



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – (SECOND SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**WEDNESDAY, OCTOBER 03, 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. Questions and Statements

**8\*. THE CONSTITUTION OF KENYA (AMENDMENT) (NO.2) BILL**  
**(NATIONAL ASSEMBLY BILL NO. 5 OF 2018)**

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

Second Reading

*(Resumption of debate interrupted on Wednesday, August 29, 2018)*

*(Balance of time – 1hr 32 minutes)*

**9\*. MOTION- DECLARATION OF YOUTH UNEMPLOYMENT AS A**  
**NATIONAL DISASTER AND ESTABLISHMENT OF A**  
**NATIONAL YOUTH FUND**

(The Hon. Anthony Tom Oluoch, M.P.)

**THAT**, aware that seventy-five percent of Kenya's population is under 35 years of age and that, overall unemployment among youth is at 55 percent; cognizant of the Government's plan in the Big Four Agenda aimed at creating 1.3 million manufacturing jobs by 2022; appreciating that Article 260 of the Constitution defines youth while the Public Finance Management Act (National Government Affirmative Action Fund) Regulations, 2016 creates basic structures

that support affirmative action for the youth; aware that in the Appropriation Act, 2018, youth empowerment programme was allocated a partly sum of Kshs.7, 352,220,651; **this House urges** that the Government declares youth unemployment as a national disaster and further establishes a National Youth Fund of at least 5 percent of the national revenue collected each year to be administered by an Authority or Commission for purpose of youth empowerment and employment.

10\*. MOTION– **ESTABLISHMENT OF APPRENTICE TESTING AND CERTIFICATION CENTRES IN CONSTITUENCIES**  
(The Hon. Charles Njagua Kanyi, M.P.)

**THAT**, aware that the informal sector constitutes an important component of the economic activities and development process in Kenya representing about 82.7% of employment in the country; further aware that the workers in the informal sector engage in commercial activities outside the realm of the formally established mechanisms since there is no clear policy framework in place to regulate their operations by the Government; noting that most workers in the informal sector acquire skills and knowledge mainly through apprenticeships but have no access to technical skills upgrading as many lack requisite academic certificates; recognizing that apprenticeship in the informal economy represents the main road map to skills development in most developing countries and appreciating that the National Industrial Training Authority (NITA) through its training centers in Nairobi, Mombasa, Kisumu and Athi River plays an important role in industrial training targeting workers in the formal and informal sector; **this House urges** the Government to establish suitably located and facilitated training and testing centers in every constituency to assess the experience and competence of the apprenticed workers particularly in the informal sector and consider putting in place mechanisms to have them awarded with certificates based on their competencies and acquired skills.

11\*. MOTION– **STRENGTHENING OF REHABILITATION SCHOOLS IN THE COUNTRY**  
(The Hon. Benjamin Jomo Washiali, MP.)

**THAT**, aware that several buildings in government secondary schools in the country have had fire incidences this year, many of which being arson incidents attributable to students' delinquency; further aware that the learning in the affected schools has been severely interfered with; disturbed that the number of students arrested for allegedly burning or conspiring to burn school buildings around the country continue to rise; cognizant that these students are aged below eighteen (18) years therefore fall under the category of juvenile offenders;

further cognizant that Article 53(1)(f) of the Constitution provides that every child has the right not to be detained, except as a measure of last resort, and when detained, to be held for the shortest appropriate period of time separate from adults and in conditions that take account the child's sex and age; appreciating that section 18(2) of the Children's Act provides that a child offender shall be separated from adults in custody; further appreciating that the Children Act, 2001 advances the protection of children from any action deemed hazardous or likely to interfere with the child's education, health among others; deeply concerned that delinquency tends to lead to adult crime and thereby encouraging the possibility of a lifelong criminal career if not managed appropriately; **this House resolves** that the National Government puts in place administrative measures to ensure that child offenders are not remanded or incarcerated in adults' remands; and strengthens the existing rehabilitation schools in the Country as a measure to ensure delinquent adolescents are effectively rehabilitated while making them accountable for crimes committed.

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**\* Denotes Orders of the Day**

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## NOTICES

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

- I. **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.

