



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – FOURTH SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, MARCH 12, 2020

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

4. **PETITIONS**

The following Petitions were presented-

- a) The Honourable Speaker presented the following Petition:

Petition on Settlement of 25,000 shareholders of Mutukanio Gwataniro Land

“Honourable Members, Standing Order 225(2) (b) requires the Speaker to report to the House any Petition, other than those presented through a Member. I therefore wish to convey to the House that my office has received a Petition submitted by one Mr. Peter Kairang’a of Post Address 7183 Nakuru calling for the settlement of over 25,000 shareholders of Gwataniro Mutukanio Company in what the Petitioner asserts is their rightfully-owned parcels of land in Nakuru and Laikipia.

Honourable Members, the Petitioner avers that Mutukanio Gwataniro Company raised money from its shareholders with the objective of investing the funds in buying land for them to settle in. The Company, according to the Petitioner, owns a total of 82,000 acres in Nakuru and Laikipia, as well as the Amigos House, Oyster Shell building and three plots in Nakuru Town, Farm Houses in Bahati, various buildings in Laikipia and Rumuruti, among other properties.

Honourable Members, balloting of land is said to have been undertaken in 1983 in a bid to ensure that each shareholder got a piece of the Company’s land, but the initiative was extremely flawed and as a result over 25,000 shareholders did not obtain any land. Further, in areas such as Malan-Ngarua balloting was done on non-surveyed land, and several Company properties including Amigo House, Oyster Shell and other properties were grabbed or illegally sold without the consent of the shareholders under the direction of Company directors and the then provincial administration.

Honourable Members, it is on account of these misgivings that the Petitioner seeks the intervention of this House primarily in spearheading investigations into the

affairs of Mutukanio Gwataniro Company with a view to attaining recovery of the irregularly allocated plots of land and other lost properties and restoring them to the rightful owners, and for the conduct of a fresh survey of the Mutukanio Gwataniro land.

Honourable Members, pursuant to the provisions of Standing Order 227, this Petition therefore stands committed to the Departmental Committee on Lands. The Committee is requested to consider the Petition and report its findings to the House and the petitioner in accordance with Standing Order 227(2).

I thank you!"

- b) The Member for Mathare Constituency (Hon. Anthony Tom Oluoch) presented a Petition regarding imminent eviction of residents of Hospital Ward in Mathare Constituency by the National Police Service.

Both Petitions referred to the relevant Departmental Committee pursuant to Standing Order 227(1).

5. **PAPERS**

The following Papers were laid on the Table of the House–

- (i) Annual Report of the Independent Electoral and Boundaries Commission for the financial year 2018-2019;
- (ii) List of nominees to twenty (20) Constituency Committees from the National Government Constituencies Development Fund Board as follows –
- a) Bomachoge Borabu;
 - b) Endebess;
 - c) Kiambaa;
 - d) Kitui West;
 - e) Kuria West;
 - f) Laikipia North;
 - g) Laisamis;
 - h) Lugari;
 - i) Makueni;
 - j) Mosop;
 - k) Naivasha;
 - l) Nambale;
 - m) Ndaragwa;
 - n) Saboti;
 - o) South Imenti;
 - p) Teso South;
 - q) Tharaka;
 - r) Tigania West;
 - s) Tongare; and
 - t) Wajir West.

(Leader of the Majority Party)

- (iii) Report of the Departmental Committee on Agriculture and Livestock on its consideration of the Crops (Amendment) Bill (National Assembly Bill No.25 of 2019).
(Chairperson, Departmental Committee on Agriculture & Livestock)
- (iv) Report of the Departmental Committee on Parliamentary Broadcasting & Library on its consideration of the Public Participation Bill (National Assembly Bill No.69 of 2019).
(Chairperson, Committee on Parliamentary Broadcasting & Library)
- (v) Reports of the Departmental Committee on Justice and Legal Affairs on its consideration of: -
- a) The Constitution of Kenya (Amendment) Bill (National Assembly Bill No. 19 of 2019) by the Hon. Florence Mutua, MP;
 - b) The Constitution of Kenya (Amendment) Bill (National Assembly Bill No. 40 of 2019) by the Hon. George Kariuki, MP; and,
 - c) The Constitution of Kenya (Amendment) Bill (National Assembly Bill No. 53 of 2019) by the Hon. Boss Shollei, MP)
- (Chairperson, Departmental Committee on Justice and Legal Affairs)*

