



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

SUPPLEMENTARY

TUESDAY, JUNE 26, 2018 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. Statements

8*. PROCEDURAL MOTION – REDUCTION OF PUBLICATION PERIOD OF A BILL

(The Chairperson, Budget and Appropriations Committee)

THAT, notwithstanding the provisions of Standing Order 120, this House resolves to reduce the publication period of the Appropriation Bill (National Assembly Bill No. 22 of 2018) from **7 days to 4 days**.

9*. MOTION - REPORT OF THE COMMITTEE ON DELEGATED LEGISLATION ON THE COMMUNITY LAND REGULATIONS, 2017

(The Chairperson, Committee on Delegated Legislation)

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Community Land Regulations, 2017, laid on the Table of the House on Thursday, April 26, 2018, and pursuant to the provisions of Section 15 of the Statutory Instruments Act and Standing Order 210(4)(b), ***annuls Regulations 23 and 24*** of the said Regulations.

(Question to be put)

10*. **MOTION - REPORT OF THE COMMITTEE ON DELEGATED LEGISLATION ON THE PUBLIC FINANCE MANAGEMENT (SENATE MONITORING AND EVALUATION) REGULATIONS, 2018**

(The Chairperson, Committee on Delegated Legislation)

THAT, this House adopts the Report of the Committee on Delegated Legislation on its consideration of the Public Finance Management (Senate Monitoring and Evaluation) Regulations, 2018, laid on the Table of the House on Thursday, April 26, 2018, and pursuant to the provisions of Section 18 of the Statutory Instruments Act and Standing Order 210 (4)(b), ***annuls in entirety*** the said Regulations.

(Question to be put)

11*. **MOTION - REPORT OF THE COMMITTEE ON DELEGATED LEGISLATION ON THE CIVIL AVIATION (REMOTE PILOTED AIRCRAFT SYSTEMS) REGULATIONS, 2017**

(The Chairperson, Committee on Delegated Legislation)

THAT, this House adopts the Report of the Committee on Delegated Legislation on the Civil Aviation (Remote Piloted Aircraft Systems) Regulations, 2017, laid on the Table of the House on Wednesday, June 06, 2018, and pursuant to the provisions of Section 15 of the Statutory Instruments Act and Standing Order 210 (4)(b), ***annuls in entirety*** the said Regulations.

(Question to be put)

12*. **THE APPROPRIATION BILL (NATIONAL ASSEMBLY BILL NO. 22 OF 2018)**

(The Chairperson, Budget & Appropriations Committee)

First Reading

13*. **THE KENYA ACCREDITATION SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 17 OF 2018)**

(The Leader of the Majority Party)

First Reading

(No. 51)

TUESDAY, JUNE 26, 2018

(745)

14*. THE APPROPRIATION BILL (NATIONAL ASSEMBLY BILL NO. 22 OF 2018)

(The Chairperson, Budget & Appropriations Committee)

Second Reading

15*. COMMITTEE OF THE WHOLE HOUSE

The Appropriation Bill (National Assembly Bill No.22 of 2018)

(The Chairperson, Budget & Appropriations Committee)

16*. MOTION - REPORT OF THE DEPARTMENTAL COMMITTEE ON LANDS ON THE INQUIRY INTO ALLEGED LAND IRREGULARITIES

(The Chairperson, Departmental Committee on Lands)

THAT, this House adopts the Report of Departmental Committee on Lands on the inquiry into the alleged irregularities in the compensation for part of Land LR. No. 7879/4 to Ms Afrison Import Export Ltd and Huelands Ltd by the National Land Commission, laid on the Table of the House on Thursday, June 7, 2018.

17*. THE COUNTY GOVERNMENTS RETIREMENT SCHEME BILL (NATIONAL ASSEMBLY BILL NO. 10 OF 2018)

(The Leader of the Majority Party)

Second Reading

18*. THE LAND VALUE INDEX LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2018)

(The Leader of the Majority Party)

Second Reading

19*. THE HEALTH LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2018)

(The Leader of Majority Party)

Second Reading

(No. 52)

TUESDAY, JUNE 26, 2018

(746)

20*. THE WAREHOUSE RECEIPTS SYSTEM BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2018)

(The Leader of the Majority Party)

Second Reading

21*. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2018)

(The Leader of the Majority Party)

Second Reading

22*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2018)

(The Leader of Majority Party)

Second Reading

*** Denotes Orders of the Day**

(No. 52)