### 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 **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.

# NOTICE PAPER I

Tentative business for

Wednesday (Afternoon), October 03, 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), October 03, 2018:-

**A. SUPPLEMENTARY APPROPRIATION (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 23 OF 2018)**

(The Chairperson, Budget and Appropriation Committee)

First Reading

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

(The Leader of the Majority Party)

Second Reading

*(Question to be put)*

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

(The Leader of the Majority Party)

Second Reading

**D. THE PARLIAMENTARY SERVICE COMMISSION BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2018)**

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

Second Reading

**E. MOTION - REPORT ON THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA) PLENARY SESSIONS**

(Chairperson, Committee on Regional Integration)

**F. MOTION - REPORT ON THE INSPECTION VISIT TO THE ISEBANIA ONE STOP BORDER IN MIGORI COUNTY**

(Chairperson, Committee on Regional Integration)

**G. MOTION - REPORT OF THE SIXTH ORDINARY SESSION OF THE FOURTH PAN-AFRICAN PARLIAMENT**  
(Member of the Pan-African Parliament)

**H. MOTION - REPORT ON THE INSPECTION VISITS TO KENYA'S DIPLOMATIC MISSIONS**  
(Chairperson, Departmental Committee on Defence and Foreign Relations)

**I. MOTION - REPORT ON AN INQUIRY INTO COMPLAINTS OF ENVIRONMENTAL POLLUTION BY LONDON DISTILLERS KENYA LIMITED**  
(Chairperson, Departmental Committee on Environment & Natural Resources)



...../Appendix

# APPENDIX

## ORDER NO.7- QUESTIONS

Pursuant to the provisions of Standing Order 42A (5) the following Members will ask **questions** for reply before the specified Departmental Committees:-

### Question No.

**08/2018      The Member for Kathiani Constituency (Hon. Robert Mbui, MP) to ask the Cabinet Secretary for Education: -**

Could the Cabinet Secretary explain the policy regarding administration of and funding of internal examinations in public schools, and provide the total capitation per student on internal examinations in both primary and secondary schools.

*(To be replied before the Departmental Committee on Education and Research)*

**09/2018      The Member for Homa Bay Town Constituency (Hon. Peter Kaluma, MP) to ask the Cabinet Secretary for Education: -**

Could the Cabinet Secretary:-

- a) indicate the number of Government-to-Government scholarships that have been granted to the Government of Kenya by other governments since 2013;
- b) provides a detailed list of beneficiaries of the said scholarships from 2013 to date and the criteria for identification of the beneficiaries; and
- c) provide a list of the Governments that have granted the said scholarships.

*(To be replied before the Departmental Committee on Education and Research)*

**10/2018      The Member for Busia County (Hon. Florence Mutua, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing & Urban Development: -**

Could the Cabinet Secretary outline the measures put in place to ensure strict compliance to the National Transport and Safety Authority (Operational of Commercial Vehicles) Regulations (2008) with regards to the provision that a carrier shall ensure that a commercial vehicle is operated by two (2) drivers where the vehicle is to be driven for a distance of more than five hundred (500) kilometers, or is to be driven for more than eight (8) hours; and that a driver of a commercial vehicle shall rest for a period of at least one (1) hour for each period of continuous driving of four (4) hours.

*(To be replied before the Departmental Committee on Transport, Public Works and Housing)*

**11/2018      The Member for Soy Constituency (Hon. Caleb Kositany, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government**

Could the Cabinet Secretary:-

- a) provide the total number of *gazetted and non- gazetted* police road blocks across the country;
- b) outline why non *non- gazetted* police roadblocks are allowed to operate; and
- c) Specify the role of traffic police with regard to enforcement of traffic laws, rules and regulations; and the expected conduct of traffic officers while on duty, when dealing with motorists, and traffic offenders.

*(To be replied before the Departmental Committee on Administration and National Security)*

**12/2018      The Member for Kajiado Central Constituency (Hon. Elijah Memusi, MP) to ask the Cabinet Secretary for Environment and Forestry**

Could the Cabinet Secretary state the measures put in place by the Ministry to ensure that the Mau water tower is conserved and protected?

*(To be replied before the Departmental Committee on Environment and Natural Resources)*

**13/2018      The Member for Moyale Constituency (Hon Qalicha Wario, MP)to ask the Cabinet Secretary for Agriculture and Livestock: -**

Could the Cabinet Secretary explain the status of payments for livestock supplied to Kenya Meat Commission by livestock farmers in the Country, specifically farmers from Moyale Constituency since 2015?

