



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

SUPPLEMENTARY

THURSDAY, JULY 04, 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*. PROCEDURAL MOTION- REDUCTION OF PUBLICATION PERIOD FOR A SPECIFIED BILL
(The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 120, this House resolves to reduce the publication period of the Representation of Special Interest Groups Laws (Amendment) Bill (National Assembly Bill No. 52 of 2019) from **14 days to 2 days**.

9*. THE PUBLIC PROCUREMENT AND ASSET DISPOSAL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 36 OF 2019)
(The Hon. Rigathi Gachagua, M.P.)

First Reading

10*. THE DATA PROTECTION BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2019)
(The Leader of the Majority Party)

First Reading

**11*. THE PARLIAMENTARY PENSIONS (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 45 OF 2019)**

(The Hon. John Mbandi Ngo’ng’o, M.P.)

First Reading

**12*. THE REPRESENTATION OF SPECIAL INTEREST GROUPS LAWS
(AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 52 OF 2019)**

(The Chairperson, Constitutional Implementation Oversight Committee.)

First Reading

**13*. SPECIAL MOTION- THE MANDATE OF THE NATIONAL
ASSEMBLY WITHIN THE BICAMERAL SETUP
OF PARLIAMENT**

(The Leader of the Majority Party & the Leader of the Minority Party)

AWARE that Article 93 of the Constitution of Kenya establishes two Houses of Parliament, each with a distinct mandate as outlined under Articles 95 and 96 of the Constitution, respectively;

WHEREAS Article 95 of the Constitution specifically mandates the National Assembly to-

- (a) *represent the people of the constituencies and special interests in the National Assembly;*
- (b) *deliberate on and resolve issues of concern to the people;*
- (c) *enact legislation in accordance with Part 4 of Chapter Eight of the Constitution;*
- (d) *determine the allocation of national revenue between the levels of government, as provided in Part 4 of Chapter Twelve of the Constitution, and appropriate funds for expenditure by the national government and other national State organs;*
- (e) *exercise oversight over national revenue and its expenditure;*
- (f) *review the conduct in office of the President, the Deputy President and other State officers and initiate the process of removing them from office; and,*
- (g) *exercise oversight of State organs;*

AND WHEREAS Article 109(2) of the Constitution provides that any Bill may originate in the National Assembly ***and Article 109(3) of the Constitution provides that a Bill not concerning county governments is considered only in the National Assembly, and passed in accordance with Article 122 of the Constitution and the Standing Orders of the National Assembly;***

AND WHEREAS the National Assembly of the 12th Parliament has, pursuant to the powers conferred by the said Article 109(3) of the Constitution, passed several laws that do not concern county governments as contemplated by the Constitution;

AND WHEREAS Article 110(1) of the Constitution defines a Bill concerning county governments as:-

- (a) *a Bill containing provisions affecting the functions and powers of the county governments set out in the Fourth Schedule;*
- (b) *a Bill relating to the election of members of a county assembly or a county executive; and*
- (c) *a Bill referred to in Chapter Twelve affecting the finances of county governments;*

AND WHEREAS Article 109(4) provides that a Bill concerning county government may originate in the National Assembly or the Senate, and is passed in accordance with Articles 110 to 113, Articles 122 and 123 and the Standing Orders of the Houses;

AND WHEREAS Article 110(3) of the Constitution provides that before either House considers a Bill, the Speakers of the National Assembly and Senate shall jointly resolve any **question** as to whether it is a Bill concerning counties and, if it is, whether it is a special or an ordinary Bill;

COGNIZANT THAT, the matter of whether the question as to whether a Bill concerns counties would routinely arise has been addressed by the High Court of Kenya in the matter of Nation Media Group Limited & 6 others v Attorney General & 9 others (Judicial Review Misc. Appl. No. 30 of 2014), where the Court held that the requirement contained in Article 110(3), comes into play **when there is a question or doubt** as to whether or not a Bill concerns counties, and that the absence of consultation and resolution between the two Speakers of the Houses on whether or not a Bill concerned counties is not in itself unconstitutional or a violation of the Standing Orders in instances where the demarcation of functions between national and county governments are clear;

