



**REPUBLIC OF KENYA**  
**TWELFTH PARLIAMENT – (SECOND SESSION)**  
**THE NATIONAL ASSEMBLY**  
**ORDERS OF THE DAY**  
**THURSDAY, DECEMBER 06, 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\*. **MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE CAPITAL MARKETS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 19 OF 2018)**  
(The Chairperson, Departmental Committee on Finance and National Planning)

**THAT**, this House do agree with the Report of the Committee of the Whole House on its consideration of the Capital Markets (Amendment) Bill (National Assembly Bill No. 19 of 2018).

*(Question to be put and Third Reading)*

- 9\*. **MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 18 OF 2018)**  
(The Chairperson, Departmental Committee on Finance and National Planning)

**THAT**, this House do agree with the Report of the Committee of the Whole House on its consideration of the Sacco Societies (Amendment) Bill (National Assembly Bill No. 18 of 2018).

*(Question to be put and Third Reading)*

10\*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE ASSUMPTION OF OFFICE OF THE COUNTY GOVERNOR BILL (SENATE BILL NO. 1 OF 2018)

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

**THAT**, this House do agree with the Report of the Committee of the Whole House on its consideration of the Assumption of Office of the County Governor Bill (Senate Bill No. 1 of 2018).

*(Question to be put and Third Reading)*

11\*. THE NATIONAL YOUTH SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2018)

(The Leader of the Majority Party)

Second Reading

*(Question to be put)*

12\*. THE COUNTY ALLOCATION OF REVENUE (AMENDMENT) BILL (SENATE BILL NO. 29 OF 2018)

(The Chairperson, Budget and Appropriations Committee)

Second Reading

13\*. COMMITTEE OF THE WHOLE HOUSE

(i) The County Allocation of Revenue (Amendment) Bill (Senate Bill No. 29 of 2018)

(The Chairperson, Budget and Appropriations Committee)

(ii) The National Youth Service Bill (National Assembly Bill No. 26 of 2018)

(The Leader of the Majority Party)

**14\*. MOTION – REPORT ON THE VETTING OF NOMINEES FOR APPOINTMENT AS VICE-CHAIRPERSON AND MEMBERS OF THE PUBLIC SERVICE COMMISSION**

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

**THAT**, taking into consideration the findings of the Departmental Committee on Administration and National Security in their Report on the *Vetting of the Nominees for appointment as Vice-Chairperson and Members of the Public Service Commission*, laid on the Table of the House on Tuesday, December 4, 2018, and pursuant to the provisions of Article 233(2) of the Constitution and Sections 3 and 5 of Public Appointments (Parliamentary Approval) Act, 2011 this House **approves** the appointment of the following to the Public Service Commission:

- (i) **Ms. Charity Seleina Kisotu** - Vice-Chairperson;
- (ii) **Dr. Joyce K. Nyambuti** - Member;
- (iii) **Dr. Mary C. Mwiandi** - Member;
- (iv) **Dr. Reuben K. Chirchir** - Member;
- (v) **Amb. Patrick Simiyu Wamoto** - Member;
- (vi) **Amb. Salma A. Ahmed** - Member;
- (vii) **Mr. Andrew N. Muriuki** - Member; and,
- (viii) **Ms. Joan Odhiambo Otieno** - Member.

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**\* Denotes Orders of the Day**

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N O T I C E S

I. THE NATIONAL YOUTH SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2018)

1) NOTICE is hereby given that the Chairperson of the Departmental Committee on Labour and Social Welfare intends to move the following amendments to the National Youth Service Bill, 2018 at the Committee Stage—

**CLAUSE 2**

**THAT**, clause 2 of the Bill be amended in the definition of the term “disciplined service” by inserting the words “Kenya Coast Guard Service” immediately after the words “Kenya Wildlife Service”.

**CLAUSE 7**

**THAT**, clause 7 of the Bill be amended sub-clause (1)(d) by inserting the words “pursuant to the provisions of the Fourth Schedule of the Constitution” immediately after the words “commercial activities”.

**CLAUSE 10**

**THAT**, clause 10 of the Bill be amended in paragraph (e) by deleting the word “Commission” and substituting therefor the word “Council”.

**CLAUSE 11**

**THAT**, clause 11 of the Bill be amended in sub-clause (2) by deleting the words “with the approval of the Cabinet Secretary” appearing immediately after the words “the Council may”.

