



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – (THIRD SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**SUPPLEMENTARY**

**WEDNESDAY, AUGUST 07, 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\*. THE NATIONAL DROUGHT MANAGEMENT AUTHORITY  
(AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2019)**  
(The Leader of the Majority Party)

Second Reading  
*(Question to be put)*

**9\*. COMMITTEE OF THE WHOLE HOUSE**

- (i) The Statistics (Amendment) Bill (National Assembly Bill No. 37 of 2019)  
(The Leader of the Majority Party)
- (ii) The Salaries and Remuneration Commission (Amendment) Bill (Senate Bill No. 12 of 2018)  
(The Chairperson, Departmental Committee on Finance and National Planning)

**10\*. MOTION – VETTING OF A NOMINEE FOR APPOINTMENT AS  
THE CHAIRPERSON OF THE BOARD OF DIRECTORS  
OF THE KENYA FISH MARKETING AUTHORITY**  
(The Chairperson, Departmental Committee on Agriculture & Livestock)

**THAT**, taking into consideration the findings of the Departmental Committee on Agriculture & Livestock in its Report on the *Vetting of a Nominee for Appointment as the Chairperson of the Board of Directors of the Kenya Fish Marketing*

*Authority, laid on the Table of the House on Wednesday, August 7, 2019, and pursuant to section 201(1)(a) & (2) of the Fisheries Management and Development Act, 2016 and section 8 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Hon. Ochieng' G. Mbeo** as the Chairperson to the Board of Directors of the Kenya Fish Marketing Authority.*

**11\*. THE SECTIONAL PROPERTIES BILL (NATIONAL ASSEMBLY BILL NO. 23 OF 2019)**

(The Leader of the Majority Party)

Second Reading

**12\*. MOTION – APPROVAL OF RATIFICATION OF PROTOCOL TO AMEND THE CONVENTION OF OFFENCES AND CERTAIN ACTS COMMITTED ON BOARD AIRCRAFT (MONTREAL PROTOCOL, 2014)**

(The Chairperson, Departmental Committee on Transport, Public Works and Housing)

**THAT**, this House **adopts** the Report of the Departmental Committee on Transport, Public Works and Housing on its consideration of the Protocol to amend the Convention of Offences and Certain Acts Committed on Board Aircraft (Montreal Protocol, 2014) for Ratification, *laid on the Table of the House on Thursday, June 6, 2019*, and pursuant to section 8 of the Treaty Making and Ratification Act, 2012 **approves** the Ratification of the Protocol to amend the Convention on Offences and Certain Acts Committed on Board Aircraft (Montreal Protocol, 2014).

**13 \*. MOTION – APPROVAL OF RATIFICATION OF BILATERAL AIR SERVICES AGREEMENTS BETWEEN KENYA & THE HELLENIC REPUBLIC; BURKINA FASO; CAMBODIA; SEYCHELLES; AND FINLAND**

(The Chairperson, Departmental Committee on Transport, Public Works and Housing)

**THAT**, this House **adopts** the Report of the Departmental Committee on Transport, Public Works and Housing on its consideration of the Bilateral Air Services Agreements between Kenya & the Hellenic Republic; Kenya & Burkina Faso; Kenya & Cambodia; Kenya & Seychelles; and Kenya & Finland, *laid on the Table of the House on Thursday, June 6, 2019*, and pursuant to section 8 of the Treaty Making and Ratification Act, 2012 **approves** the Ratification of the Bilateral Air Services Agreements between Kenya & the Hellenic Republic; Kenya & Burkina Faso; Kenya & Cambodia; Kenya & Seychelles; and Kenya & Finland.

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**\* Denotes Orders of the Day**

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# **NOTICES**

## **I. THE STATISTICS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 37 OF 2019)**

- 1) Notice is given that Chairperson of the Departmental Committee on Finance and National Planning intends to move the following amendments to the Statistics (Amendment) Bill, 2019 at the Committee Stage—

### **CLAUSE 1**

**THAT**, clause 1 of the Bill be amended by inserting the expression “and shall come into force upon publication in the *Gazette*” immediately after “2019”.

### **CLAUSE 2**

**THAT**, clause 2 of the Bill be amended in the definition of the term “Agency” by deleting the word “Agency” and substituting therefore the word “agency”.

### **CLAUSE 4**

**THAT**, clause 4 of the Bill be amended in paragraph (c) by inserting the following new paragraphs immediately after the proposed new paragraph (g)—

- (h) providing technical advice on statistics to other state entities;
- (i) promoting coordination among producers, users and suppliers of official statistics by forming appropriate sector committees; and
- (j) designating statistics produced by national statistical system as official statistics on being satisfied that the necessary criteria have been followed.