COGNIZANT THAT, the power of the Speakers of the Houses of Parliament under Article 110(3) is limited to resolution of a question as to whether a Bill concerns county governments or not;

AWARE that in furtherance to Article 110(3) of the Constitution, the House, through Standing Order 121, has mandated the Speaker to determine, in the first instance whether a Bill concerns county governments as and whenever a question arises and to establish an appropriate framework for jointly resolving the question with the Speaker of the Senate;

FURTHER AWARE that the Speaker has and continues to actively engage the Speaker of the Senate on the establishment of an appropriate framework for jointly resolving any question as to whether a Bill concerns county governments as and when the question arises;

COGNIZANT THAT in accordance with Article 109(5), a money Bill may be introduced **only** in the National Assembly in accordance with Article 114;

AND FURTHER WHEREAS Article 114 (2) of the Constitution provides that if, in the opinion of the Speaker of the National Assembly, a motion makes provision for a matter listed in the definition of a **money Bill**, the Assembly may proceed only in accordance with the recommendation of the relevant Committee of the National Assembly after taking into account the views of the Cabinet Secretary responsible for finance;

AND FURTHER WHEREAS Article 121 of the Constitution provides that the quorum of Parliament shall be fifty members, in the case of the National Assembly, or fifteen Members, in the case of the Senate;

AND FURTHER WHEREAS Article 122(1) of the Constitution provides that except as otherwise provided in the Constitution, any question proposed for decision in either House of Parliament is to be determined by a majority of the members in that House, present and voting;

CONCERNED that contrary to the express requirements of Articles 121, 122 and 123 of the Constitution with regard to the quorum required for the convening of a session, voting on any question proposed for decision by a House of Parliament and decisions of the Senate, the Senate has and continues to convene part of its sessions and vote on matters not affecting counties without the requisite quorum and thresholds being met and thus prejudicing the legality of National Assembly business that is subject to the bicameral process, and indeed Senate decisions;

AND WHEREAS Article 108 of the Constitution establishes the offices of a Leader of the majority party and a leader of the minority party, being the person who is the leader in the National Assembly of the largest party or coalition of parties and the person who is the leader in the National Assembly of the second largest party or coalition of parties;

AND WHEREAS the said Article 108(4) of the Constitution exclusively accords certain order of precedence to be observed in the National Assembly, being the Speaker of the National Assembly, the leader of the majority party; and the leader of the minority party; hence the one in the Senate is unknown to the Constitution and any law;

CONCERNED that despite the provisions of Article 108 of the Constitution, the Senate has irregularly established and caused the Parliamentary Service Commission to facilitate and continues to so irregularly facilitate the offices of the Leader of the Majority Party and the Leader of the Minority Party, offices that are unknown to the Constitution and any the laws of Kenya;

AND WHEREAS Article 132 of the Constitution generally mandates the National Assembly to receive names of persons nominated for appointment to public office by the President, vet their suitability or otherwise and to approve or reject their appointment;

CONCERNED that despite the express provisions of the Constitution, the Senate continues to participate in the approval of the appointment of persons to State Offices, through a duplicate process, resulting in a procedure unknown to bicameral parliaments anywhere in the world, since in bicameralism vetting of persons for appointment to state and public offices is exclusively vested in one House;

CONCERNED THAT, despite the express provisions of Article 95(5)(b) of the Constitution, the Senate has established parallel Committees duplicating the mandate of the Committees in the National Assembly and County Assemblies and has, on diverse occasions, sought to exercise oversight of state organs in a manner that does not accord with the functions of county governments outlined under Part 2 of the Fourth Schedule to the Constitution;

FURTHER CONCERNED that in complete disregard of the provisions of Articles 109 and 114 of the Constitution mandating the origination of a money Bill **only** in the National Assembly, the Senate has on various occasions introduced and considered Bills with a money bill effect;