**CLAUSE 12**

**THAT**, clause 12 of the Bill be amended by inserting the following new paragraph immediately after paragraph (k)—

“(ka) in consultation with the disciplined services, develop a criteria for the absorption of the trained members of the Service in the disciplined services and in other government institutions.

**CLAUSE 16**

**THAT**, clause 16 of the Bill be amended—

(a) in sub-clause (2) by-

- (i) inserting the words “at a senior rank in the Service or in any other” immediately after the words “has served” appearing in paragraph (b); and
- (ii) deleting paragraph (d).

(b) in sub-clause (3) by inserting the words “Kenya Coast Guard Service” immediately after the word “Kenya Wildlife Service”.

**CLAUSE 36**

**THAT**, clause 36 of the Bill be amended in sub-clause (1) by inserting the word, “equipment” immediately after the words “any article”.

**2) NOTICE is hereby given that the Member for Funyula (Hon. (Dr.) W. Ojiambo Oundo) intends to move the following amendments to the National Youth Service Bill, 2018 at the Committee Stage—**

**CLAUSE 7**

**THAT**, clause 7 of the Bill be amended in subclause (1) by inserting the words “as may be prescribed by the National Security Council” immediately after the word “Service” appearing in paragraph (a).

**CLAUSE 9**

**THAT**, clause 9 of the Bill be amended in subclause (8) by deleting the expression “9(2)(g)” and substituting therefor the expression “9(2)(a) and (g)”.

**CLAUSE 12**

**THAT**, clause 12 of the Bill be amended in subclause (3) by deleting paragraph (c) and substituting therefor the following new paragraph-

(c) may be withdrawn at any time by the Council, provided that such withdrawal shall not affect any decision made by the Director-General during the period which the Council had delegated power to the Director-General;

**CLAUSE 19**

**THAT**, clause 19 of the Bill be amended by deleting the word “five” and substituting therefor the word “six”.

(No. 124)

THURSDAY, DECEMBER 06, 2018

(1821)

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 any **Motion**, including a Special motion shall 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.
- 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.
- IV. **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.
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# NOTICE PAPER

Tentative business for

Thursday (Afternoon), December 06, 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 (Afternoon), December 06, 2018:-

**A. MOTION - THE FOURTH REPORT ON AUDITED FINANCIAL STATEMENTS FOR KENYA ROADS BOARD FUND FOR THE YEAR ENDED 30<sup>TH</sup> JUNE, 2017**

(The Chairperson, Special Funds Accounts Committee)

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

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

Second Reading

**C. ADJOURNMENT OF THE HOUSE IN ACCORDANCE WITH ITS CALENDAR**

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# APPENDIX

## **ORDER NO.7 - QUESTIONS**

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

**Question No.**

**QUESTIONS BY PRIVATE NOTICE**

**164/2018      The Nominated Member (Hon. (Prof.) Jacqueline Oduol, MP)  
to ask the Cabinet Secretary for Labour and Social Protection:-**

- a) What action is the Cabinet Secretary taking to ensure that children in need of care and protection are placed in “family-based” care such as foster homes, adoption guardianship or kinship care as opposed to children’s homes which have been mushrooming, in some cases, for reasons that not in the best interest of children?
- b) Could the Cabinet Secretary provide a list of all duly registered children’s homes in the country indicating their location in terms of constituencies and counties, and whether they are administered by Kenyan nationals or foreigners?
- c) What policy direction exists in the National Council for Children Services to safeguard children and ensure they are not stolen, trafficked or abused by duty bearers and care givers in hospitals, homes, schools, families and religious institutions?

*(to be replied before the Departmental Committee on Labour and Social Welfare)*

**295/2018      The Member for Tigania West Constituency (Hon. John Kanyuithia Mutunga, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -**

- a) Is the Cabinet Secretary aware that National Police Reservists - Joel Miriti and Simon Mworira from Kandebene and Mumui locations respectively were killed on 7<sup>th</sup> November, 2018; and a civilian, Stephen Kailemia from Loobua location was killed on 28<sup>th</sup> November 2018, while one Jacob Thiane from Loobua location is nursing gunshot wounds at the Meru General

Hospital, following a spate of insecurity in Tigania West Constituency?

- b) Is the Cabinet Secretary further aware that National Police Reservists are ill-equipped and poorly facilitated to effectively perform their duties?
- c) What measures is the Ministry taking to ensure that security is enhanced in Tigania West Constituency and that the National Police Reservists and other security agencies in Tigania are well facilitated with vehicles and equipment?
- d) Is there any mechanism in place to compensate the National Police Reservists who lose their lives in the line of duty?