*(To be replied before the Departmental Committee on Agriculture and Livestock)*

**14/2018      The Member for Mumias East Constituency (Hon. Benjamin Washiali, MP) to ask the Cabinet Secretary Cabinet Secretary for Treasury and National Planning:-**

Could the Cabinet Secretary explain the policy framework that guides licensing of sugar importation in Kenya?

*(To be replied before the Departmental Committee on Finance and National Planning)*

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**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – (SECOND SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**WEDNESDAY, OCTOBER 03, 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. Questions and Statements

**8\*. SUPPLEMENTARY APPROPRIATION (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 23 OF 2018)**

(The Chairperson, Budget and Appropriation Committee)

First Reading

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

(The Leader of the Majority Party)

Second Reading

*(Question to be put)*

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

(The Leader of the Majority Party)

Second Reading

**11\*. THE PARLIAMENTARY SERVICE COMMISSION BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2018)**

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

Second Reading

**12\*. MOTION - REPORT ON THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA) PLENARY SESSIONS**

(Chairperson, Committee on Regional Integration)

**THAT**, this House **notes** the Report of the Select Committee on Regional Integration on the East African Legislative Assembly (EALA) Plenary Session held on 13<sup>th</sup> to 16<sup>th</sup> March, 2018 and 17<sup>th</sup> to 25<sup>th</sup> April, 2018, in Arusha and Dodoma Tanzania respectively, laid on the Table of the House on Thursday, 14<sup>th</sup> June, 2018.

**13\*. MOTION - REPORT ON THE INSPECTION VISIT TO THE ISEBANIA ONE STOP BORDER IN MIGORI COUNTY**

(Chairperson, Committee on Regional Integration)

**THAT**, this House **notes** the Report of the Select Committee on Regional Integration on the Inspection Visit to the Isebania One Stop Border Post from 22<sup>nd</sup> to 25<sup>th</sup> March, 2018 in Migori County, laid on the Table of the House on Thursday, June 14, 2018.

**14\*. MOTION - REPORT OF THE SIXTH ORDINARY SESSION OF THE FOURTH PAN-AFRICAN PARLIAMENT**

(Member of the Pan-African Parliament)

**THAT**, this House **notes** the report of the Sixth Ordinary Session of the Fourth Pan-African Parliament, held in Gallagher Convention Centre, Midrand, South Africa on 7<sup>th</sup> to 18<sup>th</sup> May, 2018, laid on the Table of the House on Tuesday, July 31, 2018.

**15\*. MOTION - REPORT ON THE INSPECTION VISITS TO KENYA'S DIPLOMATIC MISSIONS**

(Chairperson, Departmental Committee on Defence and Foreign Relations)

**THAT**, this House **adopts** the Report of the Departmental Committee on Defence and Foreign Relations on the inspection visits to Kenya's Diplomatic Missions laid on the Table of the House on Tuesday, August 28, 2018.

16\*. MOTION - REPORT ON AN INQUIRY INTO COMPLAINTS OF ENVIRONMENTAL POLLUTION BY LONDON DISTILLERS KENYA LIMITED

(Chairperson, Departmental Committee on Environment & Natural Resources)

**THAT**, this House **adopts** the Report of the Departmental Committee on Environment & Natural Resources on an inquiry into complaints of environmental pollution by London Distillers Kenya Limited, laid on the Table of the House on Wednesday, August 29, 2018.

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**\* Denotes Orders of the Day**

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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 **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 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, October 04, 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 Thursday, October 04, 2018:-

**A. THE PARLIAMENTARY SERVICE COMMISSION BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2018)**

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

Second Reading

*(If not concluded on Wednesday, October 3, 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, October 3, 2018- Afternoon Sitting)*

**C. MOTION - REPORT ON THE EAST AFRICAN LEGISLATIVE ASSEMBLY (EALA) PLENARY SESSIONS**

(Chairperson, Committee on Regional Integration)

*(If not concluded on Wednesday, October 3, 2018- Afternoon Sitting)*

**D. MOTION - REPORT ON THE INSPECTION VISIT TO THE ISEBANIA ONE STOP BORDER IN MIGORI COUNTY**

(Chairperson, Committee on Regional Integration)