TUESDAY, JUNE 26, 2018

(747)

NOTICES

I. THE APPROPRIATION BILL (NATIONAL ASSEMBLY BILL NO.22 OF 2018)

Notice is given that the Chairperson of the Budget and Appropriations Committee (Hon. Kimani Ichung'wah) intends to move the following amendments to the Appropriation Bill, 2018 at the Committee Stage—

SCHEDULE

THAT, the Schedule be amended by-

- (a) deleting the figure "3,532,950,000" appearing against Vote D1222 – State Department For Regional and Northern Corridor Development and substituting therefor the figure "4,178,942,863";
- (b) deleting the figure "3,532,950,000" appearing against Programme 1013000 – Integrated Regional Development, under Vote D1222 – State Department For Regional and Northern Corridor Development, and substituting therefor the figure "4,178,942,863";
- (c) adjusting the corresponding Class Sub-Total, Cluster Sub-Total and Grand Total figures accordingly.

(No. 52)

TUESDAY, JUNE 26, 2018

(748)

The House resolved on Wednesday, February 14, 2018 as follows-

- II. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on any **Motion**, including a Special motion 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 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), this House orders that, each speech in a debate on a **Report of a Committee**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House, 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 be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

- IV. **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.

NOTICE PAPER I

Tentative business for

Wednesday (Morning), June 27, 2018

(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 Wednesday (Morning), June 27, 2018:-

A. **MOTION** - **EXPANSION OF THE SCHOOL FEEDING PROGRAMME TO ALL PUBLIC PRIMARY SCHOOLS**
(The Hon. Vincent Kemosi Mogaka, M.P.)

(Question to be put)

B. **MOTION** - **ESTABLISHMENT OF SPORTS ACADEMIES IN EVERY CONSTITUENCY**
(The Hon. Osotsi Godfrey, M.P.)

(Resumption of debate interrupted on Wednesday, June 20, 2018 – Morning sitting)

(Balance of time – 48 minutes)

C. **MOTION** - **PRIORITIZING RECRUITMENT OF NYS GRADUATES INTO THE DISCIPLINED FORCES**
(The Hon. Michael Muchira, M.P.)

D. **MOTION** - **REVIVAL OF THE CASHEWNUTS SUB-SECTOR IN KENYA**
(The Hon. Owen Baya, M.P.)

E. **THE CONSTITUTION OF KENYA (AMENDMENT) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 5 OF 2018)**
(The Hon. Chris Wamalwa, M.P.)

Second Reading

NOTICE PAPER II

Tentative business for

Wednesday (Afternoon), June 27, 2018

(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 Wednesday (Afternoon), June 27, 2018:-

A. COMMITTEE OF THE WHOLE HOUSE

The Tax Laws (Amendment) Bill (National Assembly Bill No. 11 of 2018)
(The Leader of Majority Party)

B. THE COUNTY GOVERNMENTS RETIREMENT SCHEME BILL
(NATIONAL ASSEMBLY BILL NO. 10 OF 2018)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, June 26, 2018)

C. THE LAND VALUE INDEX LAWS (AMENDMENT) BILL
(NATIONAL ASSEMBLY BILL NO. 3 OF 2018)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, June 26, 2018)

D. THE HEALTH LAWS (AMENDMENT) BILL (NATIONAL
ASSEMBLY BILL NO. 14 OF 2018)

(The Leader of Majority Party)

Second Reading

(If not concluded on Tuesday, June 26, 2018)

E. THE WAREHOUSE RECEIPTS SYSTEM BILL (NATIONAL
ASSEMBLY BILL NO. 2 OF 2018)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, June 26, 2018)

F. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 1 OF 2018)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday, June 26, 2018)

G. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) BILL (NATIONAL ASSEMBLY BILL NO. 12 OF 2018)

(The Leader of Majority Party)

Second Reading

(If not concluded on Tuesday, June 26, 2018)

APPENDIX

THE NATIONAL ASSEMBLY

SCHEDULE of Questions for

Tuesday, June 26, 2018

It is notified that pursuant to Standing Orders 191 and 216, the Cabinet Secretaries for Lands and Physical Planning, Education; Interior and Coordination of National Government, will appear before the following Departmental Committees on Tuesday, June 26, 2018 at the times hereunder:-