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

### **ORDINARY QUESTIONS**

**246/2018 The Member for Suna West Constituency (Hon. Peter Francis Masara, MP) to ask the Cabinet Secretary for Petroleum and Mining: -**

- a) Is the Cabinet Secretary aware that in late 2017, eight artisanal miners from Suna West Constituency lost their lives as a result of collapse of mines during the mining process?
- b) What measures is the Ministry putting in place to ensure that miners are sensitized on safety procedures during mining processes?
- c) Could the Ministry consider compensating families of persons who lose their lives as a result of collapse of mines?

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

**272/2018 The Member for Tharaka Nithi County (Hon. Beatrice Nkatha Nyaga, MP) to ask the Cabinet Secretary for Public Service, Youth and Gender Affairs: -**

- a) Is the Cabinet Secretary aware that over 500 persons who were engaged under the National Youth Service Youth Programme to offer various services in Tharaka Sub-County are yet to be paid their dues totaling to over Kshs.27, 284, 000?

- b) When does the Ministry plan to pay the above monies and what measures are in place to ensure that such delays in payments are avoided?

*(To be replied before the Departmental Committee on Labour and Social Welfare)*

**279/2018 The Member for Embakasi Central Constituency (Hon. Benjamin Gathiru Mwangi, MP) to ask the Cabinet Secretary Education:-**

- a) Is the Cabinet Secretary aware that most primary schools in Embakasi Constituency have a teacher-pupil ratio of 1:100 and lack basic facilities such as desks?
- b) What measures is the Ministry putting in place to adhere to the recommended teacher-pupil ratio of 1:40, and ensure schools are equipped with necessary facilities?

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

**283/2018 The Member for Meru County (Hon. Bishop Kawira Mwangaza, MP) to ask the Cabinet Secretary for Energy :-**

- a) Is the Cabinet secretary aware of numerous complaints against Kenya Power Company in Meru County relating to among others, low and loose hanging power lines, frequent power outages, defective and broken-down transformers, exaggerated inflated power bills, and delays in addressing reported incidents?
- b) What measures is the Ministry taking to ensure that complaints are addressed urgently and further assure the residents of their safety with regard to defective transformers?
- c) Could the Cabinet Secretary consider compensating customers for the power surges and intermittent outages for losses incurred?

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

**284/2018 The Member for Rongo Constituency (Hon. Paul Abuor, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -**

- a) Is the Cabinet Secretary aware that on 30<sup>th</sup> November, 2018, one, Mr. Fredrick Onyango Omondi, of Identification number 36392805, an unarmed youth was allegedly shot and killed by a

Police officer in Rongo Town?

- b) What action has the Ministry taken against the said Police officer and when will his family be compensated for the loss of his life?
- c) Could the Cabinet Secretary consider transferring Police Officers in Kamongabo Police Station in Rongo who have overstayed at the Station, and further ensure that the Police officers stop the continued harassment and soliciting of bribes from residents of Rongo Constituency?

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

**286/2018      The Member for Gem Constituency (Hon. Elisha Odhiambo, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -**

- a) Is the Cabinet Secretary aware that residents of Gem constituency are living in fear due to high level of insecurity?
- b) Is the Cabinet Secretary further aware that several persons have lost their lives in Wagai Market Centre and Yala town while others have lost property of unknown value in Got Regea, Sirembe, Gongo and Oseno areas due to insecurity?
- c) Could the Cabinet Secretary consider increasing the number of police officers in Yala Police Station in addition to providing with vehicles and other equipment to curb insecurity in the Constituency?

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

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Twelfth Parliament



Second Session  
Afternoon Sitting

(No. 125)

(1822)

**REPUBLIC OF KENYA**  
**TWELFTH PARLIAMENT – (SECOND SESSION)**  
**THE NATIONAL ASSEMBLY**  
**ORDERS OF THE DAY**  
**THURSDAY, DECEMBER 06, 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\*. **MOTION – THE FOURTH REPORT ON AUDITED FINANCIAL STATEMENTS FOR THE KENYA ROADS BOARD FUND FOR THE YEAR ENDED 30<sup>TH</sup> JUNE, 2017**  
(The Chairperson, Special Funds Accounts Committee)

**THAT**, this House **adopts** the Fourth Report of the Special Funds Accounts Committee on Audited Financial Statements for the Kenya Roads Board Fund for the Year ended June 2017, laid on the Table of the House on Tuesday, December 04, 2018.