### **CLAUSE 7**

**THAT**, clause 7 of the Bill be amended—

- (a) in paragraph (a), by deleting the proposed new subsection (2) (b) and substituting therefor the following new paragraph —

“(b) has a masters degree in statistics, economics, demography or mathematics from a recognised university”.

- (b) by deleting paragraph (b).

**CLAUSE 8**

**THAT**, clause 8 of the Bill be amended, in the proposed new section 8A—

(a) in subsection (2), by deleting —

(i) the word “postgraduate “appearing in paragraph (a);

(ii) paragraph (c) and substituting thereof the following new paragraph-

(c) is a registered Certified Public Secretary in good standing with the Institute of Certified Public Secretaries of Kenya;

(b) in subsection (3), by —

(i) deleting the words “ensuring the implementation of” appearing in paragraph (b) and substituting therefor the words “communicating the”

(ii) inserting the word “court” immediately before the word “proceedings” appearing in paragraph (f);

**CLAUSE 12**

**THAT**, the Bill be amended by deleting clause 12 and substituting therefor the following new clause-

Amendment of section 20 of  
No. 4 of 2006

12. The principal Act is amended by deleting section 20 and substituting therefor the following new section-

Power to access information. **20.** (1) This provision limits the right to privacy as provided for under Article 31.

(2) Any person or household having custody of, or being in charge of, any record or document from which information sought in furtherance of the purposes of this Act can, in the opinion of the Director-General, be obtained, or which would aid in the completion or correction of information already obtained, shall grant the Director-General access to such records or documents for the purposes of obtaining therefor the required information.

**NEW CLAUSE**

**THAT**, the Bill amended by inserting the following new clause immediately after clause 12-

Amendment of  
section 21 of No. 4  
of 2006

**12A.**The principal Act is amended by deleting section 21 and substituting therefor the following new section-

Power of entry

**21.** (1) This provision limits the right to privacy as provided for under Article 31.

(2) An authorized officer may at all reasonable times without warrant, but upon production, if required, of the letter of authorization, for any purpose connected with—

(a) the collection of statistical information, enter and inspect any land, building, vehicle or vessel where persons are employed, other than a dwelling-house;

(b) the taking of a census, enter any land or building, vehicle or vessel where persons are employed,

and in either case may make such inquiries for the collection of information, or the taking of the census, as the case may be.

2) **Notice is given that the Member for Kimilili (Hon. Didmus Barasa) intends to move the following amendments to the Statistics (Amendment) Bill, 2019 at the Committee Stage—**

**CLAUSE 13**

**THAT**, clause 13 of the Bill be amended—

(a) in the proposed new subsection (3), by deleting the words “The Director-General may with the approval of the Board” and substituting therefor the words “Upon request by the Board, the Cabinet Secretary may with the approval of the Cabinet”;

(b) by inserting the following new sub-section immediately after sub-section (3)

—

(4) The Cabinet Secretary shall within fourteen days of approval by the Cabinet, publish the official data that has been cancelled, revised or adjusted under sub-section (3), in the *Gazette*.

- 3) Notice is given that the Member for Funyula (Hon. (Dr.) Wilberforce Oundo) intends to move the following amendments to the Statistics (Amendment) Bill, 2019 at the Committee Stage—

**CLAUSE 4**

**THAT**, clause 4 of the Bill be amended by deleting paragraph (b).

**CLAUSE 7**

**THAT**, clause 7 of the Bill be amended in paragraph (a) by inserting the word “postgraduate” immediately after the words “has a” appearing in the new subsection (2)(b).

**CLAUSE 13**

**THAT**, clause 13 of the Bill be amended by inserting the following new subsection (4) immediately after subsection (3)—

(4) A person who may have used any official statistical data that has been cancelled, revised or adjusted in accordance with subsection (3), for research or advisory services, shall be indemnified by the Board in such manner as the Cabinet Secretary may prescribe in regulations.

- 4) Notice is given that the Member for Lagdera (Hon. Mohammed Garane) intends to move the following amendment to the Statistics (Amendment) Bill, 2019, at the Committee Stage—

**FOURTH SCHEDULE**

**THAT**, the Fourth Schedule to the Bill be amended by inserting the following paragraph immediately after paragraph 8 –

Paragraph 9.

The Kenya National Bureau of Statistics shall ensure that when conducting the Population and Housing Census, a person whose data is captured in a place not being the place of origin and residence that such a person is factored in the compilation of the final Population and Housing Census within the place of origin and residence of the person.