*(If not concluded on Wednesday, October 3, 2018- Afternoon Sitting)*

**E. MOTION - REPORT OF THE SIXTH ORDINARY SESSION OF THE FOURTH PAN-AFRICAN PARLIAMENT**

(Member of the Pan-African Parliament)

*(If not concluded on Wednesday, October 3, 2018- Afternoon Sitting)*

**F. MOTION - REPORT ON THE INSPECTION VISITS TO KENYA'S DIPLOMATIC MISSIONS**

(Chairperson, Departmental Committee on Defence and Foreign Relations)

*(If not concluded on Wednesday, October 3, 2018- Afternoon Sitting)*

**G. MOTION - REPORT ON AN INQUIRY INTO COMPLAINTS OF ENVIRONMENTAL POLLUTION BY LONDON DISTILLERS KENYA LIMITED**

(Chairperson, Departmental Committee on Environment & Natural Resources)

*(If not concluded on Wednesday, October 3, 2018- Afternoon Sitting)*

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APPENDIXORDER NO. 7- QUESTIONS

Pursuant to the provisions of Standing Order 42A (5) the following Members will ask **questions** for reply before the specified Departmental Committees:-

Question No.

**15/2018 The Member for Teso South Constituency (Hon. Geoffrey Omuse, MP) to ask the Cabinet Secretary for Energy: -**

Could the Cabinet Secretary outline the implementation status report of the Last Mile Connectivity Programme in Teso South Constituency?

*(To be replied before the Departmental Committee on Energy)*

**16/2018 The Member for Homa Bay Town Constituency (Hon. Peter Kaluma, MP) to ask the Cabinet Secretary for Education: -**

Could the Cabinet Secretary:-

- a) Confirm with a schedule of the disbursements that each Constituency received all funds due to it out of a total of Kshs. 5 billion initially allocated to the National Government Constituencies Development Fund during the financial year 2016/2017 which was routed through the Ministry of Education for equal disbursement to each of the 290 Constituencies for specified school infrastructure across the Country, and
- b) Provide details of how the monies allocated for schools infrastructure for both primary and secondary schools have been shared out in the past five financial years, and the measures put in place to ensure equity in the distribution of schools infrastructure funding across the Country.

*(To be replied before the Departmental Committee on Education and Research)*

**17/2018 The Member for Nambale Constituency (Hon Sakwa Bunyasi, MP) to ask the Cabinet Secretary for Water and Irrigation: -**

Could the Cabinet Secretary:-

- a) Provide the implementation status of the irrigation project located along Sio River at Malanga and Mwikemo Villages in Nambale Constituency; and

- b) List the number of affected land owners who are yet to be compensated and state when the said compensations would be concluded.

*(To be replied before the Departmental Committee on Agriculture and Livestock)*

**18/2018      The Nominated Member (Hon Godfrey Osostsi, MP) to ask the Cabinet Secretary for Treasury and Planning: -**

Could the Cabinet Secretary:-

- a) provide the total proceeds of sports lottery and taxes collected under section 12 of the Sports Act, 2013 during the financial year 2017/2018; and
- b) the total amount paid into the National Sports Fund during the said period and the projected levies for the current financial year 2018/2019.

*(To be replied before the Departmental Committee on Finance and National Planning)*

**19/2018      The Member for Likoni Constituency (Hon. Mishi Mboko, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing & Urban Development: -**

Could the Cabinet Secretary provide the status of acquisition of a new ferry for the Likoni Channel, cognizant that funds were allocated for the procurement process during the financial year 2017/2018?

*(To be replied before the Departmental Committee on Transport, Public Works and Housing)*

**20/2018      The Member for Nyaribari Masaba Constituency (Hon. Ezekiel Ombaki, MP) to ask the Cabinet Secretary for Education: -**

Could the Cabinet Secretary indicate when Riatirimba Campus of Keroka Technical Training Institute is expected to be completed and commissioned?

*(To be replied before the Departmental Committee on Education and Research)*



21/2018

**The Member for Chepalungu Constituency (Hon. Gideon Koskei, MP) to ask the Cabinet Secretary for Education: -**

Could the Cabinet Secretary explain the policy guidelines regarding the use of school children by learning institutions to collect/raise funds from members of the public for development and social projects.

*(To be replied before the Departmental Committee on Education and Research)*

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