6. **QUESTIONS**

The following Questions were asked –

- (i) Question No.053/2020 by the Member for Keiyo South (Hon. Daniel Rono) regarding status of the progress of processing of title deeds for the residents of Rokocho Changach Barak in Keiyo South Constituency.
(To be replied by the Cabinet Secretary for Lands and Physical Planning before the Departmental Committee on Lands)
- (ii) Question No.054/2020 by the Member for Mwatate (Hon. Andrew Mwadime) regarding status of de-siltation of Mwatate Dam in Mwatate Constituency.
(To be replied by the Cabinet Secretary for Water, Sanitation and Irrigation before the Departmental Committee on Environment and Natural Resources)
- (iii) Question No.055/2020 by the Member for Kisauni (Hon. Mbogo Menza) regarding measures put in place at national level to protect the environment from pollution from discharge of untreated waste along roads and open areas in Kisauni Constituency.
(To be replied by the Cabinet Secretary for Environment and Forestry before the Departmental Committee on Environment and Natural Resources)

The following Question was deferred –

- (i) Question No.052/2020 by the Member for Gilgil (Hon. Martha Wangari) regarding the number and identities of Kenya citizens allegedly imprisoned in the Republic of South Sudan.

7. **STATEMENTS**

The following Statements were issued:

- (i) The Member for Lafey (Hon. Ibrahim Abdi Mude) sought a Statement regarding fluctuating mobile network coverage in Mandera County. The Chairperson of the Departmental Committee on Communication, Information and Innovation undertook to respond to the statement within two weeks.
- (ii) Pursuant to the provision of Standing Order 44(2)(c), the Leader of the Majority Party issued a Statement regarding the Business of the House for the week commencing Tuesday, March 17, 2020.

8. **MOTION - REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE BUSINESS LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 80 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 Business Laws (Amendment) Bill (National Assembly Bill No.80 of 2019).

(Leader of the Majority Party)

Question put and agreed to.

Motion made and Question proposed -

THAT, the Business Laws (Amendment) Bill (National Assembly Bill No.80 of 2019) be now read a Third Time.

(Leader of the Majority Party)

Question put and agreed to;

Bill read a Third Time and **passed**.

9. **MOTION - REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE KENYA INSTITUTE OF CURRICULUM DEVELOPMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 33 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 Kenya Institute of Curriculum Development (Amendment) Bill (National Assembly Bill No.33 of 2019).

(Leader of the Majority Party)

Question put and agreed to;

Motion made and Question proposed -

THAT, Kenya Institute of Curriculum Development (Amendment) Bill (National Assembly Bill No. 33 of 2019) be now read a Third Time.

(Leader of the Majority Party)

Question put and agreed to

Bill read a Third Time and **passed.**

10. **MOTION - REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE LIVESTOCK AND LIVESTOCK PRODUCTS MARKETING BOARD BILL (NATIONAL ASSEMBLY BILL NO.2 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 Livestock and Livestock Products Marketing Board Bill (National Assembly Bill No.2 of 2019).

(Hon. Bashir Abdullaih)

Question put and agreed to;

Motion made and Question proposed -

THAT, Livestock and Livestock Products Marketing Board Bill (National Assembly Bill No. 2 of 2019) be now read a Third Time.

(Hon. Bashir Abdullahi)

Question put and agreed to

Bill read a Third Time and **passed.**

11. **MOTION - ANNUAL REPORTS ON THE STATE OF THE JUDICIARY**

Motion made and Question proposed -

THAT, this House **notes** the Annual Reports on the **State of the Judiciary** for the financial years 2016/2017 and 2017/2018, submitted to the House pursuant to the provisions of Article 254(1) of the Constitution, and **adopts** the recommendations of the Departmental Committee on Justice and Legal Affairs as contained in the Reports of the Committee laid on the Table of the House on Thursday, May 9, 2019.

(Chairperson, Departmental Committee on Justice & Legal Affairs - 10.03.2020)

Debate interrupted on Wednesday, March 11, 2020 (Afternoon Sitting) resumed;

(Change of Chair from the Honourable Speaker to the Fourth Chairperson)

Debate concluded at the expiry of the allotted time;

Mover replied;

Question deferred to another day.

12. **THE CARE AND PROTECTION OF OLDER MEMBERS OF SOCIETY BILL (SENATE BILL NO.17 OF 2018)**

Order for Second Reading read;

Motion made and Question proposed –

THAT, the Care and Protection of Older Members of Society Bill (Senate Bill No. 17 of 2018) be now read a Second Time

(Vice-Chairperson, Departmental Committee on Labour and Social Welfare)

Debate arising;

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

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

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, March 17, 2019 at 2.30 p.m.

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