



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – SECOND SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, JUNE 05, 2018

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

The Speaker conveyed the following Communications –

- (i) **Communication from the Chair on the Registration of Members in the Biometric System**

“Honourable Members,

I wish to welcome you back from the long recess and hope you are refreshed and rejuvenated for busy second part of the Second Session. I do know that even during the recess Members were busy in their respective Committees considering the Budget Estimates for 2018/19 and indeed, the various Bills, including the two voluminous Statute Law Miscellaneous Amendment Bills, 2018. As we resume this part of the Session, may I remind Members about my Communication made just before the recess, asking all Members to register in the new Chamber Biometric System. The registration is for purposes of recording Chamber attendance and speaking in the House.

Honourable Members, I am informed that, as at 1.30 p.m today, Tuesday, June 5, 2018, a total of **235 Members** had registered and have been issued with new chamber cards. From the foregoing, I will allow Members who have not registered in the Biometric System to use the Manual Register for purposes of recording Chamber attendance. However, from Tuesday next week, that is June 12, 2018, we will **discontinue** the use of the Manual register.

Honourable Members, I therefore urge all those Members who are yet to register in the Biometrics System to do so as a matter of urgency. This can be done at the entrance of the Chamber during working hours when the House is not sitting. **I thank you!”**

(ii) **Guide on the Procedure for Consideration of Budget Estimates and Committee of Supply**

“Honourable Members,

Now that the House has passed the procedural motion limiting speaking time during General Debate and Committee of Supply on the Estimates I wish to guide the House on the way forward regarding the debate and introduction of any amendments to the Estimates.

Honourable Members, First, may I request all Chairpersons of Departmental Committees to be present tomorrow morning during the moving and debate on the Estimates that were tabled this afternoon. This is because, as the procedural motion indicates, the respective Chairpersons will be required to be the next to speak after the question is proposed, in the Order the Committees appear in the Second Schedule to the Standing Orders. The debate will continue for three days. This first stage of the process is similar to second reading of a Bill.

Secondly, **Honourable Members,** may I remind the House that, amendments to the Annual Estimates may be considered at the second stage, which is the Committee of Supply. However, I must caution the House that any amendments proposed to the Estimates will be subjected to the provisions of Article 114 of the Constitution, regarding motions with a “money bill” effect. As such, proposed amendments must be presented to the Budget & Appropriations Committee which will guide the House on how to proceed in keeping with the provisions of Article 114. Further, the same deadline of twenty four hours required for submission of amendments to Motions and Bills will apply to any amendments to the Estimates. Members should also note that, pursuant to the provisions of Standing Order 30(2) as read together with Standing Order 237, the House may be required to sit for longer hours during Committee of Supply.

I therefore urge Honourable Members to acquaint themselves with the relevant provisions of the Standing Orders, so as to familiarize themselves with the process. I thank you!”

5. **PETITIONS**

The Speaker conveyed the following petition-

“Honourable Members, Standing Order 225(2)(b) requires that the Speaker reports 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 signed by one Mr. Njoroge Waweru of P. O. Box 287, Kikuyu.

Honourable Members, the Petitioner avers that there have been numerous challenges facing the higher education sector in the country ranging from administration, recruitment of Vice Chancellors, appointment of University council members, academic programs and facilities, Research output and Publications among other aspects.

Honourable Members, the Petitioner further contends that these challenges have far much affected the access and realization of higher education in the country. Further, he is concerned that if the challenges are not addressed, they would lead to collapse of public universities and in the long run jeopardise Kenya’s higher education system.

Honourable Members, the Petitioner therefore prays that the National Assembly: -

- (i) deliberates on the crisis facing higher education institutions and forms a commission of inquiry to investigate among other things, the administration of universities, criteria for recruiting Vice Chancellors and other administrators,

appointment of University Council Members, formation of regulatory framework to oversight universities and management of resources; and

- (ii) makes any other order or direction that it deems fit in the circumstances of this matter.

Honourable Members, Pursuant to the provisions of Standing Order 227, this Petition therefore stands committed to the Departmental Committee on Education and Research for consideration. The Committee is requested to consider the Petition and report its findings within sixty days in accordance with Standing Order 227(2).

I am aware that the Statute Law Miscellaneous Amendments) Bill (National Assembly Bill No. 12 of 2018) now before the various Departmental Committees, makes specific proposals regarding appointment of Vice Chancellors of Universities. The Committee is encouraged to hear the Petitioner as it considers the provisions and is at liberty to incorporate his prayers in their proposed amendments on the Bill. I thank you!"