<u>Departmental Committee</u>	<u>Cabinet Secretary</u>	<u>Time</u>	<u>Venue</u>
(i) Lands	<i>Cabinet Secretary for Lands and Physical Planning</i>	10.00 am – 11.00 am	<i>Mini Chamber County Hall</i>
(ii) Education and Research	<i>Cabinet Secretary for Education</i>	11.00 am – 12.00 noon	<i>Mini Chamber County Hall</i>
(iii) Administration & National Security	<i>Cabinet Secretary for Interior & Coordination of National Government</i>	10.00 am -12.00 noon	<i>National Assembly Chamber</i>

The Committees' Agenda has been determined as follows-

AGENDA

1. Prayers
2. Communication from the Chairperson(s)

I. QUESTIONS UNDER THE DEPARTMENTAL COMMITTEE ON LANDS

Questions to the Cabinet Secretary for Lands and Physical Planning:-

(i) Question No. 001/2018 by the Member for Kisumu West Constituency (Hon. Olago Aluoch, MP):-

Could the Cabinet Secretary brief the Committee on the legality of the appointment of Members to the Kisumu Land Control Board done vide Kenya Gazette Notice No. 5180 of 8th July 2016; the reasons for not recognizing Kisumu West Sub County as a constitutional entity entitled to its own Land Control Board under Section 5 of the Land Control Act, Cap 302; and the selection criteria for the appointment of Members to the Land Control Board as set out in the Ministry's circular dated 6th May, 2016? Could the Cabinet Secretary also brief the Committee whether all the members gazetted as Members of the Kisumu City Land Control Board, except for one Elisha Guya Didi, are non-residents of Kisumu West Sub County therefore may not be able to understand and appreciate the dynamics and intricacies of land matters in the rural Kisumu West Sub County?

(ii) Question No. 042/2018 by the Nominated Member (Hon. Godfrey Osotsi, MP):-

Recognizing that land title deeds are proof of land ownerships as well as a basis for security when accessing credit facilities against land, aware that most households in Kenya do not have title deeds due to the inability to afford the high cost of processing of the said document, could the Cabinet Secretary inform the Committee on the measures in place to facilitate the poor land owners especially in rural areas acquire certificates of ownership for their land? Could the Cabinet Secretary consider waiving title deeds processing fee for the poor land owners?

II. QUESTIONS UNDER THE DEPARTMENTAL COMMITTEE ON EDUCATION AND RESEARCH

Questions to the Cabinet Secretary for Education:

(i) Question No. 037/2018 by the Member Wajir East Constituency (Hon. Rashid Kassim Amin, MP):-

Could the Cabinet Secretary apprise the Committee regarding the circumstances that led to the transfer all non-local teachers from Wajir County and other Counties in the North Eastern Region; and the measures the Ministry has put in place to ensure that replacements are made to the affected schools, and that the recommended teacher to student ratio is adhered to and sustained?

(ii) Question No. 062/2018 by the Member for Kiambu County (Hon. Gathoni Wamuchomba, MP):-

Aware that Section 39 of the Basic Education Act, 2013 as amended in 2017 provides that it shall be the responsibility of the Government to provide free, sufficient and quality sanitary towels to every girl child registered and enrolled in a public basic education institution who has reached puberty, and provide a safe and environmentally sound mechanism for disposal of the sanitary towels; and further, Section 88 of the Act provides that the Government shall provide for among others, conditional capitation funds to facilitate the acquisition of the said sanitary towels; could the Cabinet Secretary apprise the Committee on the implementation status of the said provisions since the Act came into effect; and the various disposal mechanisms being used by institutions?

(iii) Question No. 067/2018 by the Member for Molo Constituency (Hon. Kimani Kuria, MP):-

Aware that the Government in 2014 introduced waiver of examinations registration fees for both primary and secondary schools candidates through a scheme aimed at easing the financial burden on parents and making education accessible and affordable, further aware that the waiver was in 2017 extended to candidates in private schools, could the Cabinet Secretary inform the Committee whether the scheme is applicable to adult candidates who register under the adult basic education as well as adult and continuing education centers?

(iv) Question No. 068/2018 by Nominated Member (Hon. Godfrey Osotsi, MP):-

Aware that Section 14 of the Higher Education Loans Board Act provides that the Board shall notify every applicant in writing whether the application for a higher education loan has been accepted or rejected, could the Cabinet Secretary brief the Committee on the average processing time for loan applications; the total amount disbursed in the past three (3) years for the various loan categories; and how the Board harmonizes disbursements with the academic calendars for various institutions to ensure release of funds to beneficiaries is not delayed?

