts are mainly grown in the Coast region of Kenya, producing about 10,000 metric tonnes of the nuts valued at Kshs.264.9 million; recognizing that Kenya has a potential to produce more than 63,000 metric tonnes valued at over Kshs.1 billion; noting that the sub-sector has the potential to create many employment opportunities through value addition and fetch the exchequer millions of shillings through exports; deeply concerned that cashew nuts farming in Kenya has continued to face key challenges among them, low producer prices, which has seen many farmers cut down their trees, appreciating that Kilifi, a region at the coast of Kenya used to be a major producer of Cashew nuts in the 1980s but the production has since dwindled, which led to among other things the fraudulent sale of Kilifi Cashew Nuts Factory, loss of livelihood for the farmers and subsequently increased poverty levels; this House **urges** the Government to put in place measures to revive the Cashew Nut Industry in the Country.

*(Question to be put)*

...../9\*

**9\*. 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.)

**THAT**, aware of the economic, health, social and cultural benefits of sports; further aware that Section 4 of the Sports Act (2013) provides the functions of Sports Kenya which includes, among others, the establishment, management, development and maintenance of the sports facilities; recognizing that Rugby in the country has experienced tremendous growth and is one of the fastest growing sporting activities in the country; appreciating that the Kenya Rugby Union management has been instrumental in spearheading the sport regionally and internationally thus setting the country as a rugby powerhouse globally; deeply concerned that despite the various achievements and international glory that the sport has brought to the Country, there is no single national rugby stadium; this House **urges** the National Government to establish a national rugby union stadium in the Country, and high performance centers of excellence in every region with a view to providing quality sporting infrastructure, promoting the sport, and providing facilities where talent scouted can be nurtured.

**Amendment proposed –**

***THAT, the Motion be amended by deleting the word “union” appearing immediately before the phrase “stadium in the country.”***

*(Question on the amendment to be put)*

*(Resumption of debate interrupted on Wednesday, August 1, 2018)*

*(Balance of time - 12 minutes)*

**10\*. MOTION – CONSTRUCTION OF POST-TRAUMA CARE FACILITIES FOR SURVIVORS OF SEXUAL AND GENDER BASED VIOLENCE**

(The Hon. Jessica Mbalu, M.P)

**THAT**, aware that every person has a right to freedom and security which includes the right not to be subjected to any form of violence from either public or private sources; recognizing the crucial role of women in the preservation of African values based on the principles of equality, peace, freedom, dignity, justice, solidarity and democracy; determined to ensure that the rights of women are promoted, realized and protected in order to enable them to enjoy fully all their human rights;

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

recalling that international laws and conventions such as The Convention on Elimination of all forms of Discrimination against Women (CEDAW), United Nations (UN) resolutions 1325 and 1820 abhor violence against women as it hinders the progress of women and perpetuates their subordinate status; noting that The Maputo Protocol on the rights of women which states that parties shall adopt and implement appropriate measures to ensure the protection of every woman's right to respect for her dignity and protection of women from all forms of violence, particularly sexual, physical and verbal violence; deeply concerned that most survivors of sexual and gender based violence (SGBV) continue to lack post-trauma care due to lack of adequate shelters/safe houses; acknowledging that despite enactment of various laws addressing Sexual and Gender Based Violence such as the Sexual Offences Act, 2006, The Witness Protection Act 2006, The Female Genital Mutilation Act, 2011, The Victim Protection Act, 2014, The Protection of Domestic Violence Act, 2015; there is high rate of sexual and gender based violence crimes with an equal or higher number of survivors all over the country; this House **urges** the National Government to set aside funds to facilitate the construction of post-trauma care facilities and ensure existing ones are rehabilitated and equipped to offer temporary stay for survivors of Sexual and Gender Based Violence (GBV) across the country.

*(Resumption of debate interrupted on Wednesday, August 1, 2018)  
(Balance of time - 1hour 35 minutes)*

**11\*. THE CONSTITUTION OF KENYA (AMENDMENT) (NO.2) BILL  
(NATIONAL ASSEMBLY BILL NO. 5 OF 2018)**  
(The Hon. Chris Wamalwa, M.P.)