COGNIZANT that pursuant to Article 3 of the Constitution, every person has an obligation to respect, uphold and defend the Constitution and that Article 94 of the Constitution requires Parliament to protect the Constitution;

FURTHER COGNIZANT that Article 110(3) of the Constitution requires the Speakers of the Houses of Parliament to resolve any question as to whether a Bill is a Bill concerning county governments as and when such a question arises;

FURTHER COGNIZANT that Article 229(6) of the Constitution requires the use of public funds in a lawful and effective manner;

FURTHER AWARE that the continued engagement of the Senate in matters outside its express mandate, its irregular duplication of the mandate of the National Assembly and County Assemblies and its establishment and facilitation of irregular and unconstitutional offices constitutes imprudent use of public funds;

RECOGNIZING THAT, the Speaker of the National Assembly has always implemented the provisions of Article 110(3) and Standing Order 121 with regard to resolving a question as to whether a Bill concerns county governments or not;

NOW THEREFORE THIS HOUSE-

1. **REITERATES AND REAFFIRMS** its commitment to respect, uphold and defend the Constitution in terms of Article 3 of the Constitution;
2. **FURTHER REITERATES AND REAFFIRMS** the exclusive role of the Speaker of the National Assembly and the relevant Committee of the House in the consideration of any motion that makes provision for a matter listed in the definition of a money Bill under Article 114 of the Constitution;
3. **FURTHER REITERATES AND REAFFIRMS** its oversight role over national revenue and its expenditure, including the lawful and effective use of public funds by all state organs;
4. **URGES** the Speaker to continue engaging the Speaker of the Senate on establishing an appropriate framework for jointly resolving any question as to whether a Bill concerns county governments as and when such a question arises;
5. **REAFFIRMS THAT**, pursuant to the provisions of Article 95(4) and (5) of the Constitution, the mandate of oversight of State Organs exclusively vests in the National Assembly and the duplication of this role is unconstitutional
6. **RESOLVES-**
 - (a) **THAT**, the House continues upholding the provisions of Article 109(3) in the passage of Bills that do not concern county government;
 - (b) **THAT**, the House continues upholding the provisions of Articles 109(5) & 114 of the Constitution and Standing Order 143 in considering Bills originating from the Senate;
 - (c) **THAT**, in the first instance, the Houses of Parliament always explore **alternative** mechanisms of resolving any dispute that may arise between the Houses from time to time as is the practice in comparative jurisdictions;
 - (d) **THAT** in the event of failure of the alternative dispute resolution mechanisms, the National Assembly institutes legal proceedings to seek interpretation of the Constitution with respect to the foregoing concerns and also with respect to the scope of its mandate vis-à-vis that of the Senate including-

- (i) whether it is lawful for the Senate to continue duplicating in entirety the National Assembly's legislative, representative and oversight mandates and its' organizational and institutional structures with the resultant pressure on public resources; and
 - (ii) the enforcement of Articles 108 (*Party Leaders*), 121(*Quorum*) and 122 (*Voting in Parliament*) of the Constitution with regard to the operation of the Senate.
- (e) **THAT** the in the meantime, the House Business Committee, upon this Resolution, inquires into the foregoing concerns and presents a report to this House as soon as is practicable.

(Mover to reply)

(Question to be put)

14*. MOTION – ALTERATION OF THE CALENDAR

(Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 28(4), this House resolves to alter its Calendar for the Third Session of the Assembly (2019) as adopted on February 13, 2019 by proceeding for the short recess on **Friday, July 5, 2019** and resuming its regular sittings on **Tuesday, July 23, 2019**, at **2.30pm**.

15*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE PARLIAMENTARY SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 6 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 Parliamentary Service Bill (National Assembly Bill No. 6 of 2018).