III. QUESTIONS UNDER THE DEPARTMENTAL COMMITTEE ON ADMINISTRATION AND NATIONAL SECURITY

Questions to the Cabinet Secretary for Interior and Coordination of National Government:

(i) Question No. 030/2018 by the Member for Kimilili Constituency (Hon. Didmus Wekesa, MP):-

Could the Cabinet Secretary brief the Committee on the current security situation in Mt. Elgon area, the number of persons who have been murdered over the past six months by an alleged organized gang terrorizing residents in

the area, and the measures the Ministry has put in place to ensure security is restored and that the criminals involved are apprehended? Could the Cabinet Secretary also inform the Committee regarding the measures the Ministry has put in place, if any, to stop smuggling of illegal guns into the area?

**(ii) Question No. 034/2018 by the Member for Gilgil Constituency
(Hon. Martha Wangari, MP):-**

Aware that the late Evans Gathuri Njoroge who was a student leader at Meru University was brutally murdered in cold blood on 27th February 2017 under unclear circumstances, could the Cabinet Secretary apprise the Committee on circumstances that led to the murder of the student leader, and what measures the Ministry has under taken to apprehend the killer(s)? Could the Cabinet Secretary also apprise the Committee on the plans in place, if any, to ensure the safety and security of student leaders; and whether there are plans to compensate such victims?

**(i) Question No. 006/2018 by the Member for Kangema Constituency
(Hon. Muturi Kigano, MP):-**

Could the Cabinet Secretary inform the Committee on the criteria used in the issuance of work permits to Non-Kenyans wishing to engage in employment in Kenya whether in gainful employment or voluntary service; the total number of foreigners working in Kenya in gainful employment between the year 2008 to date and their nationalities; the key sectors where the said foreign nationals are working in the country; and their contribution to the economy? Could the Cabinet Secretary provide evidence that organizations that have engaged foreign nationals in gainful employment were unable to fill the vacancies from the local labour market; and state the measures that the Ministry through the Directorate of Immigration and Registration of Persons has put in place, if any, to address the influx of immigrants into the Country?

**(ii) Question No. 046/2018 by the Member for Dadaab Constituency
(Hon. Mohamed Dahir Duale, MP):-**

Could the Cabinet Secretary provide the Committee with data for all refugees in Kenya particularly those in camps and especially the Dadaab Refugees camp? In addition, could the Cabinet Secretary apprise the Committee on the provision of social and physical amenities including the infrastructure; and the effects of these camps on the Country's economy and the environment? Further, could the Cabinet Secretary apprise the Committee on whether there plans to close these camps in the near future and have the refugees repatriated back to their countries?

(iii) Question No. 051/2018 by the Member for Kisii County (Hon. Janet Ong'era, MP):-

Is the Cabinet Secretary aware that one Pastor Esther Bochaberi Oyugi from Ekiendege, Riana ward, Bonchari Constituency, Kisii County was kidnapped and later murdered in March 2018? If aware, could the Cabinet Secretary apprise the Committee on the progress made by the security agencies in investigating the matter and apprehending the killers?

(iv) Question No. 056/2018 by the Member for Emuhaya Constituency (Hon. Omboko Milemba, MP):-

Considering that Article 238(1) of the Constitution obligates Kenya's National Security Organs to protect the people against internal and external threats to among others, the people and other national interests, could the Cabinet Secretary inform the Committee whether he is aware of the incessant incidences of unresolved insecurity, including murders, regular breakages of business premises, theft of livestock, trading of illicit brews, among other crimes in Emuhaya constituency, particularly Ebukhaya, Ematsuli, Esibuye, Emanyinya, Duka Moja Milimani, Esirulo and Ebuyangu sub-counties? In addition, could the Cabinet Secretary inform the Committee whether he is aware of the existence of trafficking of illicit alcohol from a neighboring Country through Emuhaya constituency? If aware, could he outline the action the Ministry is putting in place to ensure that security is restored in Emuhaya Constituency and that trafficking of illicit alcohol is put to a stop?

(v) Question No. 069/2018 by the Member for Loima Constituency (Hon. Jeremiah Lomorukai, MP):-

Aware that there have been incessant cases of insecurity in Turkana, West Pokot, Baringo and Samburu Counties occasioned by among other things cattle rustling, illegal firearms, poverty, youth unemployment and inadequate security personnel in the said counties; could the Cabinet Secretary apprise the Committee on the steps the Ministry is taking to ensure lasting security in the said areas?