6. **PAPERS LAID**

The following Papers were laid on the Table –

- a) Report to Parliament on new loans contracted by the Government from 1st November, 2017 to 28th February, 2018 from the National Treasury.
- b) The Cabinet Memorandum on Kenya's accession to the Inter-Governmental Convention on International Hydrographic Organization (IHO) and annual contribution.
- c) The Addendum to the Kenya Defence Forces (KDF) Regulations as follows: -
 - (i) KDF (Board of Inquiry) (Amendment) Regulations, 2018;
 - (ii) KDF (Constabulary) (Amendment) Regulations, 2018;
 - (iii) KDF (General) (Amendment) Regulations, 2018;
 - (iv) KDF (Internal Grievance Mechanism) (Amendment) Regulations, 2018;
 - (v) KDF (Missing Persons) (Amendment) Regulations, 2018;
 - (vi) KDF (Retired Officers & Service Members) (Amendment) Regulations, 2018;
 - (vii) KDF Rules of Procedure (Amendment) Regulations, 2018.
- d) The Kenya 2017 General Elections and the Historic Fresh Presidential Election Observation Report from the Elections Observation Group.
- e) Annual Corporate Report for the Financial Year 2016/2017 from the Office of the Auditor-General.
- f) The Third Annual Report for the Financial Year 2014/2015 from the Office of the Director of Public Prosecutions.
- g) The Economic Survey Report for the year 2018 from the Kenya National Bureau of Statistics.
- h) The Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30th June, 2017 and the certificate therein.
 - (i) Kenya Maritime Authority; and
 - (ii) Kenya Accreditation Service.
- i) The Report of the Auditor-General and Financial Statements of the Kenya National Shipping Line Limited for the year ended 30th June, 2015 and the certificate therein.

(The Majority Party Whip)

- j) Report of the Budget and Appropriations Committee on the Budget Estimates for the National Government, the Judiciary and Parliament for the Financial Year 2018/2019
(Chairperson, Budget and Appropriations Committee)

7. **NOTICE OF MOTION** – (Chairperson, Budget and Appropriations Committee)

THAT, this House adopts the Report of the Budget and Appropriations Committee on the Budget Estimates for the National Government, the Judiciary and Parliament for the Financial Year 2018/2019, laid on the Table of the House on Tuesday, 5th June, 2018 and pursuant to the provisions of section 39 of the Public Finance Management Act, 2012, Article 221 of the Constitution of Kenya and Standing Orders 235 and 239, **approves** the issuance of a sum of **Kshs.1,742,291,667,908** from the Consolidated Fund to meet the expenditure during the year ending 30th June 2019 in respect of the Votes, as contained in the First Schedule.

8. **PROCEDURAL MOTION - LIMITATION OF DEBATE ON THE ANNUAL ESTIMATES AND COMMITTEE OF SUPPLY**

Motion made and Question proposed –

THAT, pursuant to the provisions of Standing Order 97(4), this House orders that each speech in a debate on the **Report of the Budget & Appropriations Committee on Budget Estimates** contemplated under Standing Orders 239 and 240 be limited as follows-

- (i) **General Supply Debate**:- A maximum of **three** (3) sitting days with thirty (30) minutes for the Mover in moving and fifteen minutes (15) in replying; a maximum of ten (10) minutes for each of the Chairpersons of the Departmental Committees and a maximum of five (5) 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 ten minutes (10) each; and that priority in speaking be accorded to the Leader of the Majority Party, the Leader of the Minority Party and the respective Chairpersons of the Departmental Committees in the order that they appear in the Second Schedule to the Standing Orders; and,
- (ii) **Committee of Supply**:- A maximum of **six** (6) sitting days for the consideration of the proposed allocations to the respective Votes/Programmes in the order specified in the Schedule submitted by the Budget and Appropriations Committee.

(The Leader of the Majority Party)

Debate arising;

Question put and agreed to

(Guide on procedure for consideration of the Annual Estimates and Committee of Supply issued)

9. **MOTION – DEBATE ON THE PRESIDENT’S ADDRESS**

Motion made and Question proposed –

THAT, pursuant to the provisions of Standing Order 24(6), the thanks of this House be recorded for the exposition of public policy contained in the *Address of H.E. the President* delivered in Parliament on Wednesday, May 02, 2018 and further **notes** the following Reports submitted by the President in fulfillment of the provisions of Articles 132(1)(c) and 240(7) of the Constitution, laid on the Table of the House on Thursday, May 03, 2018-

- a) Report on the Measures taken and progress Achieved in the Realization of National Values and Principles of Governance;
- b) Report on the Progress made in fulfillment of the International Obligations of the Republic; and,
- c) The Annual Report to Parliament on the State of National Security.

(The Leader of the Majority Party – 03.05.2018)

Debate interrupted on Thursday, May 03, 2018 resumed;

(Change of Chair from the Speaker to First Chairperson)

Debate arising;

(Change of Chair from First Chairperson to Third Chairperson)

There being no Member wishing to contribute, the Chair called the Mover to reply

Mover to Reply;

10. **THE KENYA COAST GUARD SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 45 OF 2017)**

Order for Second Reading Read;

Order deferred to another day

There being no other business before the House, the Third Chairperson adjourned the House without Question put pursuant to the Standing Orders.

11. **HOUSE ROSE** - at Two Minutes to Seven O'clock

M E M O R A N D U M

The Speaker will take the Chair on
Wednesday, June 06, 2018 at 9.30 a.m.