Amendment proposed-

THAT, the motion for agreement with the Report of the Committee of the whole House be amended by inserting the following words “**subject to recommittal of Clause 38.**”

(Question for the amendment to recommit to be put)

16*. MOTION – APPROVAL OF NOMINEES TO JOMVU, NDHIWA, NYANDO, MANDERA EAST, EMBAKASI CENTRAL AND UGENYA CONSTITUENCIES COMMITTEE OF THE NATIONAL GOVERNMENT CONSTITUENCY DEVELOPMENT FUND

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

THAT, pursuant to the provisions of Section 43(4) of the National Government Constituency Development Fund Act, 2015 and paragraph 5(10) of the National Government Constituency Development Fund Regulations, 2016, this House approves the list of nominees for appointment to the Jomvu Constituency, Ndhiwa Constituency, Nyando Constituency, Mandera East Constituency, Embakasi Central Constituency and Ugenya Constituency Committees of the National Government Constituency Development Fund, *laid on the Table of the House on Wednesday, July 3, 2019* as follows: –

(i) Jomvu Constituency

Rehema Bahaj Saleh - Female Adult Representative

(ii) Ndhiwa Constituency

William Odeny Ogono - Male Adult Representative

(iii) Nyando Constituency

Kenneth Onyango Ogallo - Male Adult Representative

(iv) Mandera East Constituency

Abdisalam Bikir Aftin - Male Adult Representative

(v) Embakasi Central Constituency

Bernard Mwaura Kariuki - Male Adult Representative

(vi) Ugenya Constituency

(a) Jackson Odhiambo Oduor - Male Youth Representative

(b) Owino Nicholas Ochanda - Male Adult Representative

(c) Caroline Akinyi Owino - Female Youth Representative

(d) Josinte R. Adhiambo Omondi - Female Adult Representative

(e) Josphine Adhiambo Juma - Representative of Persons Living with Disability

(f) William Edmunds Ohande - Nominee of the Constituency office (Male)

(g) Grace Adhiambo Wasamba - Nominee of the Constituency Office (Female)

17*. **MOTION – REPORT ON THE INQUIRY INTO THE PROPOSED KENYA AIRWAYS’ PRIVATELY INITIATED INVESTMENT PROPOSAL TO KENYA AIRPORTS AUTHORITY**

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

THAT, this House **adopts** the Report of the Departmental Committee on Transport, Public Works and Housing on the Inquiry into the proposed Kenya Airways’ Privately Initiated Investment Proposal to Kenya Airports Authority, *laid on the Table of the House on Tuesday, June 18, 2019.*

(Resumption of debate interrupted on Wednesday, July 3, 2019 – Afternoon sitting)

18*. **MOTION – INQUIRY INTO ALLOCATION OF LAND IN KAMITI ANMER FOREST**

(The Chairperson, Departmental Committee on Lands)

THAT, this House **adopts** the Report of the Departmental Committee on Lands on the Inquiry into a Complaint by *Kamiti Anmer Forest Squatters Association* regarding allocation of Land LR. No. 8390 in *Kamiti Anmer Forest*, *laid on the Table of the House on Tuesday, June 18, 2019.*

(Resumption of debate interrupted on Thursday, June 27, 2019)

19*. **MOTION - REPORT ON A MEETING TO PROMOTE AND POPULARIZE THE RATIFICATION OF THE PROTOCOL ON THE FREE MOVEMENT OF PERSONS AND ITS IMPLEMENTATION ROADMAP**

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

THAT, this House **notes** the Report of the Departmental Committee on Defence and Foreign Relations on a Meeting with the Member States and Secretaries of the Economic Community of West African States and East African Community to Promote and Popularize the Ratification of the Protocol on the Free Movement of Persons and its Implementation Roadmap, *laid on the Table of the House on Wednesday, November 21, 2018.*

(Resumption of debate interrupted on Tuesday, March 19, 2019)

20*. **MOTION – SENATE AMENDMENTS TO THE PUBLIC PRIVATE PARTNERSHIPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 52 OF 2017)**

(The Leader of the Majority Party)

THAT, the Senate amendments to the Public Private Partnerships (Amendment) Bill (National Assembly Bill No. 52 of 2017) be now considered.

