



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, OCTOBER 03, 2019

1. The House assembled at thirty minutes past Two O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Hon. Speaker
4. **COMMUNICATION FROM THE CHAIR**

The Speaker conveyed the following Communication:-

Appointment of Members to the Mediation Committee on the Public Private Partnerships (Amendment) Bill (National Assembly Bill No.52 of 2017)

“**Honourable Members**, you will recall that on Wednesday, July 31, 2019, by way of a resolution, the House **negatived** the Motion on the consideration of all amendments proposed by the Senate to the Public Private Partnerships (Amendment) Bill (National Assembly Bill No. 52 of 2017). You will also recall that on July 03, 2019, I had issued a Communication regarding the inadmissibility of the amendments proposed by the Senate to Clause 2 of said Bill, with respect to the definition of the words ‘accounting officer’. In the Communication, I guided the House that the said amendments were **inadmissible** since they were offending Standing Order 49(1) of the National Assembly Standing Orders.

Honourable Members, in light of the resolution of the House, the Bill stood committed to a Mediation Committee as contemplated under Article 113 of the Constitution. Consequently, Honourable Members, in consultation with the Leadership of the Majority and Minority Parties in the House, I hereby appoint the following Members to represent the National Assembly in the Mediation Committee to consider the Bill-

- a) The Hon. Joseph Kirui Limo, MP;
- b) The Hon. George Gitonga Murugara, MP;
- c) The Hon. David Mboni Mwalika, MP;
- d) The Hon. Peter Kaluma, MP; and,
- e) The Hon. Edith Nyenze, MP.

Honourable Members, it is advisable that, in attempting to develop an agreed version of the Bill, the Committee confines itself to the contentious Clauses of the Bill. The Committee is also reminded to be mindful of the guidance contained in my Communication of 3rd July, 2019 with regard to the proposed amendments to Clause 2 of the Bill. Thank you”.

5. PAPERS

The following Papers were laid on the Table:-

- (i) Annual Report for the Financial Year 2018/2019 from the Public Service Commission.
- (ii) The Reports of the Auditor-General on the Financial Statements in respect of the following constituencies for the year ended 30th June, 2018 and the certificates therein: -
 - a) Alego Usonga;
 - b) Rarieda;
 - c) Rangwe; and
 - d) Suba South.

(The Majority Party Whip)

- (iii) Report of the Departmental Committee on Justice and Legal Affairs on its consideration of the Petition to remove the word "Harambee" from the Coat of Arms by one Charles Koinange Mangua.

(Chairperson, Departmental Committee on Justice and Legal Affairs)

6. QUESTIONS

The following Question were asked –

- (i) **Question No.429/2019** by the Member for Mwatate (Hon. Andrew Mwadime) regarding criteria used to identify and gazette hardship areas and the list of hardship areas in Taita Taveta County.
(To be replied by the Cabinet Secretary for Education before the Departmental Committee on Education and Research)
- (ii) **Question No.437/2019** by the Member for Baringo County (Hon. Gladwell Jesire) regarding reopening of Kabarnet School for the Deaf and the Blind in Baringo County.
(To be replied by the Cabinet Secretary for Education before the Departmental Committee on Education and Research)
- (iii) **Question No.438/2019** by the Member for Starehe (Hon. Charles Njagua) regarding the formula used by the Music Copyright Society of Kenya to arrive at a flat rate payout of Ksh. 2,530.00 for performing artists as royalties.
(To be replied by the Cabinet Secretary for Sports, Culture and Heritage before the Departmental Committee on Sports, Culture and Tourism)
- (iv) **Question No.441/2019** by the Member for Teso South (Hon. Geoffrey Omuse) regarding the safety of buildings and other infrastructure in public and private schools.
(To be replied by the Cabinet Secretary for Education before the Departmental Committee on Education and Research)

7. STATEMENTS

The following Statements were made –

- (i) The Member for Kimilili (Hon. Didmus Barasa), pursuant to the provisions of Standing Order 44(2)(c), requested for a Statement from the Chairperson of the Departmental Committee on Transport, Public Works & Housing regarding the status of unsafe buildings earmarked for demolition in the country;

- (ii) The Member for Kamukunji (Hon. Yussuf Hassan), pursuant to the provisions of Standing Order 44(2)(c), requested for a Statement from the Chairpersons of the Departmental Committees on Lands and Defence & Foreign Relations regarding the encroachment of land in Kamukunji Constituency by the Kenya Air Force; and
- (iii) The Leader of the Majority Party, pursuant to the provisions of Standing Order 44(2)(a), made a Statement regarding the Business of the House for the week commencing Tuesday, October 8, 2019.

8. MOTION - RATIFICATION OF THE AGREEMENT FOR THE ESTABLISHMENT OF THE INTERNATIONAL ANTI-CORRUPTION ACADEMY AS AN INTERNATIONAL ORGANIZATION

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Departmental Committee on Justice and Legal Affairs on its consideration of the Instrument for Ratification of the Agreement for the Establishment of the International Anti-Corruption Academy as an International Organization, *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 Agreement for the Establishment of the International Anti-Corruption Academy as an International Organization.

(Chairperson, Departmental Committee on Justice & Legal Affairs – 02.10.2019)

Debate interrupted on Wednesday, October 02, 2019 resumed;

(Change of Chair from the Speaker to the Speaker to the First Chairperson)

Rising in her place on a point of Order under Standing Order 95 the Member for Baringo County, Hon. Cheruiyot Gladwell Jesire, claimed to move that the Mover be called upon to reply. The First Chairperson acceding to the claim;

Question put and agreed to.

Thereupon the Mover replied;

Question deferred to the next sitting.

9. MOTION - RATIFICATION OF THE AGREEMENT FOR THE ESTABLISHMENT OF THE MOTION - REPORT ON A FACT FINDING MISSION ON THE WELFARE OF MIGRANT KENYAN WORKERS IN THE KINGDOM OF SAUDI ARABIA

Motion made and Question proposed –

THAT, this House **adopts** the Report of the Departmental Committee on Labour and Social Welfare on the visit to Riyadh, Saudi Arabia on a Fact Finding Mission on the Welfare of Migrant Kenyan Workers in the Kingdom of Saudi Arabia from February 27 to March 3, 2019, laid on the Table of the House on Thursday, August 8, 2019.

(Chairperson, Departmental Committee on Labour & Social Welfare)

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

Debate arising;

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

10. HOUSE ROSE - at Seven o'clock

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, October 08, 2019 at 2.30 p.m.

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