



REPUBLIC OF KENYA
TWELFTH PARLIAMENT – (THIRD SESSION)
THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, MARCH 28, 2019 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 – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE SENATE AMENDMENTS TO 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 Senate Amendments to the Land Value Index Laws (Amendment) Bill (National Assembly Bill No. 3 of 2018).

(Question to be put)

9*.MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE SENATE AMENDMENTS TO THE PHYSICAL PLANNING BILL (NATIONAL ASSEMBLY BILL NO. 34 OF 2017)
(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 Senate Amendments to the Physical Planning Bill (National Assembly Bill No. 34 of 2017).

(Question to be put)

10*. MOTION - REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE SENATE AMENDMENTS TO THE IRRIGATION BILL (NATIONAL ASSEMBLY BILL NO. 46 OF 2017)

(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 Senate Amendments to the Irrigation Bill (National Assembly Bill No. 46 of 2017).

(Question to be put)

11*. MOTION - REPORT ON THE EXAMINATION OF THE FINANCIAL STATEMENTS OF THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION

(The Chairperson, Public Accounts Committee)

THAT, this House adopts the Report of the Public Accounts Committee on its examination of the Report of the Auditor General on the Financial Statements for the Independent Electoral and Boundaries Commission for the year ended 30th June 2017, *laid on the Table of House on Wednesday, February 27, 2019.*

(To be considered excluding the expunged parts of the Report – Notice I)

12*. MOTION - REPORTS ON BUDGETARY PROPOSALS FOR THE EAST AFRICAN COMMUNITY FOR FY 2017/2018 AND 2018/2019

(The Chairperson, Committee on Regional Integration)

THAT, this House **notes** the Report of the Committee on Regional Integration on the Reports of the Committee on General Purpose on the Budgetary Proposals for the FY 2018/2019 & Supplementary Budget Proposals for the FY 2017/2018 of the East African Community, the EAC Supplementary Appropriation Bill, 2018 and the EAC Appropriation Bill, 2018, *laid on the Table of the House on Tuesday, November 27, 2018.*

(Resumption of debate interrupted on Tuesday, March 26, 2019)

13*. THE SALARIES AND REMUNERATION COMMISSION (AMENDMENT) BILL (SENATE BILL NO. 12 OF 2018)

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

- 14*. **THE COUNTY STATISTICS BILL (SENATE BILL NO. 9 OF 2018)**
(The Chairperson, Departmental Committee on Finance and National Planning)

Second Reading

- 15*. **MOTION – INQUIRY INTO LEGISLATIVE AND REGULATORY GAPS AFFECTING COMPETITION IN THE TELECOMMUNICATIONS SUB-SECTOR**
(The Chairperson, Committee on Communication, Information & Innovation)

THAT, this House **adopts** the Report of Departmental Committee on Communication, Information and Innovation on the Inquiry into Legislative and Regulatory Gaps affecting Competition in the Telecommunications Sub-Sector, *laid on the Table of House on Tuesday, March 5, 2019.*

- 16*. **MOTION– REPORTS OF THE KENYA DELEGATION TO SESSIONS OF THE ACP-EU JOINT PARLIAMENTARY ASSEMBLY**
(ACP-EU Leader of Delegation)

THAT, this House **notes** the Reports of the Kenya Delegation to the Sessions of the African Caribbean and Pacific Parliamentary Assembly and the African Caribbean, Pacific and European Union (ACP-EU) Joint Parliamentary Assembly, *laid on the Table of the House on Wednesday 27th February 2019* as follows:

- (i) Report of the 50th Session of the ACP Parliamentary Assembly and the 35th Session of the ACP-EU Joint Parliamentary Assembly held in Brussels, Belgium from 13th to 20th June 2018;
- (ii) Report of the 51st Session of the ACP Parliamentary Assembly and the Intercessional Meetings of the ACP-EU Joint Parliamentary Assembly held in Brussels, Belgium from 9th to 11th October, 2018; and
- (iii) Report of the 52nd Session of the ACP Parliamentary Assembly and the 36th Session of the ACP-EU Joint Parliamentary Assembly held in Cotonou, Benin from 25th November 2018 to 5th December 2018.