21*. MOTION - REPORT ON AN INQUIRY INTO LAND ACQUISITION BY THE KENYA DEFENCE FORCES FOR ESTABLISHMENT OF A FORWARD OPERATING BASE (FOB) IN NAROK COUNTY

(The 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 inquiry into land acquisition by the Kenya Defence Forces for establishment of Forward Operating Base (FOB) in Narok County, *laid on the Table of the House on Tuesday, April 2, 2019.*

*** Denotes Orders of the Day**

NOTICES

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

- 1) Notice is given that the Leader of the Majority Party intends to move the following amendments to the Parliamentary Service Bill, 2018 at the Committee Stage, subject to recommittal —

CLAUSE 38

THAT, clause 38 be amended by—

- (a) deleting the word “chairperson” appearing in sub-clause (1); and,
- (b) deleting sub-clause (4) and substituting therefor the following new sub-clause—

“(4) Every oath or affirmation taken by the vice-chairperson, a member, the secretary, or any other officer pursuant to this section shall be administered by the chairperson.”

NOTICE OF RECOMMITAL

PURSUANT to the provisions of Standing Order 136A, the Chairperson of the Departmental Committee on Justice and Legal Affairs has given notice of his intention to move the following amendments to the Motion for agreement with the report of the Committee of the Whole House—

CLAUSE 24

THAT, clause 24 of the Bill be amended—

- (a) in sub-clause (2) by deleting the words “such services jointly shared” and substituting therefor the words “shared services”;
- (b) in sub-clause (3) by inserting the word “by” immediately after the words “shall be headed” and by inserting the words “of service” immediately after the words “terms and conditions”;
- (c) by deleting sub-clause (4) and substituting therefor the following new sub-clause—

“(4) The provisions of sections 17A, 19, 26(2) and 26(3) shall with the necessary modifications apply to the officer heading the office of joint services”.

CLAUSE 25

THAT, clause 25 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (3)—

“(4) The provisions of sections 17A, 19, 26(2) and 26(3) shall, with the necessary modifications, apply to the officer appointed to head the centre for parliamentary studies and training”.

II. CONSIDERATION OF SENATE AMENDMENTS TO THE PUBLIC PRIVATE PARTNERSHIPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 52 OF 2017)

CLAUSE 2

Senate Amendment

THAT, clause 2 of the Bill be amended-

- (a) in paragraph (a) in the proposed new definition of the term “contracting authority” by deleting the word “corporation” appearing immediately after the words “government or county” in sub-paragraph (ii) and substituting therefor the word “entity”;
- (b) by deleting paragraph (b)

CLAUSE 7

Senate Amendment

THAT, the Bill be amended by deleting clause 7.

CLAUSE 8

Senate Amendment

THAT, clause 8 of the Bill be amended-

- (a) in paragraph (a) by deleting the words “county government” appearing immediately after the words “approval by the” in the proposed new proviso and substituting therefor the words “county assembly”;
- (b) by inserting the following new paragraph immediately after paragraph (b)-
 - (c) in subsection (3) by inserting the words “in consultation with the Council of County Governors” immediately after the words “the Cabinet Secretary shall”.

CLAUSE 12

Senate Amendment

THAT, clause 12 of the Bill be amended in the proposed new subsection (1) by deleting the words “in consistence” appearing immediately after the words “this Act and” and substituting therefor the word “consistent”.

CLAUSE 16

Senate Amendment

THAT, clause 16 of the Bill be amended in the proposed new section 54A by deleting subsection (2) and substituting therefor the following new subsection-

(2) Where a county government intends to enter into a public private partnership agreement, it shall cause its user department or county entity, as the case may be, to prepare a project proposal for approval by the respective county assembly, setting out the strategic and operational benefits of entering into such an arrangement.

