



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, NOVEMBER 21, 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*. PROCEDURAL MOTION– EXEMPTION OF BUSINESS FROM THE PROVISIONS OF STANDING ORDER 40(3)

(The Leader of the Majority Party)

THAT, this House orders that the business appearing as Order No. 10 in the Order Paper be exempted from the provisions of Standing Order 40(3) being a Wednesday Morning, a day allocated for Business not sponsored by the Majority or Minority Party or Business sponsored by a Committee.

9*. THE COUNTY PENSION SCHEME BILL (NATIONAL ASSEMBLY BILL NO. 49 OF 2017)

(The Hon. Muriuki Njagagua, M.P.)

Second Reading

(Resumption of debate interrupted on Wednesday, November 14, 2018)

(Balance of time – 1 hour 15 minutes)

10*. **MOTION - TWENTY-SECOND REPORT ON AUDITED FINANCIAL STATEMENTS FOR STATE CORPORATIONS**
(The Chairperson, Public Investments Committee)

THAT, this House **adopts** the Twenty-Second Report of the Public Investments Committee on Audited Financial Statements for State Corporations, laid on the Table of the House on Tuesday, November, 06, 2018.

11*. **MOTION – ESTABLISHMENT OF DATABASE CENTRES FOR ISSUANCE OF BIRTH CERTIFICATES TO CHILDREN**
(The Hon. Mary Wamaua Njoroge, M.P.)

THAT, aware that the Constitution and the Kenya Citizenship and Immigration Act, 2011 provide that every citizen is entitled to any document of registration or identification issued by the State to citizens including a birth certificate; further aware that, Article 53(2) of the Constitution of Kenya provides that a child's best interests are of paramount importance in every matter concerning the child; cognizant of the fact that, issuance of birth certificates during civil registration associated with children is a challenge across the country due to among other issues, missing information for the parents and children as a result missing and improper documentations, damaged manual documents, and lack of registration of children born outside hospital environments; deeply concerned over the delays and long queues at civil registration centres and the challenges affecting registration of children by the Ministry of Education using the National Education Management Information System (NEMIS) in the Country; **this House urges** the Government to establish database centres in all Civil Registration Centres for purposes of storing all the necessary information required for issuance of birth certificates to all children and puts in place administrative mechanisms to ensure that every child is automatically issued with a birth certificate before the child attains the age of three years.

12*. **MOTION – MODERNIZATION AND STANDARDIZATION OF POLICE CELLS ACROSS THE COUNTRY**
(The Hon. Omar Mohamed Maalim, M.P.)

THAT, aware that Articles 28 and 51 of the Constitution guarantees the right to inherent dignity and the right to have that dignity respected and protected; and provides that a person who is detained in custody or imprisoned under the law, retains all the rights and fundamental freedoms in the Bill of Rights, except to the extent that any particular right or a fundamental freedom is clearly incompatible with the fact that the person is detained, held in custody or imprisoned;

further aware that the Persons Deprived of Liberty Act (2014) provides for the human treatment of persons detained, held in custody or imprisoned; deeply concerned that most police cells in the country are in deplorable conditions characterized by lack of basic requirements, overcrowding, poor diet, lack of clean water, poor sanitation among other requirements; noting that these conditions are in total contravention of the provisions of the Constitution and relevant legislation as they deny the detainees their fundamental right to inherent dignity as well as freedom from torture and cruel, inhumane or degrading treatment or punishment which leads to their physical, emotional and psychological torture and harm to an extent of some of them committing suicide; **this House urges** the National Government through the Ministry of Interior and Coordination of National Government to modernize and standardize police cells across the country by providing basic facilities that ensure the dignity of suspects detained is observed and guaranteed.

13*. MOTION –PROVISION OF FREE, SECURE, RISK-FREE AND HIGH QUALITY WIFI SERVICES IN EVERY CONSTITUENCY

(The Hon. Osotsi Godfrey, M.P.)

THAT aware that the universal access to Information and Communication Technologies (ICT) is a critical international obligation provided for under the International Telecommunication Union (ITU), the Sustainable Development Goals (SDGs) among other international obligations; noting that technological innovations associated with the transition to the Next-Generation Networks are already transforming the way universal access is being extended to rural and remote areas in both developed and developing countries and to a large extent, this transformation is being fuelled by emerging networking technologies; cognizant that global statistics indicate that 49 percent of the population does not have access to internet connection and that the digital divide requires tangible and consistent collective action to close the gap; further cognizant that internet is one of the most powerful and an invaluable tool in the world today for among other uses communication, information, and access to various services; appreciating that realization of appropriate Public Private Partnerships are essential in stimulating broadband investments, adoption and infrastructural roll-out to open up rural areas and disadvantaged parts of Kenya; **this House resolves** that the Government through incentive driven Public Private Partnerships provides free, secure, risk-free and high quality WiFi services in every Constituency.

