



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (FIRST SESSION)

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, DECEMBER 06, 2017 (MORNING)

1. The House assembled at thirty minutes past Nine O'clock.
2. The Proceedings were opened with Prayer.
3. **Presiding** – The Third Chairperson of Committees.

4. **NOTICES OF MOTION**

The following Notices of Motion were given:-

- (i) **THAT**, aware that Kenya is a super power in the world of sports, particularly in athletics; further aware that most of the sportsmen and women participate as national representatives at the local and international stages while still very young and not endowed with much income; deeply concerned that over the years, these sportspersons have brought glory to the country with minimal long-term recognition and rewards from the Government, resulting in many of them retiring in abject poverty; cognizant of the fact that there is a need to establish a supportive mechanism for these athletes after their departure from the sports arena, this House urges the Government to establish an Athletics Remuneration and Endowment Fund for the sole purpose of pooling resources to support the performing and retired sportspersons.

(Hon. William Chepkut, MP)

- (ii) **THAT**, aware that sugar cane production in the country has declined significantly in the past few years due to the numerous problems facing the sector including high cost of sugar production, cane poaching, low productivity and heavy indebtedness of the publicly owned sugar milling plants, imprudent business decisions, and corruption; concerned that the drop in the sugarcane production has resulted in shortage as well as high cost of sugar in the country; noting that traditionally, the Kenyan cane growing model has operated on an out-growers model whereby farmers are supported to grow cane on their farms and in turn, they are expected to supply the cane to the millers who facilitated cane development where the cost is recovered; further noting that in practice, development of own cane by millers, commonly known as Nucleus Estate as well as having contracted farmers as a precondition for licensing of cane millers is no longer adhered to, thereby creating wrangles in the cane zones as new millers are licensed but do not have adequate cane to run their factories' leading to encroachment on

already contracted cane established by existing millers; cognizant of the fact that the genesis of cane poaching is attributable to weak and non-adherence of regulations regarding licensing of new factories and failure to honour contractual agreements by both the millers and farmers; this House resolves that the State Department of Agriculture through the Kenya Sugar Board should review regulations regarding licensing of new sugar factories to ensure supply contracts are provided as proof of availability and adequacy of sugarcane supply and are adhered to as a precondition for licensing of cane millers, and that contractual agreements by both millers and farmers are honoured.

(Hon. Walter Owino, MP)

(iii) **THAT**, aware that Article 37 of the Constitution guarantees every person the right, peaceably and unarmed, to assemble, to demonstrate, to picket, and to present petitions to public authorities; noting that there is need to guarantee that the enjoyment of rights and fundamental freedoms by any individual should not prejudice the rights and fundamental freedoms of others; noting that demonstrations and picketing incities and major towns in the Country, particularly in Nairobi, Mombasa and Kisumu have on many occasions resulted in destructions, loss of lives and property, public disorder, and creation of an unfavourable business environment; noting that the rights and freedoms are *not* unconditional because the government has a duty and responsibility to ensure maintenance of peace and public order, and protection of the rights, life and property of all its citizens; this House resolves that the Government should designate and *gazette* specific areas and streets for demonstrations and picketing with a view to ensuring that individuals enjoy their rights and freedoms as enshrined in the Constitution without infringing on the freedoms and rights of others.

(Hon. Simon Kingara, MP)

5. **MOTION - INTRODUCTION OF COMPULSORY TREE PLANTING IN ALL LEARNING INSTITUTIONS AND INDIVIDUAL HOUSEHOLDS**

Motion made and Question proposed –

THAT, aware that Article 42 of our Constitution accords every person the right to a clean and healthy environment and that Article 69(1)(d) mandates the State to encourage public participation in the management, protection and conservation of the environment; further aware that deforestation is one of the main contributors to climate change; noting that Kenya has not been spared by the effects of global warming and climate change as a result of deforestation amongst other aspects; deeply concerned that this has adversely affected the agriculture sector which is the backbone of the rural economy, and also led to severe drought being experienced in all parts of this country; this House urges the Government to introduce compulsory tree planting programmes in all learning institutions and individual households.

(The Hon. William Chepkut Chirchir, MP)

Debate arising;

Amendment proposed to the Motion-

THAT, *the Motion be amended by inserting the words ‘and fund’ immediately after the word ‘introduce’.*

(Amendment Proposed by Hon Owen Baya, MP)

Debate on amendment arising;

Question on amendment put and negatived;

Debate on original Motion resumed;

[Change of Presidium from the Third Chairperson of Committees to the First Chairperson of Committees]

Mover replied;

Question deferred.

And the time being One O’clock, the First Chairperson of Committees interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

6. **HOUSE ROSE** - at One O’clock.

MEMORANDUM

The Speaker will take the Chair today
Wednesday, December 06, 2017 at 2.30 p.m.

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