- 9\*. **THE INSURANCE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2018)**  
(The Chairperson, Departmental Committee on Finance and National Planning)

Second Reading

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**\* Denotes Orders of the Day**

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(No. 125) THURSDAY, DECEMBER 06, 2018

(1823)

## NOTICES

### 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 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.
- 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.

## ADJOURNMENT

- III. **NOTIFICATION OF RECESS (DECEMBER 07, 2018 – FEBRUARY 11, 2019)**

Pursuant to the provisions of Standing Order 28(3) relating to *Calendar of the Assembly*, the Speaker notifies that upon rise of

the House today at the appointed time, regular sittings will resume on **Tuesday, February 12, 2019 at 2:30 p.m.**

*(Thereafter, the House to adjourn without question put)*

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# APPENDIX

## **ORDER NO.7 - QUESTIONS**

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

### **Question No.**

### **QUESTION BY PRIVATE NOTICE**

**296/2018      The Nominated Member Constituency (Hon. Wilson Sossion, MP) to ask the Cabinet Secretary for Labour and Social Protection:**

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- a) Is the Cabinet Secretary aware that Safaricom PLC has been discouraging and preventing its employees from joining workers' unions of their choice contrary to the provisions of Article 41 of the Constitution?
- b) Is the Cabinet Secretary further aware that the said company has un-procedurally terminated employment of several of its workers who have fallen sick as a result of long working hours in a hazardous environment at call centers?
- c) What steps is the Ministry taking to ensure that the company stops unjust treatment of employees and that it does not prevent them from joining workers' unions?

*(to be replied before the Departmental Committee on Labour and Social Welfare)*

### **ORDINARY QUESTIONS**

**186/2018      The Nominated Member (Hon. Godfrey Osotsi, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -**

- a) Is the Cabinet Secretary aware that on 23<sup>rd</sup> June, 2018, Mrs. Anne Omoche, a nurse at Emuhaya Sub County Hospital was unlawfully arrested, assaulted and detained at Luanda Police Station?
- b) What mechanisms has the Ministry put in place to ensure safety of health personnel on night duty, and patients in health facilities at night?
- c) Are there plans by the Ministry to compensate Mrs. Anne Omoche for the unlawful arrest and injuries suffered?

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

281/2018

**The Member for Kapenguria Constituency (Hon. Samuel C. Moroto, MP) to ask the Cabinet Secretary for Petroleum and Mining:-**

- a) Could the Cabinet Secretary explain the criteria used to identify burrow pits at Narosirosi to excavate ballast by a Chinese firm and whether an Environmental Impact Assessment was conducted before commencement of the activity?
- b) Is the Cabinet Secretary aware that Land parcel reference number 4140/9 where the excavation is taking place is not available for allocation and that excavating ballast on it contravenes the provisions of the National Land Commission Act?
- c) What measures has the Ministry put in place to mitigate against environmental degradation occasioned by the excavation?

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

282/2018

**The Nominated Member (Hon. (Prof.) Jacqueline Oduol, MP) to ask the Cabinet Secretary for Wildlife and Tourism: -**

- a) Could the Cabinet Secretary provide the status of the implementation of the Ushanga Kenya Initiative for empowering pastoralist women and youth to be implemented in the seven targeted counties?
- b) Could the Cabinet Secretary provide a breakdown of the activities implemented so far and the amount disbursed for each activity to date?

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

286/2018

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

- a) Is the Cabinet Secretary aware that the expansion and rehabilitation of a 12 kilometre Iten – Bugar road to bitumen standards was completed in December 2016 and that persons affected by expansion of the road have not been compensated to date?
- b) What measures is the Ministry putting in place to ensure that those affected by the project are compensated, and when will the compensation be effected?

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

**The Member for Funyula Constituency (Hon. (Dr.) Wilberforce Ojiambo Oundo, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -**

- a) Could the Cabinet Secretary explain the disciplinary action taken by the Inspector General of Police against Police Officers at Sio Port Police Station who used live bullets and lobbied teargas canisters at innocent women on 22<sup>nd</sup>, 23<sup>rd</sup> and 24<sup>th</sup> November, 2018?
- b) Is the Cabinet Secretary further aware that the Police Officers in Samia Sub-County have been erecting illegal roadblocks that they use to solicit bribes from motorists?

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

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