



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – THIRD SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, OCTOBER 30, 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. **PETITIONS**

The following petition was presented-

- (i) by the Member for Samburu North (Hon. Alois Lentoimaga) on behalf of residents of Samburu North regarding the state of insecurity in Samburu North Constituency.

5. **PAPERS LAID**

The following Papers were laid on the Table –

- (i) Reports of the Departmental Committee on Finance and National Planning on its consideration of –
 - a. The Equalization Fund Bill, 2019;
 - b. The Parliamentary Pensions (Amendment) Bill (National Assembly Bill No. 45 of 2019); and
 - c. The Parliamentary Pensions (Amendment)(No.2) Bill (National Assembly Bill No. 56 of 2019).

(Hon. Joseph Limo- Chairperson, Finance and National Planning Committee)

- (ii) Reports of the Departmental Committee on Lands on its consideration of the public Petitions:-
 - a. by Taita Taveta Teachers Investment Company Limited regarding illegal occupation of land owned by the company; and
 - b. by Mr. Edward Kamande (Peter Kairang'a) regarding settlement of over 25,000 shareholders of the Mutukanio Gwataniro Company land in Nakuru and Laikipia.

(Hon. Rachel Nyamai- Chairperson, Departmental Committee on Lands)

6. **QUESTIONS**

The following Question were asked –

- (i) **Question No.464/2019** by the Member for Laisamis (Hon. Malimo Arbelle, MP) regarding the status of the various energy projects under Kenya off-grid solar access developments in Laisamis Constituency.

(To be replied by the Cabinet Secretary for Energy before the Departmental Committee on Energy)

- (ii) **Question No.465/2019** by the Member for Wundanyi (Hon. Danson Mwashako, MP) regarding confirmation of the various deputy head teachers who have been faithfully serving in acting capacities for the positions of head teachers in various schools.

(Written reply to be issued by the the Teachers Service Commission)

- (iii) **Question No.467/2019** by the Member for Laikipia County (Hon. Catherine Waruguru, MP) regarding the the construction status of Makutano - Naromoru Town Road, and the stipulated timelines for completion of the works.

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

The following Question was deferred –

Question No.466/2019 by the Member for Embakasi East (Hon. Babu Owino, MP) regarding the Commission's recent decision to review salaries for a section of graduate police officers leaving out hundreds more who had similar qualifications.

7. **STATEMENTS**

The following Statements were raised/issued-

- (i) by the Member for Kamukunji (Hon. Yusuf Hassan) pursuant to the provisions of Standing Order 44(2) (c), requested for a Statement from the Chairperson of the Departmental Committee on Administration and National Security regarding increased incidences of criminality and armed robberies allegedly committed by Members of the National Police Service;
- (ii) by the Member for Turkana North (Hon. Christopher Nakuleu) 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 and Housing regarding safety standards in the aviation industry;

- (iii) by the Chairperson, Departmental Committee on Administration and National Security in response to a statement requested by the Member for Kimilili (Hon. Didmus Barasa) regarding increased carnage and implementation of mitigation measures to curb road accidents by the National Transport and Safety Authority and the National Police Service in the Country;
- (iv) pursuant to the provision of Standing Order 44(2)(a), the Leader of the Majority Party issued a Statement regarding the Business of the House for the week commencing Tuesday, November 05, 2019;
- (v) The Member for Nandi Hills (Hon. Alfred Keter) requested for an explanation on why **Question No. 319/2019** regarding registration of M/s. Indo African Tea Co. Limited (India), SSOE (K) Limited (India), Mcleod Russel Africa Ltd (India), and Empire Kenya EPZ Ltd (Sri Lanka) as Foreign Direct Investments (FDI) between August 2008 and October 2014 had not yet been replied to despite being asked on 4th July 2019. The Chairperson of the Departmental Committee on Trade, Industry and Cooperatives (Hon. Kanini Kega) informed the House that repeat invitations to the Cabinet Secretary for Industry, Trade and Cooperatives had been unsuccessful. The Speaker directed the Clerk of the National Assembly to issue summons to the Cabinet Secretary for Industry, Trade and Cooperatives to appear without fail before the Departmental Committee on Trade, Industry and Cooperatives on Tuesday, 5th November, 2019 at 10.00 am; and
- (vi) The Member for Homa Bay Town (Hon. Peter Kaluma) rose on a point of Order, pursuant to Article 95 (4) of the Constitution and made reference to High Court Petition 425 of 2019 which ordered the Treasury to remit Judiciary fund from the Consolidated Fund without the involvement of National Assembly. Upon hearing the views of some Members, the Speaker directed that the matter be deliberated further after conclusion of Order No. 11.