14*. HOJA – KUFUTILIA MBALI KWA ADA ZA MATIBABU KATIKA HOSPITALI ZA UMMA PINDI MTU ANAPOFARIKI
(Mhe. Mohamed Ali Mohamed)

KWAMBA, tukitambua kuwa Ibara ya 43 ya Katiba imebainisha kuwa kila mtu ana haki ya kupata kiwango bora zaidi cha afya, kinachojumuisha haki ya kupata matunzo ya kiafya na kutonyimwa matibabu ya dharura; aidha, ikifahamika kwamba gharama za matunzo ya kitabibu katika taasisi za kiafya za kibinafsi zingali ghali mno, hivyo kuwalazimu Wakenya wengi kupendelea kusaka huduma hizo kwa hospitali za umma; tukizingatia kwamba, licha ya bei nafuu ya matibabu katika hospitali za umma ikilinganishwa na hospitali za kibinafsi, bado Wakenya wengi hawamudu, hivyo basi kutumbukia kwenye madeni, ufukara na dhiki wanaposhindwa kulipa malimbikizi ya gharama za matibabu yao na ya wapendwa wao; **Bunge hili linahimiza** Serikali ya kitaifa kufutilia mbali gharama zote za matibabu ya wagonjwa wote wanaofariki wakipokea matibabu katika hospitali za rufaa za umma.

* Denotes Orders of the Day

...../Notices

N O T I C E S

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 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, shall 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 shall 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 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

Tentative business for

Wednesday (Afternoon), November 21, 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 (Afternoon), November 21, 2018:-

**A. THE CONSTITUTION OF KENYA (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 4 OF 2018)**

(The Leader of the Majority Party)

Second Reading

(Resumption of debate interrupted on Tuesday, November 20, 2018)

**B. THE GOVERNMENT CONTRACTS BILL (NATIONAL ASSEMBLY
BILL NO. 9 OF 2018)**

(The Leader of the Majority Party)

Second Reading

**C. THE ASSUMPTION OF OFFICE OF THE COUNTY GOVERNOR BILL
(SENATE BILL NO. 1 OF 2018)**

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

Second Reading

**D. THE NATIONAL FLAG, EMBLEMS AND NAMES (AMENDMENT)
BILL (SENATE BILL NO. 8 OF 2017)**

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

Second Reading

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.

047/2018 **The Member for Kangema Constituency (Hon. Clement Muturi Kigano, MP) to ask the Attorney General: -**

- a) When will the government resolve the dispute between Kenya and Uganda on Migingo Island, including instituting legal proceedings before the East African Court of Justice?
- b) What steps is the Government taking to delineate Kenya's territorial boundaries?

(For Written Reply by the Attorney General)

188/2018 **The Member for Kajiado Central Constituency (Hon. Elijah Memusi, MP) to ask the Cabinet Secretary for Health: -**

- a) Explain why there is a shortage of cancer drugs despite the fact that cancer is a national concern?
- b) What measures has the Ministry put in place to ensure availability and adequate supply of cancer drugs in all public health facilities?
- c) Could the Ministry consider making available free cancer screening services in all public health facilities?

(To be replied before the Departmental Committee on Health)

185/2018 **The Member for Tharaka Constituency (Hon. George Gitonga Murugara, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -**

- a) Is the Cabinet Secretary aware of claims of the Kenya Police Officers at Marimanti Police Station engaging in vices that include corruption, illegal erection of road blocks with the aim of obtaining bribes from motorists, *boda boda* cyclists and other road users, and general harassment of citizens?

- b) What action is the Ministry taking against these police officers and in particular the Officer Commanding Police Station at Marimanti Police Station for cordoning and engaging in the above vices?

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

189/2018 The Member for Kwanza Constituency (Hon. Ferdinand Wanyonyi, MP) to ask the Cabinet Secretary for Agriculture and Livestock: -

- a) Is the Cabinet Secretary aware that the Agriculture, Fisheries and Food Authority (AFFA) does not have a substantive Board of Directors and further that the Secretariat is on temporary terms of service?
- b) When will the said Board be *gazetted*?