- 17*. **COMMITTEE OF THE WHOLE HOUSE**

The Sports (Amendment) Bill (National Assembly Bill No.25 of 2018)
(The Leader of the Majority Party)

* Denotes Orders of the Day

(No.28)

THURSDAY, MARCH 28, 2019

(449)

N O T I C E S

I. EXPUNGED PARTS OF THE PUBLIC ACCOUNTS COMMITTEE REPORT ON THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION

In the Speaker's communication of Thursday, March 14, 2019, the following parts of the Report were declared inadmissible and subsequently expunged -

- (i) The words *"To that end, the Commissioners, Chief Executive Officer and the Directors who were involved in the unlawful procurement should vacate office immediately upon adoption of this report to allow for much needed reforms to be effected to restore public confidence in the Independent Electoral and Boundaries Commission"* in the General Recommendation No. 3 appearing at pages 4 and 127, of the Report in so far as it relates to the IEBC Commissioners;
 - (ii) Sections 4.0 and 34.0 of the Report relating to *"Basis for Committee Recommendation for Vacation of Office"* appearing on pages 6, 7, 129 and 130 of the Report in so far as it relates to the IEBC Commissioners;
 - (iii) The second sub-paragraph of paragraph 3 of the General Recommendation No. 3, appearing at page 4, which states that *"To that end, the, **Chief Executive Officer and the Directors** (emphasis on staff) who were involved in the unlawful procurement should vacate office immediately upon adoption of this report to allow for much needed reforms to be effected to restore public confidence in the Independent Electoral and Boundaries Commission."*
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II. THE SPORTS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.25 OF 2018)

Notice is given that the Chairperson of the Committee on Sports, Culture and Tourism intends to move the following amendments to the Sports, Culture and Tourism Bill, 2018 at the Committee Stage—

CLAUSE 2

THAT, the Bill be amended by inserting the following new paragraph immediately after paragraph (b)—

(c) inserting the following new definition in its proper alphabetical sequence—

“Fund” means the Sports, Arts and Social Development Fund established under regulation 3 of the Public Finance Management (Sports, Arts and Social Development Fund) Regulations, 2018;

CLAUSE 4

THAT, the Bill be amended by deleting clause 4 and substituting therefor the following new clause—

Amendment of section 11 of No. 25 of 2013.

4. Section 11 of the principal Act is amended by deleting paragraph (c) and substituting therefor the following new paragraph—

“(c) an amount out of the Fund for the promotion of and development of sports;”

NEW CLAUSE

THAT, the Bill be amended by inserting the following new clause immediately after clause 5—

Amendment of section 38 of No. 25 of 2013.

5A.Section 38 of the principal Act is amended by inserting the following new paragraph immediately after paragraph (b)—

“(ba) an amount out of the Fund for the promotion of and development of sports;”

The House resolved on Wednesday, February 13, 2019 as follows:-

- 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 debate on **Reports of Committees**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House for which limitation of time has not been specified, 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.
- V. **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 shall be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.
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NOTICE PAPER

Tentative business for

Tuesday, April 02, 2019

(Published pursuant to Standing Order 38(1))

It is notified that the House Business Committee, at their last meeting, approved the following tentative business to appear in the Order Paper for Tuesday, April 02, 2019:-

A. MOTION – REPORTS ON BUDGETARY PROPOSALS FOR THE EAST AFRICAN COMMUNITY FOR FY 2017/2018 AND 2018/2019

(The Chairperson, Committee on Regional Integration)

(If not concluded on Thursday, March 28, 2019)

B. THE COUNTY STATISTICS BILL (SENATE BILL NO. 9 OF 2018)

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

Second Reading

(If not concluded on Thursday, March 28, 2019)

C. MOTION – INQUIRY INTO LEGISLATIVE AND REGULATORY GAPS AFFECTING COMPETITION IN THE TELECOMMUNICATIONS SUB-SECTOR

(The Chairperson, Committee on Communication, Information & Innovation)