8. **THE DATA PROTECTION BILL (NATIONAL ASSEMBLY BILL NO.44 OF 2019**

Order for Second Reading Read;

Motion made and Question proposed-

THAT, the Data Protection Bill (National Assembly bill No.44 of 2019) be now read a Second Time

(The Leader of the Majority – 29.10.2019)

Debate on the Second Reading having been concluded on Tuesday, October 29, 2019;

Question put and agreed to;

Bill read a Second time and committed to the Committee of the whole House tomorrow.

9. **THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL (SENATE BILL NO. 22 OF 2018)**

Order for Second Reading Read;

Motion made and Question proposed-

THAT, the Petition to County Assemblies (Procedure) Bill (Senate Bill No.22 of 2018) be now read a Second Time

(Chairperson, Departmental Committee on Justice & Legal Affairs – 29.10.2019)

Debate on the Second Reading having been concluded on Tuesday, October 29, 2019;

Question put and agreed to;

Bill read a Second time and committed to the Committee of the whole House tomorrow.

10. **MOTION – ALTERATION OF THE CALENDAR OF THE ASSEMBLY**

Motion made and Question proposed-

THAT, pursuant to the provisions of Standing Order 28(4) (*Calendar of the Assembly*) and notwithstanding the provisions of Standing Order 30(1) (*Hours of meeting*), this House resolves not to hold a sitting on Thursday, October 31, 2019 in the Afternoon.

(The Leader of the Majority Party)

No debate arising;

Question put and agreed to.

11. **HOJA – UIDHINISHAJI WA TOLEO LA KISWAHILI LA KANUNI ZA KUDUMU ZA BUNGE LA TAIFA**

Hoja ikatolewa ijadiliwe;

KWAMBA, Bunge hili liridhie Ripoti ya Tatu ya Kamati ya Utaratibu na Masharti ya Bunge kuhusu utafsiri wa Kanuni za Kudumu za Bunge la Taifa kwa lugha ya Kiswahili iliyowasilishwa Mezani mwa Bunge la Taifa Jumanne, tarehe ishirini na tisa Oktoba mwaka huu, na kuidhinisha toleo la Kiswahili la Kanuni za Kudumu za Bunge la Taifa, na vilevile kuamua kwamba Kanuni za Kudumu za Bunge la Taifa kwa lugha ya Kiswahili zianze kutumika mwanzoni mwa Kipindi cha Nne cha Bunge la Kumi na Mbili.

(Mwenyekiti, Kamati ya Utaratibu na Masharti ya Bunge)

Mjadala ukaibuka;

Mbunge wa eneo Bunge la Rarieda, Mhe. Otiende Amolo akirejelea Kanuni ya 77, akamwomba Spika kuwa sio lazima Wabunge wachangie kwa lugha ya Kiswahili, ila Mbunge akianza kuchangia kwa lugha moja analizie mchango kwa lugha iyo hiyo;

Spika akaruhusu.

Akirejelea Kanuni ya 95, aliomba mjadala kuhitimishwa;

Spika hakuruhusu,

Mjadala ukaendelea

Mtoa Hoja akahitimisha Hoja;

Spika akatoa Hoja hiyo ili iamuliwe;

Hoja ikapitishwa.

12. The Hon. Speaker having acceded to a Point of Order by the Member for Homa Bay Town (Hon. Peter Kaluma) regarding Budget cuts by the National Treasury for the Judiciary, allowed the House to debate generally on the matter. The Members contributed and debated on the matter at length. The Hon. Speaker thereafter directed the Clerk to write to the Cabinet Secretary for National Treasury to appear before the Budget and Appropriations Committee to shed light on the matter. He further directed that the Budget and Appropriations Committee inquires into the issue and reports back to the House on or before Thursday 7, November, 2019.

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

13. **HOUSE ROSE** - at Seven O'clock

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, November 5, 2019 at 2.30 p.m.

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