



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

THURSDAY, NOVEMBER 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*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE DATA PROTECTION BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2019)
(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 Data Protection Bill (National Assembly Bill No. 44 of 2019).

Amendment proposed-

THAT, the motion for agreement with the Report of the Committee of the whole House be amended by inserting the words “**subject to recommittal of Clause 25.**”

(Question for the amendment to recommit to be put)

- 9*. MOTION - RATIFICATION OF THE AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF KENYA AND THE GOVERNMENT OF THE REPUBLIC OF SOUTH AFRICA ON DEFENCE CO-OPERATION
(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 its consideration of the Agreement between the

Government of the Republic of Kenya and the Government of the Republic of South Africa on Defence Co-operation, *laid on the Table of the House on Wednesday, October 16, 2019*, and pursuant to section 8 of the Treaty Making and Ratification Act, 2012 **approves** the Ratification of the Agreement between the Government of the Republic of Kenya and the Government of the Republic of South Africa.

(Resumption of debate interrupted on Wednesday, November 6, 2019 – Afternoon sitting)

10*. MOTION - ANNULMENT OF THE RETIREMENT BENEFITS (OCCUPATIONAL RETIREMENT BENEFITS SCHEMES)(AMENDMENT) REGULATIONS, 2019 AND THE INSURANCE (MOTOR VEHICLES THIRD PARTY RISKS) (CERTIFICATE OF INSURANCE) (AMENDMENT) RULES, 2019

(The Chairperson, Committee on Delegated Legislation)

THAT, this House **adopts** the Report of the Committee on Delegated Legislation on its consideration of the Retirement Benefits (Occupational Retirement Benefits Schemes) (Amendment) Regulations, 2019 (*Legal Notice No. 88 of 2019*) and the Insurance (Motor Vehicles Third Party Risks) (Certificate of Insurance) (Amendment) Rules, 2019 (*Legal Notice No. 92 of 2019*), *laid on the Table of the House on Wednesday, October 2, 2019*, and pursuant to the provisions of Section 18 of the Statutory Instruments Act, 2013 and Standing Order 210 (4)(b) **annuls in entirety-**

- (i) the Retirement Benefits (Occupational Retirement Benefits Schemes) (Amendment) Regulations, 2019 (*Legal Notice No. 88 of 2019*); and,
- (ii) the Insurance (Motor Vehicles Third Party Risks) (Certificate of Insurance) (Amendment) Rules, 2019 (*Legal Notice No. 92 of 2019*).

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

(The Leader of the Minority Party)

Second Reading

12*. THE PARLIAMENTARY PENSIONS (AMENDMENT) (No.3) BILL (NATIONAL ASSEMBLY BILL NO. 57 OF 2019)

(The Chairperson, Parliamentary Pensions Management Committee)

Second Reading

13*. THE COMPETITION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 49 OF 2019)

(The Leader of the Majority Party)

Second Reading

14*. THE INSURANCE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2019)

(The Leader of the Majority Party)

Second Reading

15*. THE COUNTY GOVERNMENTS (REVENUE RAISING PROCESS) BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2018)

(The Leader of the Majority Party)

Second Reading

*** Denotes Orders of the Day**

...../Notices

NOTICES

I. THE DATA PROTECTION BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2019)

- 1) Notice is given that the Chairperson of the Departmental Committee on Communication, Information and Innovation intends to move the following amendments to the Data Protection Bill, 2019 at the Committee Stage, subject to recommital—

CLAUSE 25

THAT, clause 25 of the Bill be amended by inserting the following new paragraph immediately after paragraph (d)—

“(e) collected only where a valid explanation is provided whenever information relating to family or private affairs is required;”

- 2) Notice is given that the Nominated Member (Hon. Jennifer Shamalla) intends to move the following amendment to the Data Protection Bill, 2019 at the Committee Stage, subject to recommital—

CLAUSE 25

THAT, clause 25 of the Bill be amended by deleting paragraph (g).

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 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.
- III.** **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.
- IV.** **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.

...../Notice Paper

NOTICE PAPER

Tentative business for
Tuesday, November 12, 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 Tuesday, November 12, 2019:-

- A. **MOTION - ANNULMENT OF THE RETIREMENT BENEFITS (OCCUPATIONAL RETIREMENT BENEFITS SCHEMES)(AMENDMENT) REGULATIONS, 2019 AND THE INSURANCE (MOTOR VEHICLES THIRD PARTY RISKS) (CERTIFICATE OF INSURANCE) (AMENDMENT) RULES, 2019**
(The Chairperson, Committee on Delegated Legislation)
(If not concluded on Thursday, November 7, 2019)

- B. **THE PARLIAMENTARY PENSIONS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 45 OF 2019)**
(The Leader of the Minority Party)

Second Reading

(If not concluded on Thursday, November 7, 2019)

- C. **THE PARLIAMENTARY PENSIONS (AMENDMENT) (No.3) BILL (NATIONAL ASSEMBLY BILL NO. 57 OF 2019)**
(The Chairperson, Parliamentary Pensions Management Committee)

Second Reading

(If not concluded on Thursday, November 7, 2019)

- D. **THE COMPETITION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 49 OF 2019)**
(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, November 7, 2019)

- E. **THE INSURANCE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2019)**
(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, November 7, 2019)

- F. **THE COUNTY GOVERNMENTS (REVENUE RAISING PROCESS) BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2018)**
(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, November 7, 2019)



...../Appendix

A P P E N D I X

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

463/2019 **The Member for Kajiado Central (Hon. Elijah Memusi Kanchory, MP) to ask the Cabinet Secretary for Environment and Forestry: -**

- (i) Could the Cabinet Secretary explain the methods used in weather forecasting in the country, including any technology that is being utilized on the same?
- (ii) Is the meteorological department well equipped and staffed with experts and specialized personnel to handle accurate forecasting of the weather and advising the country on weather matters?

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

479/2019 **The Member for Mathioya (Hon. Peter Kimari Kihara, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing, Urban Development and Public Works: -**

- (i) Could the Ministry consider compensating persons whose land was acquired for the construction of *Kiriaini - Kairo Road* in Mathioya Constituency?
- (i) What measures is the Ministry putting in place to ensure that only the *bonafide* affected persons by the road project are compensated, and when will the compensation be effected?

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

480/2019 **The Nominated Member (Hon. Gideon Keter, MP) to ask the Cabinet Secretary for Industry, Trade and Cooperatives: -**

- (i) Could the Cabinet Secretary explain the role of Kenya Bureau of Standards (KEBS) in promoting the standardization of the specification of commodities and codes of practice, in light of the recent reports of the existence of fake antibiotics in Kenya by the World Health Organization (WHO)?
- (ii) What measures has the Ministry put in place to ensure enforcement of post-surveillance of pharmaceutical drugs and medication in the country?

(To be replied before the Departmental Committee on Trade, Industry and

481/2019

The Member for Kuria East (Hon. Marwa K. Maisori, MP) to ask the Cabinet Secretary for National Treasury and Planning:

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- (i) When and how is the Ministry disbursing Kshs.3 Billion allocated to coffee farmers for coffee cherries yet there is no existing Fund to administer the said funds?

- (ii) Could the Cabinet Secretary explain why the funds are not being channeled through the Commodities Fund under the Ministry of Agriculture and Livestock for the benefit of the farmers as envisaged in its formulation?

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