CLAUSE 19

Senate Amendment

THAT, clause 19 of the Bill be amended-

- (a) in paragraph (a)(ii) by inserting the word “relevant” immediately after the words “persons with such” in the proposed new paragraph (b);
- (b) in paragraph (a)(iii) by inserting the words “having relevant experience and knowledge” immediately after the words “opposite gender” in the proposed new paragraph (ba).

NEW CLAUSE 4A

Senate Amendment

THAT, the Bill be amended by inserting the following new clause immediately after clause 4-

Amendment of section 4 of No. 15 of 2013. by-

4A.Section 4 of the principal Act is amended in subsection (1)

- (a) inserting the following new paragraph immediately after paragraph (f)-
 - (fa) three persons nominated by the Council of County Governors;
- (b) deleting the word “four” appearing immediately before the words “persons not being” in paragraph (g) and substituting therefor the words “two”;
- (c) inserting the words “and infrastructure” immediately after the words “responsible for transport” in paragraph (i); and
- (d) deleting paragraph (j).

NEW CLAUSE 5A

Senate Amendment

Amendment of section 18 of No. 15 of 2013.

5A. Section 18 of the principal Act is amended by inserting the following new subsection immediately after subsection (2) –

(3)A contracting authority under subsection (1) shall ensure that it facilitates public participation on a project that it intends to finance, operate, equip or maintain.

NEW CLAUSE 20**Senate Amendment**

THAT, the Bill be amended by inserting the following new clause immediately after clause 19 –

Insertion
of new
of new
section
70A in
No. 15
of 2013.

20. The principal Act is amended by inserting the following section immediately after section 70 –

Report
of the
Committee.

70A.(1) Within three months after the end of each financial year, the Committee shall prepare a report on project agreements entered into by all contracting authorities in that financial year.

(2) The Committee shall, in preparing the report under subsection (1), set out the following information–

- (a) the status of implementation of every project agreement that is under implementation by each contracting authority including the outputs of each project as against the projected targets;
- (b) any challenges or deviations in the implementation and estimated completion of the project and the reasons for such deviation or delay;
- (c) a financial statement with respect to each project;
- (d) a risk assessment including information of any change in circumstances that may have an impact on the implementation of a project; and
- (e) such other information as the Committee and the Cabinet Secretary may consider necessary.

(3) The Committee shall submit the report prepared under subsection (1) to the –

- (a) National Assembly;
- (b) Senate;
- (c) respective county assemblies in which a project is being undertaken under this Act; and

(d) Controller of Budget.

(4) Parliament and the county assemblies to which a report is submitted under subsection (3) shall, in accordance with their respective standing orders –

- (a) consider the report within thirty days of receipt of the report;
- (b) table a report together with its recommendations on the implementation of the projects; and
- (c) submit their recommendations to the Committee.

(5) The Committee shall, ensure that the contracting authorities take into account the recommendations under subsection (4) in the implementation of a project under this Act.



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

- III.** **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.
- IV.** **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.
- V.** **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.
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ADJOURNMENT OF THE HOUSE

NOTIFICATION OF RECESS (JULY 05, 2019 – JULY 22, 2019)

Pursuant to the provisions of Standing Order 28(3) relating to *Calendar of the Assembly*, and the resolution of the House of Tuesday, March 26, 2019, the Speaker notifies that upon rise of the House today at the appointed time, regular sittings will resume on **Tuesday, July 23, 2019 at 2:30 p.m.**

(The date of resumption is subject approval of the Motion under Order No. 9)

(Thereafter, the House to adjourn without question put)

.....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. ORDINARY QUESTIONS

- 115/2019 The Member for Suna West Constituency (Hon. Peter Francis Masara, MP) to ask the Cabinet Secretary for Petroleum and Mining-**
- (i) 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 activities?
 - (ii) Could the Ministry consider compensating the families of the deceased?
 - (iii) What measures is the Ministry putting in place to ensure that miners are sensitized on safety procedures during mining processes?