(If not concluded on Thursday, March 28, 2019)

D. MOTION– REPORTS OF THE KENYA DELEGATION TO SESSIONS OF THE ACP-EU JOINT PARLIAMENTARY ASSEMBLY

(ACP-EU Leader of Delegation)

(If not concluded on Thursday, March 28, 2019)

E. THE NUCLEAR REGULATORY BILL (NATIONAL ASSEMBLY BILL NO. 27 OF 2018)

(The Leader of the Majority Party)

Second Reading

.....*Appendix*

A P P E N D I X

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. ORDINARY QUESTIONS

132/2019 The Member for Kisauni (Hon. Mbogo Ali Menza, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -

(i) Is the Cabinet Secretary aware that since 2009, Shimo la Tewa Maximum Prison, Shimo Borstal Prison, Mombasa Remand and Shimo la Tewa Medium Prison have not paid their suppliers for goods procured?

(ii) When will the said suppliers be paid?

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

158/2019 The Member for Kuria East (Hon. Marwa Maisori MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing & Urban Development-

(i) Could the Cabinet Secretary explain why the construction of Migori Airstrip Runaway Extension project has stalled despite being allocated funds in the financial years 2015/2016, 2016/2017, 2017/2018?

(ii) Could the Cabinet Secretary further explain why the construction works at the Kehancha - Kendege Airstip remains incomplete?

(iii) What steps is the Ministry taking to ensure the above two projects are completed including fencing of Kehancha - Kendege Airstrip?

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

160/2019

The Member for Mwingi Central (Hon. Dr. Gideon Mutemi Mulyungi, MP) to ask the Cabinet Secretary for Lands and Physical planning: -

- (i) Is the Cabinet Secretary aware that land owners in Mwingi Central Constituency and in particular the Coal Basin area of Mui, Enziu and Endui Locations of Mwingi Central Constituency are being issued title deeds with inconsistencies and errors on actual acreage?
- (ii) Could the Cabinet Secretary undertake to ensure that the said title deeds are corrected, and further consider taking the necessary disciplinary action against public officials responsible for the inconsistencies and errors?

(To be replied before the Departmental Committee on Lands)

161/2019

The Member for Samburu North (Hon. Alois M. Lentoimaga, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -

- (i) Is the Cabinet Secretary aware that on 24th February, 2019, a minor, one Njamerin Lenanyokie, a class five pupil aged 12 years, was brutally killed by bandits in Morijo Market in Samburu North Constituency, to date no suspects have been apprehended?
- (ii) If yes, what action is the Ministry taking to ensure that the culprits are arrested and prosecuted?
- (iii) What measures is the Ministry putting in place to ensure that security in Samburu North Constituency is enhanced, in particular for the young girls?

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

162/2019

The Member for Laikipia West (Hon. Patrick Mariru, MP) to ask the Cabinet Secretary for Labour and Social Protection: -

- (i) Is the Cabinet Secretary aware that data for older persons registered under the Older Persons Cash Transfer Programme in Igwamiti Location, Laikipia West Constituency in November, 2018 is yet to be captured by the system and therefore these persons are unable to enroll and benefit from the Programme?
- (ii) If yes, what action is the Ministry taking to ensure that order persons in the area who have not been enrolled into the programme are duly registered and paid accordingly including arrears since November, 2018?

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

164/2019

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

Could the Cabinet Secretary-

- (i) state how the contract for the Kisumu Kanyakwar Housing Project Phase II, a Design-Build-Operate-and-Transfer model, was awarded;
- (ii) give details of the contract period and sum and further clarify how much of the contract sum has been paid so far;
- (iii) provide the current status of the project, and the efforts made to complete it; and
- (iv) explain whether the Ministry or the National Housing Corporation have been involved in the arbitration process with the contractors regarding the said project, and state measures the Cabinet Secretary has put in place to ensure that any such arbitration process safeguards public interest above the profit motives of the contractors?

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