

Twelfth Parliament

Third Session
Afternoon Sitting



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, SEPTEMBER 18, 2019

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Honourable Speaker

4. **PAPERS LAID**

The following Paper was laid on the Table -

- (i) The Report of the Departmental Committee on Justice and Legal Affairs on its consideration of the Presidential Reservations on the Parliamentary Service Bill, 2018.

(The Hon. William Cheptumo-Chairperson, Departmental Committee on Justice and Legal Affairs)

5. **QUESTIONS**

The following Question were asked –

- (i) **Question No.333/2019** by the Member for Homa Bay (Hon. Peter Kaluma) regarding reasons for delays in elevating granting Tom Mboya University College a full university Charter;

(To be replied by the Cabinet Secretary for Education before the Departmental Committee on Education and Research)

- (ii) **Question No.403/2019** by the Member for Gichugu (Hon. Robert Gichimu) regarding oversupply of course books every year in schools in the country

(To be replied by the Cabinet Secretary for Education before the Departmental Committee on Education and Research)

- (iii) **Question No.404/2019** by the Nominated Member (Hon. Gideon Keter) regarding collection and disbursement of royalties to local artistes by the Music Copyright Society of Kenya;

(To be replied by the Cabinet Secretary for Information, Communications and Technology before the Departmental Committee on Communication, Information and Innovation)

- (iv) **Question No.405/2019** by the Member for Nakuru Town East (Hon. David Gikaria) regarding steps being taken to ease traffic congestion and insecurity occasionally experienced at the Gilgil weighbridge;

(To be replied by the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development before the Departmental Committee on Transport, Public Works and Housing)

6. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.63 OF 2019)

Motion made and Question proposed –

THAT, this House do agree with the Report of the Committee of the Whole House on its consideration of the Public Finance Management (Amendment) Bill (National Assembly Bill No. 63 of 2019).

(Chairperson, Budget & Appropriations Committee)

Question put and agreed to;

Motion made and Question proposed –

THAT, the Public Finance Management (Amendment) Bill (National Assembly Bill No.63 of 2019) be now read a Third Time

(Chairperson, Budget & Appropriations Committee)

Question put and agreed to;

Bill read a Third Time and passed.

7. MOTION – RATIFICATION OF THE BEIJING TREATY ON AUDIO-VISUAL PERFORMANCES

Motion having been made and Question proposed –

THAT, this House **adopts** the Report of the Departmental Committee on Communication, Information and Innovation on its consideration of the Beijing Treaty on Audio-Visual Performances, *laid on the Table of the House on Wednesday, June 26, 2019,*

and pursuant to section 8 of the Treaty Making and Ratification Act, 2012 **approves** the Ratification of the Beijing Treaty on Audio-Visual Performances.

(Chairperson, Committee on Communication, Information & Innovation)

Debate on the Motion having been concluded on Tuesday, September 17, 2019;

Question put and agreed to.

8. **THE LOCAL CONTENT BILL (SENATE BILL NO. 10 OF 2018)**

(Chairperson, Departmental Committee on Energy)

Order for First Reading read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1).

9. **THE MENTAL HEALTH (AMENDMENT) BILL (SENATE BILL NO.32 OF 2018)**

(Chairperson, Departmental Committee on Health)

Order for First Reading read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1).

10. **THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 51 OF 2019)**

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Finance Bill (National Assembly Bill No.51 of 2019) be now read a Second Time

(Chairperson, Departmental Committee on Finance and National Planning)

The following Members raised points of Orders:-

- (i) The Member for Tharaka Nithi (Hon. George Murugara) sought guidance from the Speaker regarding unconstitutionality of Section 50 and 51 of the Bill which seek to amend the Proceeds of Crime and Anti- Money Laundering Act by designating lawyers, notaries and other independent legal professions as amongst reporting entities to whom Anti-Money Laundering/Combating Financing of Terrorism obligations shall apply. The Member claimed that the amendment contravened the principal object of the Finance Bill. Several Members spoke to the point of Order. The Speaker committed to make a ruling on the matter tomorrow.
- (ii) The Member for Kiambu Town (Hon. Jude Njomo) sought guidance from the Speaker regarding clause 43 of the Bill which seeks to repeal section 33B of the Banking Act to remove the caps on interest charged on loans. The Member claimed that consideration of the clauses would be in contravention of Standing Order 49(1) since it was negating a Bill he had sponsored, the Banking (Amendment) Bill. The Speaker ruled that the provisions of Standing Order 49(1) did not apply since the Banking (Amendment) Bill had not yet been concluded by the House but was still under consideration by the House, hence the objection was premature.

Debate arising;

(Change of Chair from the Hon. Speaker to the Third Chairperson)

(Change of Chair from the Third Chairperson to the Second Chairperson)

And the time being Seven o'clock, the Second Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

12. **HOUSE ROSE** - at Seven o'clock

M E M O R A N D U M

The Speaker will take the Chair on
Thursday, September 19, 2019 at 2.30 p.m.

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