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

- 319/2019 The Member for Nandi Hills Constituency (Hon. Alfred Keter, MP) to ask the Cabinet Secretary for Agriculture, Livestock, fisheries and Irrigation: -**
- (i) Is the Cabinet Secretary aware that between August 2008 and October 2014, *M/s. Indo African Tea Co. Limited (India), SSOE (K) Limited (India), Mcleod Russel Africa Ltd (India), and Empire Kenya EPZ Ltd (Sri Lanka)*, were registered as Foreign Direct Investments (FDI)?
 - (ii) Given that the countries where these foreign companies are domiciled are major tea producers and do not allow local registration of international competitors, could the Cabinet Secretary explain why these companies have been allowed to engage in bulk tea business at the Mombasa auction, despite the registration precondition that restricted them to trading only in “value-added” tea ?
 - (iii) Could the Cabinet Secretary consider providing guidelines on the participation of FDIs in the tea industry in the country and to further ensure that tea exports by FDI is restricted to “value added tea”?

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

320/2019

The Member for Kirinyaga Central Constituency (Hon. John Munene Wambugu, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -

- (i) Is the Cabinet Secretary aware that *M/s. Tropical Technology Limited (TTL)* was awarded a contract for supply of Motorized Blank Vehicle Number Plates and signed the contract with the State Department for Correctional Services in November 2018 and could the Cabinet Secretary confirm whether the company honored the resultant contracted by delivering the contracted consignment?
- (ii) When will the Ministry issue a formal contract to TTL for the other contract of supply of License Plate Laser Marking Machine following the award of the said tender in June 2018?
- (iii) Could the Cabinet Secretary explain why the Ministry called for bids for the supply of Number Plate Raw Materials and Fabric Raw Materials in September 2018 and in March 2019, respectively, despite the company having been awarded the tender for supply of License Plate Laser Marking Machine to facilitate commissioning of modern number plates project?

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

321/2019

The Member for Nyandarua County (Hon. Faith Wairimu Gitau, MP) to ask the Cabinet Secretary for Lands and Physical Planning: -

- (i) Is the Cabinet Secretary aware of the frequent cases of inefficiency and complacency at the Land Registry in Nyahururu Town that serves Nyandarua County which includes claims of bribery, deliberate misplacement of files, rudeness of staff, imposition of arbitrary conditions on leases and general poor service delivery?
- (ii) Considering that most of the inefficiency and complacency have been attributed to the current Land Registrar, what urgent remedial measures is the Ministry taking so as to restore sanity and ensure efficient service delivery at the Nyahururu Lands Registry, including removing the officer from the station?

(To be replied before the Departmental Committee on Lands)

322/2019

The Member for Tigania West Constituency (Hon. John K Mutunge, PhD, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -

- (i) Is the Cabinet Secretary aware that several administrative units were declared as divisions, locations and sub-locations in Tigania West Constituency and other Constituencies in Kenya?
- (ii) What steps is the Ministry taking to ensure that the administrative units are effectively staffed and what are the timelines for making these administrative units operational?

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

The Member for Mumias East Constituency (Hon. Benjamin J. Washiali, MP) to ask the Cabinet Secretary for Agriculture, Livestock, fisheries and Irrigation: -

- (i) Is the Cabinet Secretary aware that *Nucleus Land* which was leased for 33 years by the Government of Kenya for cane development by Mumias Sugar Company Limited has been transferred from individual ownership to Mumias Sugar Company Limited?
- (ii) Could the Cabinet Secretary confirm whether Mumias Sugar Company Limited has a right to lease the *Nucleus Land* to third parties without the knowledge of land owners despite the land being under lease to the Government of Kenya for purposes of cane development only?
- (iii) Could the Cabinet Secretary also confirm whether Mumias Sugar Company Limited is indeed interested in the *Nucleus Land* for purposes of cane development and if not, when will the Cabinet Secretary commence the process of ensuring that the said land reverts back to the original owners?

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