



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – SECOND SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, FEBRUARY 22, 2018

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

The Speaker conveyed the following Message –

Approval of nominee for appointment as Solicitor-General

“Honourable Members, pursuant to the provisions of Standing Order No. 42(1) of the National Assembly Standing Orders, I wish to report to the House that I have received a Message from His Excellency the President seeking the National Assembly’s approval of Mr. Kennedy Nyabuti Ogeto for appointment as the Solicitor-General, in exercise of powers vested in him under section 9(1) of the Office of the Attorney-General Act, 2012.

Honourable Members, section 8 of the Public Appointments (Parliamentary Approval) Act provides that the relevant Committee of the House will consider the suitability or otherwise of the nominee and table its report for consideration by the House within fourteen (14) days from the date the notification of nomination is conveyed to the House. Further, the Act requires that the public be given seven (7) days notification to submit their views regarding the suitability or otherwise of the nominee proposed for appointment to an office requiring Parliamentary approval. In this regard, and in accordance with the provisions of Article 259(5)(a) of the Constitution as read together with section 5 of the said Act, the seven (7) days’ notification to the public shall start running on the day following the day when the notice is published in the dailies.

Honourable Members, it is advisable that the relevant Committee expeditiously proceeds to notify the nominee and the public, commence the approval hearing after the seven day notification period, and table a Report on or before Wednesday, March 7, 2018, to enable the House to consider the matter within the statutory timelines. This Message, together with the Curriculum Vitae of the nominee therefore, stands committed to the Departmental Committee on Justice and Legal Affairs for consideration.

Thank you”.

5. **PETITION**

The Speaker conveyed the following Petition –

Proposed amendment to Article 231(4) of the Constitution

“Honourable Members,

Pursuant to Standing Order 225 (2) (b), I wish to convey to the House a Petition signed by three citizens namely; Edward Nyakeriga, Jackline Kageha and Zachariah Momanyi on behalf of Republican Liberty Party. The Petitioners are praying that in accordance with Article 256 (1) of the Constitution on amendment of the Constitution through parliamentary initiative, the National Assembly introduces a Bill to amend the Constitution.

The Petitioner is praying that the National Assembly amends Article 231(4) of the Constitution, which provides that “*Notes and coins issued by the Central Bank of Kenya may bear images that depict or symbolize Kenya or an aspect of Kenya but shall not bear the portrait of any individual*”. The Petitioners contends that the manner in which Article 231 is framed is ambiguous. The Petitioners cite a number of jurisdictions whose currencies have portraits of their founding leaders and individuals, as an honour for their outstanding contribution to their countries.

Honourable Members, the Petitioners affirms that the portrait of the first President of the Republic of Kenya meets the exclusive standard to depict or symbolize Kenya or any aspect of our country. Further, they propose that the reverse side of the currency should bear the image of the National Parliament and Coat of Arms as the two images exhaustively depict the country’s key features.

Honourable Members, the Petitioners are therefore praying that the National Assembly, through the Departmental Committee on Finance and National Planning initiate the process of amending Article 231 of the Constitution by deleting Sub-Article 4 and substituting therefore with the following text: “*Notes and coins issued by the Central Bank of Kenya may bear the portrait of the First President of the Republic of Kenya while the back of the Notes shall bear the image of the Parliament and the Coat of Arms*”.

Honourable Members, you may wish to note that there was a similar Petition to this House in the last Parliament but whose consideration by the relevant Committee was not concluded by the end of the term of the House. The Petition now stands committed to the Departmental Committee on Finance and National Planning for consideration. The Committee is at liberty to introduce a Bill proposing to amend the Constitution as prayed by the Petitioners or make such recommendation(s) as it may deem fit.

Thank you”.

6. **PAPERS LAID**

The following Papers were laid on the Table –

The Reports of the Auditor-General on the Financial Statements in respect of the following institutions for the financial year ended 30th June, 2016 and the certificates therein: -

- a) Kenya Veterinary Board; and
- b) Maseno University.