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

190/2018 The Member for Laikipia County (Hon. Catherine Waruguru, MP) to ask the Cabinet Secretary for Lands: -

- a) When will the Cabinet Secretary consider facilitating issuance of Title deeds to persons residing in Likii, Majengo and Solio villages in Nanyuki; Maina village in Nyahururu and Kandutura village in Rumuruti of Laikipia County?
- b) What steps has the Ministry taken to resettle squatters at Kwa Mbuzi land near KDF Garrison Army Barracks in Nanyuki?

(To be replied before the Departmental Committee on Lands)

192/2018 The Member for Keiyo North Constituency (Hon. (Dr.) James Kipkosgei Murgor, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing & Urban Development: -

What action is the Ministry taking to ensure that the high number of road accidents reported along Iten – Kabarnet Road, and in particular, at Kolol area, where a total of 13 accidents leading to six deaths have occurred in the last 10 months?

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

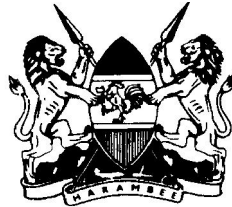
193/2018

The Member for Marsabit County (Hon. Safia S. Adan, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -

What measures is the Ministry putting in place to ensure that the root causes of conflicts in Marsabit County are addressed including settling of people displaced?

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

Twelfth Parliament



Second Session
Afternoon Sitting

(No. 113)

(1730)

REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, NOVEMBER 21, 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*. THE CONSTITUTION OF KENYA (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 4 OF 2018)**
(The Leader of the Majority Party)

Second Reading

(Resumption of debate interrupted on Tuesday, November 20, 2018)

- 9*. THE GOVERNMENT CONTRACTS BILL (NATIONAL ASSEMBLY
BILL NO. 9 OF 2018)**
(The Leader of the Majority Party)

Second Reading

- 10*. THE ASSUMPTION OF OFFICE OF THE COUNTY GOVERNOR BILL
(SENATE BILL NO. 1 OF 2018)**
(The Chairperson, Departmental Committee on Administration and National Security)

Second Reading

...../11*

11* **THE NATIONAL FLAG, EMBLEMS AND NAMES (AMENDMENT)
BILL (SENATE BILL NO. 8 OF 2017)**

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

Second Reading

*** Denotes Orders of the Day**

...../Notice

N O T I C E

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 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

Thursday (Morning), November 22, 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 (Morning), November 22, 2018:-

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

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

Second Reading

B. MOTION - TWENTY-SECOND REPORT ON AUDITED FINANCIAL STATEMENTS FOR STATE CORPORATIONS

(The Chairperson, Public Investments Committee)

(If not concluded on Wednesday, November 21, 2018 – Morning sitting)

C. THE GOVERNMENT CONTRACTS BILL (NATIONAL ASSEMBLY BILL NO. 9 OF 2018)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, November 21, 2018 - Afternoon Sitting)

D. THE ASSUMPTION OF OFFICE OF THE COUNTY GOVERNOR BILL (SENATE BILL NO. 1 OF 2018)

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

Second Reading

E. THE NATIONAL FLAG, EMBLEMS AND NAMES (AMENDMENT) BILL (SENATE BILL NO. 8 OF 2017)

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

Second Reading

(If not concluded on Wednesday, November 21, 2018 - Afternoon Sitting)

F. MOTION - REPORT ON THE EXAMINATION OF THE REPORT OF THE AUDITOR GENERAL ON THE FINANCIAL STATEMENTS FOR THE NATIONAL GOVERNMENT

(The Chairperson, Public Accounts Committee)

NOTICE PAPER II

Tentative business for

Thursday (Afternoon), November 22, 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(Afternoon), November 22, 2018:-

A. COMMITTEE OF THE WHOLE HOUSE

- (i) The Warehouse Receipt System Bill (Senate Bill No. 10 of 2017)
(The Leader of the Majority Party)
- (ii) The County Governments (Amendment) Bill (Senate Bill No. 11 of 2018)
(The Leader of the Majority Party)

B. MOTION – REPORT ON CONSTITUENCY DIGITAL INNOVATION HUBS

(Chairperson, Select Committee on National Government Constituencies Development Fund)

C. MOTION - REPORT ON THE ANNULMENT OF THE JUDICIARY FUND REGULATIONS, 2018

(The Chairperson, Committee on Delegated Legislation)

D. MOTION – RATIFICATION OF THE PROTOCOL TO ELIMINATE ILLICIT TRADE IN TOBACCO PRODUCTS

(The Chairperson, Departmental Committee on Health)