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

- 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.
- 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.
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...../Notice Paper

# **NOTICE PAPER**

## **Tentative business for**

**Thursday, August 08, 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 Thursday, August 08, 2019:-

A. **PROCEDURAL MOTION-**      **MANNER OF PROCEEDING WITH A MESSAGE FROM THE SENATE ON THE DIVISION OF REVENUE (NO. 2) BILL (NATIONAL ASSEMBLY BILL NO. 59 OF 2019)**  
(The Leader of the Majority Party)

B. **COMMITTEE OF THE WHOLE HOUSE**

**The National Drought Management Authority (Amendment) Bill (National Assembly Bill No. 26 of 2019)**  
(The Leader of the Majority Party)

C. **MOTION – THE ACQUISITION OF NATIONAL BANK OF KENYA**  
(The Chairperson, Departmental Committee on Finance and National Planning)

D. **MOTION – APPROVAL OF RATIFICATION OF PROTOCOL TO AMEND THE CONVENTION OF OFFENCES AND CERTAIN ACTS COMMITTED ON BOARD AIRCRAFT (MONTREAL PROTOCOL, 2014)**  
(The Chairperson, Departmental Committee on Transport, Public Works and Housing)

*(If not concluded on Wednesday, August 7, 2019 – Afternoon sitting)*

E. **MOTION – APPROVAL OF RATIFICATION OF BILATERAL AIR SERVICES AGREEMENTS BETWEEN KENYA & THE HELLENIC REPUBLIC; BURKINA FASO; CAMBODIA; SEYCHELLES; AND FINLAND**  
(The Chairperson, Departmental Committee on Transport, Public Works and Housing)

*(If not concluded on Wednesday, August 7, 2019 – Afternoon sitting)*

F. **MOTION - REPORT ON THE PUBLIC FINANCE MANAGEMENT (BIASHARA KENYA FUND) REGULATIONS, 2019 AND THREE OTHER RELATED SETS OF REGULATIONS**  
(The Chairperson, Committee on Delegated Legislation)

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

*.....Appendix*



# **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**

**QPN No.      The Member for Mwingi Central (Hon. Gideon Mulyungi, MP)  
33/2019      to ask the Cabinet Secretary for planning and National Treasury:-**

Noting that in the next census exercise, a provision has been made to supply relief food and clean drinking water to identified counties during the national Census period -

- (i) What criteria will be applied to identify the persons and the counties to benefit from the said supply, noting that most counties, including Kitui County are experiencing drought due to the failure of short rains?
- (ii) What is the cost and quantities of the relief food and water to be provided to the identified counties?
- (iii) When will the process of distribution commence and when will it end?

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

### **Question No.**

### **ORDINARY QUESTIONS**

**355/2019      The Member for Matayos (Hon. Geoffrey Odanga, MP) to ask  
the Cabinet Secretary for Education and Research: -**

- (i) Could the Cabinet Secretary provide details of the implementation of the adult-education programme in the country including funding, administration and the number of persons enrolled in the programme per county?
- (ii) What measures has the Ministry put in place to popularize adult education in counties in order to give a second chance to the Kenyans who dropped out of school for various reasons and who wish to improve their literacy levels?

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

**370/2019 The Member for Lamu County (Hon. Ruweida Obo, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -**

- (i) Could the Cabinet Secretary explain why there are several police road blocks along Malindi-Lamu road which inconvenience road users?
- (ii) Could the Cabinet Secretary explain why drug trafficking and insecurity are still rampant in Lamu County despite the presence of the said road blocks?

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

**371/2019 The Member for Murang'a County (Hon. Sabina Chege, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works: -**

- (i) Could the Cabinet Secretary explain why the construction of *Kangema-Kanyenyaini-Kiriri-Karurumo* road which serves thousands of farmers, traders and motorists in accessing *Kanyenyaini Tea Factory, Gakira and Kanyenyaini markets*, has stalled despite having been funded?
- (ii) What measures has the Ministry put in place to ensure that the said road is constructed and completed on time?

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

**372/2019 The Member for Laikipia County (Hon. Catherine Waruguru, MP) to ask the Cabinet Secretary for Lands and Physical Planning: -**

Could the Cabinet Secretary provide a progress report on the ongoing land allocations at *Karandi Township, Marmanet Ward* of Laikipia County, and indicate-

- (i) whether the Ministry did involve all stakeholders, during the identification of beneficiaries and preparation of Part Development Plans (PDPs)?
- (ii) measures the Ministry is putting in place to ensure that the process is transparent and to ensure the rightful beneficiaries are identified?
- (iii) measures put in place to cushion the process from possibility of multiple allocations and other irregularities?

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

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