(The Leader of the Majority Party)

7. **NOTICE OF MOTION** – (The Leader of the Majority Party)

THAT, pursuant to Article 127(2) of the Constitution, the National Assembly approves the appointment of the Hon. Aisha Jumwa, MP and Sen. George Khaniri, MP, as Members to the Parliamentary Service Commission, under sub-section (c)(ii) of the said Article

8. **STATEMENT PURSUANT TO STANDING ORDER 44(2)(a)**

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, February 27, 2018.

9. **MOTION - APPOINTMENT OF MEMBERS TO THE PARLIAMENTARY SERVICE COMMISSION**

Motion made and Question proposed –

THAT, pursuant to the provisions of Article 127(2) of the Constitution, the National Assembly approves the appointment of the following Members of the National Assembly and Senators to the Parliamentary Service Commission-

(a) under sub-section (c)(i) –

- (i) The Hon. Naomi Shabaan, EGH, MP
- (ii) The Hon. Adan Keynan, CBS, MP
- (iii) Sen. the Hon. Beth Mugo, EGH, MP
- (iv) Sen. the Hon. Aaron Cheruiyot, MP

(b) under section (c)(ii)-

- (i) The Hon. Ben Momanyi, M.P.
- (ii) The Hon. Aisha Jumwa, M.P.
- (iii) Sen. the Hon. George Khaniri, EGH, MP

(The Leader of the Majority Party)

There being no Member wishing to contribute;

Question proposed –

THAT, the Speaker puts the Question forthwith

Question put and agreed to;

Question proposed –

THAT, the Motion be dispensed as a whole;

Question put and agreed to;

Thereupon, Question of the Motion put and agreed to.

10. **MOTION – ADOPTION OF SESSIONAL PAPER NO .3 OF 2016 ON THE NATIONAL HOUSING POLICY**

Motion having been made and Question having been proposed –

THAT, this House adopts Sessional Paper No. 3 of 2016 on the National Housing Policy, laid on the Table of the House on Thursday, February 15, 2018

(The Motion was moved by the Leader of the Majority Party on 21.02.2018)

Debate interrupted on Wednesday, February 21, 2018 (Afternoon Sitting) resumed;

[Change of Chair from the Speaker to the First Chairperson (Hon. Roselinda Tuyu)]

Rising on a Point of Order, the Member for Nyando (Hon. Jared Odoyo) drew the attention of the Speaker to the fact that there was no Quorum in the House;

And the Speaker having ascertained that there was no Quorum, caused the Division bell to be rung for ten minutes;

And there being a Quorum after expiry of seven minutes;

Debate interrupted resumed;

[Change of Chair from the First Chairperson to the Fourth Chairperson (Hon. Christopher Omulele)]

Mover replied;

Question deferred to another day.

11. **THE KENYA ROADS BILL (NATIONAL ASSEMBLY BILL NO.47 OF 2017)**

Motion having been made and Question having been proposed –

THAT, the Kenya Roads Bill (National Assembly Bill No.47 of 2017) be now read a Second Time;

(The Bill had been moved by the Leader of the Majority Party on 21.02.2018)

Debate interrupted on Wednesday, February 21, 2018 (Afternoon Sitting) resumed;

Rising on a Point of Order, the Member for Sigowet/Soin (Hon. Koros Kipsengeret) drew the attention of the Fourth Chairperson to the fact that there was no Quorum in the House;

And the Fourth Chairperson being of the view that the claim was not properly raised, ruled the Member out of Order;

Debate interrupted resumed;

Rising on a Point of Order pursuant to Standing Order 35, the Member for Kinangop (Hon. Kwenya Thuku) drew the attention of the Fourth Chairperson to the fact that there was no Quorum in the House;

And the Chairperson having ascertained that there was no Quorum present in the House, caused the Division bell to be rung for ten minutes;

And there being no Quorum after expiry of ten minutes;

And the time being five minutes to Seven O'clock, the Chairperson adjourned the House without Question put pursuant to Standing Orders 35(2)(a).

12. **HOUSE ROSE** - at five minutes to Seven O'clock

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, February 27, 2018 at 2.30 p.m.

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