E. MOTION – REPORT ON KENYATTA UNIVERSITY TEACHING & REFERRAL HOSPITAL PROJECT

(The Chairperson, Departmental Committee on Health)

F. THE INSURANCE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2018)

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

Second Reading

G. THE CAPITAL MARKETS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 19 OF 2018)

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

Second Reading

H. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 18 OF 2018)

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

Second Reading

I. THE GOVERNMENT CONTRACTS BILL (NATIONAL ASSEMBLY BILL NO. 9 OF 2018)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, November 22, 2018 - Morning Sitting)

J. THE ASSUMPTION OF OFFICE OF THE COUNTY GOVERNOR BILL (SENATE BILL NO. 1 OF 2018)

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

Second Reading

(If not concluded on Thursday, November 22, 2018 - Morning Sitting)

K. THE NATIONAL FLAG, EMBLEMS AND NAMES (AMENDMENT) BILL (SENATE BILL NO. 8 OF 2017)

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

Second Reading

(If not concluded on Thursday, November 22, 2018 - Morning Sitting)

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.

195/2018 The Member for Mwingi West Constituency (Hon. Charles Ngusya Nguna, MP) to ask the Cabinet Secretary for Energy: -

- a) What is the status of electrification of all public primary schools in the Country under the Last Mile Power Connectivity?
- b) Why are some of the schools not connected to the electricity or the connectivity not operational?
- c) Could the Cabinet Secretary consider connecting power to the following eighteen primary schools in Mwingi West Constituency; namely Malatani, Wikivuvwa, Makuti, Mulata Utunda, Kamandiko, Wikithuki, Wimbondo, Nzaaiku, Musonoke, Misai, Nzilani, Kilulu, Thaana Nzau, Mutwaathi, Kavuoni, Kathita, Nzalae and Itongolani as mandated by the Government policy under the Last Mile Connectivity?

(To be replied before the Departmental Committee on Energy)

196/2018 The Member for Kuresoi South Constituency (Hon. Joseph Kipkosgey Tonui, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -

- a) Is the Cabinet Secretary aware of the existence of three Internally Displaced Persons (IDP) Camps, namely, Kipkongor, Kurbanyat and Itare in Kuresoi South Constituency with over 2,162 households living in deplorable conditions?
- b) What measures has the Ministry put in place to ensure that people living in these IDP Camps are compensated and permanently settled?

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

198/2018 The Member for Kikuyu Constituency (Hon. Kimani Ichung'wah, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development: -

- a) Is the Cabinet Secretary aware that the China Wu Yi company has commenced construction work on the Waiyaki Way-Rironi highway expansion project and largely inconveniencing the land owners and users along the corridor due to blocked access and exits to and from their properties?
- b) When is the Government compensating the affected Kenyans and for those who had to close down their businesses for lack of access?

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

199/2018 The Member for Mandera West Constituency (Hon. Adan Haji Yussuf, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development: -

- a) Is the Cabinet Secretary aware that roads in Gither Ward in Mandera West Constituency are in bad conditions, impassable with huge potholes and rocks that even the National Examinations were being delivered by helicopters for schools?
- b) What measures is the Ministry putting in place to ensure that roads in Gither Ward in Mandera West Constituency are constructed to and fixed?

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

201/2018 The Member for Bura Constituency (Hon. Ali Wario, MP) to ask the Cabinet Secretary for Petroleum and Mining: -

- a) How many Gypsum Mining Companies are operating in Bura Constituency (Tana North Sub County) and how many among these companies have complied with the Environmental Impact (EAI) Assessment as required under the National Environmental Management and Coordination Act, (EMCA)?

- b) What sufficient measures have the Ministry put in place to ensure that environmental degradation is mitigated and that companies engaged in environmental degradation are banned and prosecuted as stipulated by the relevant statutes?
- c) What benefits is the community getting from Gypsum Mining Companies operating in Bura Constituency

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

202/2018

The Member for Borabu Constituency (Hon. Ben Momanyi, MP) to ask the Cabinet Secretary for Education: -

- a) Is the Cabinet Secretary aware that a number of Counties were left out by the Kenya National Qualification Authority's on lowering of the entry requirement to Teachers Training Colleges to D+ for students from Northern and Coastal counties following the poor performance in the Kenya Certificate Secondary Examination (KCSE) for the past two years?
- b) How was the decision on (a) above arrived at?
- c) Could the Cabinet Secretary explain why the government wants to encourage lower entry grades of D+ to join the Teachers Training Colleges for P1 certificate at a time when plans are under way by the Government to phasing out offering of P1 certificates?

(To be replied before the Departmental Committee on Education)