Second Reading

**12\*. MOTION – ESTABLISHMENT OF SPECIAL NEEDS PRIMARY  
AND SECONDARY SCHOOLS IN EVERY  
CONSTITUENCY**  
(The Hon. Mishi Juma Mboko, MP)

**THAT**, aware that Article 53(b) and 54 of the Constitution guarantees the right to free and compulsory basic education for every child and provides for persons with disabilities respectively in that persons with disability have a right to access educational institutions and facilities that are integrated into society to the extent compatible with their interests and needs; further aware that the government provides for education to children living with disabilities through integrated units in primary schools;

...../12\*(cont'd)

cognizant of the fact that the lack of a clear implementation framework of the Special Needs Education policy, inadequate funding, and inadequate teachers with the right skills to teach children with disabilities across the various regions of country hampers access by children with disabilities; deeply concerned that that there are few designated special education schools in the country hampering access by those children living with various including and not limited to autism, dyslexia, down syndrome, cerebral palsy and physical disabilities and therefore there is need to provide special attention to these children; this House **urges** the Government through the Ministry of Education to establish a special needs unit in every primary and secondary school.

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**\* Denotes Orders of the Day**

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## **NOTICES**

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

**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** 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.

### **The House further resolved on Wednesday, March 28, 2018 as follows:-**

**THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate **in respect of the ordinary individual Members' Motions**, shall be limited in the following manner:- A maximum of two (2) hours with not more than fifteen (15) minutes for the Mover and five (5) 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 ten (10) minutes each, and that five (5) minutes before the expiry of the time, the Mover shall be called upon to reply; 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**

## **Tentative business for**

**Wednesday (Afternoon), August 08, 2018**

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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), August 08, 2018:-

**A. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE LAND VALUE INDEX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2018)**

(The Leader of the Majority Party)

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

(The Leader of Majority Party)

Second Reading  
*(Question to put)*

**C. MOTION – APPROVAL OF A NOMINEE FOR APPOINTMENT AS THE PRINCIPAL SECRETARY FOR STATE DEPARTMENT OF YOUTH**

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

**D. MOTION – APPROVAL OF A NOMINEE FOR APPOINTMENT AS THE PRINCIPAL SECRETARY FOR STATE DEPARTMENT OF TRANSPORT**

(The Chairperson, Departmental Committee on Transport, Public, Works & Housing)

**E. MOTION – APPROVAL OF NOMINEES FOR APPOINTMENT AS CHAIRPERSON AND MEMBERS OF THE NATIONAL GENDER AND EQUALITY COMMISSION**

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

**F. MOTION – APPROVAL OF NOMINEES FOR APPOINTMENT AS HIGH COMMISSIONERS AND AMBASSADORS**

(The Chairperson, Departmental Committee on Defence & Foreign Relations)

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

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

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

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

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

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

Second Reading

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**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – (SECOND SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**WEDNESDAY, AUGUST 08, 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 LAND VALUE INDEX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2018)**

(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 Land value Index Laws (Amendment) Bill (National Assembly Bill No. 3 of 2018)

*(Question to be put and Third Reading)*

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

(The Leader of Majority Party)

Second Reading

*(Question to be put)*



10\*. SPECIAL MOTION – APPROVAL OF A NOMINEE FOR APPOINTMENT AS THE PRINCIPAL SECRETARY FOR STATE DEPARTMENT OF YOUTH

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

**THAT**, taking into consideration the recommendations of the Departmental Committee on Labour and Social Welfare in their Report on the *Vetting of the Nominee for approval as the Principal Secretary for State Department of Youth*, laid on the Table of the House on Tuesday, August 7, 2018, and pursuant to the provisions of Article 155(3)(b) of the Constitution, this House **approves** the appointment of **Dr. Francis Otieno Owino** as the Principal Secretary for State Department of Youth.

11\*. SPECIAL MOTION – APPROVAL OF A NOMINEE FOR APPOINTMENT AS THE PRINCIPAL SECRETARY FOR STATE DEPARTMENT OF TRANSPORT

(The Chairperson, Departmental Committee on Transport, Public, Works & Housing)

**THAT**, taking into consideration the recommendations of the Departmental Committee on Transport, Public Works & Housing in their Report on the *Vetting of the Nominee for approval as the Principal Secretary for State Department of Transport*, laid on the Table of the House on Tuesday, August 7, 2018, and pursuant to the provisions of Article 155(3)(b) of the Constitution, this House **approves** the appointment of **Ms. Esther Koimett** as the Principal Secretary for State Department of Transport

12\*. SPECIAL MOTION – APPROVAL OF NOMINEES FOR APPOINTMENT AS CHAIRPERSON AND MEMBERS OF THE NATIONAL GENDER AND EQUALITY COMMISSION

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

**THAT**, taking into consideration the recommendations of the Departmental Committee on Labour & Social Welfare) in their Report on the *Vetting of the Nominees for approval as the Chairperson and Members of National Gender and Equality Commission*, laid on the Table of the House on Tuesday, August 7, 2018, and pursuant to the provisions of Article 250(2)(b) of the Constitution and section 11(7) *National Gender and Equality Commission Act, 2011*, this House **approves** the appointment of the following persons as the Chairperson and Members of the National Gender and Equality Commission:-

- (i) Dr. Joyce Mwikali Mutinda - Chairperson;
- (ii) Hon. Priscilla Nyokabi Kanyua – Member; and
- (iii) Dr. Murithi J. Chomba Munyi- Member (Person with Disability).

**13\*. SPECIAL MOTION – APPROVAL OF NOMINEES FOR APPOINTMENT AS HIGH COMMISSIONERS AND AMBASSADORS**

(The Chairperson, Departmental Committee on Defence & Foreign Relations)

**THAT**, taking into consideration the recommendations of the Departmental Committee on Defence and Foreign Relations in their Report on the *Vetting of the Nominees for approval as High Commissioners and Ambassadors*, laid on the Table of the House on Tuesday, August 7, 2018, and pursuant to the provisions of Article 132(2)(e) of the Constitution, this House **approves** the appointment of the following persons as High Commissioners and Ambassadors:-

- (i) **Mr. Francis Ndegwa Muhoro**- High Commissioner to Malaysia;
- (ii) **Mr. Manoah Esipisu** - High Commissioner to the United Kingdom;
- (iii) **Hon. Benjamin Langat** - High Commissioner to Namibia;
- (iv) **Ms. Sarah Serem** - Ambassador to China;
- (v) **Lt. Gen. Samuel Thuita**- Ambassador to Israel;
- (vi) **Hon. Patrick Cornel Odero Ahenda** - Ambassador to Qatar;
- (vii) **Amb. Peter Nicholas Oginga Ogego** - Ambassador to Saudi Arabia;
- (viii) **Lt. Gen. Johnson Kimani Ondieki** - Ambassador to Turkey; and
- (ix) **Mr. Chris Karumba Mburu** - Ambassador to South Sudan.

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

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

**17\*. MOTION - REPORT ON THE INQUIRY INTO ALLEGED IMPORTATION OF ILLEGAL AND CONTAMINATED SUGAR IN 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.

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

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

Second Reading

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**\* Denotes Orders of the Day**

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...../Notices

# **N O T I C E S**

## The House resolved on Wednesday, February 14, 2018 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** 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.
  
- 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, 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.

# **NOTICE PAPER**

## **Tentative business for**

**Thursday, August 09, 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 Thursday, August 09, 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 Wednesday, August 8, 2018, Afternoon Sitting)*

**B. 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 Wednesday, August 8, 2018, Afternoon Sitting)*

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

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Wednesday, August 8, 2018, Afternoon Sitting)*

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

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Wednesday, August 8, 2018, Afternoon Sitting)*

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

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

Second Reading

*(If not concluded on Wednesday, August 8, 2018, Afternoon Sitting)*

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