



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – SECOND SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

WEDNESDAY, FEBRUARY 14, 2018

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

The Speaker conveyed the following Petition –

Establishment of a Select Committee to investigate alleged misappropriation of assets and loss of coffee proceeds belonging to the New Kyeni Coffee Farmers Society

Honourable Members,

Pursuant to the provisions of Standing Order 225(2) (b), I hereby convey to the House that my office is in receipt of a Petition signed by four Petitioners namely; Mr. Richard Kanyua, Mr. George Nyaga, Mr Weru Kiruntha and Mr. Erastus Nthiga on behalf of New Kyeni Farmers' Cooperative Society. The Petitioners claim of an alleged misappropriation of assets and loss of coffee proceeds belonging to the New Kyeni Coffee Farmers Society.

Honourable Members, the Petitioners contends that New Kyeni Farmers' Cooperative Society Limited was established in 1985 with the main objective of promoting and marketing coffee produce on behalf of the Kyeni Coffee farmers, in Embu County. The Petitioners allege that the Society's Management has in the recent past, misappropriated and mismanaged the Society's assets and lead to loss of coffee proceeds.

Honourable Members, the Petitioners pray that the National Assembly established a Select Committee to enquire into misappropriation and mismanagement of the New Kyeni Farmers' Cooperative Society assets and the alleged loss of coffee proceeds belonging to the Society.

You may wish to note that the matter falls under the purview of the Departmental Committee on Trade, Industry and Cooperatives whose mandate amongst others, “is to investigate and inquire into all matters relating to the assigned ministries and department as they may deem necessary, and as they may be referred to them by the House”, where the subject matter is Cooperatives.

Honourable Members, pursuant to the provisions of Standing Order 227, the Petition stands committed to the Departmental Committee on Trade, Industry and Cooperatives for consideration. I urge the Committee upon appointment of its membership by the House and election of chairperson and vice chairperson, to engage the Petitioner, address the Petitioners’ prayers and submit a report to the House within sixty days in accordance with Standing Order 227(2).

Thank you”.

5. **PAPERS LAID**

The following Papers were laid on the Table –

- (i) 2018 Budget Policy Statement from the National Treasury (*The Cabinet Secretary has forwarded the Budget Policy Statement (BPS) and Medium-Term Debt Management together with the Draft Division of Revenue Bill and County Allocation of Revenue Bill to comply with the statutory timelines. However, the two bills are being dealt with administratively and are informed by the Budget Policy Statement*).
- (ii) Medium Term Debt Management Strategy for FY2018/19 to FY2020/2021 from the National Treasury.
- (iii) Legal Notice No. 44 and 45 of 8th February, 2018, Income Tax Act (Cap 470) from the National Treasury.
- (iv) First Quarter National Government Budget Implementation Review Report for the FY2017/2018 by the Office of the Controller of Budget.
- (v) Quarterly Economic and Budgetary Review Report by the National Treasury for the period ending 31st December, 2017.
- (vi) Treasury Memorandum on the Public Accounts Committee Report for the FY 2013/2014 by the National Treasury.
- (vii) East African Community (EAC) Protocol on Cooperation in Meteorological Services.
- (viii) The 2017 Assumption of the Office of the President Committee Report to Parliament (*in accordance with Section 19 of the Assumption of the Office of President Act, 2012*).
- (ix) State of the Judiciary & Administration of Justice Annual Report from the Judiciary for the financial year 2016/2017.

- (x) The Reports of the Auditor-General on the Financial Statements in respect of the following Constituencies for the year ended 30th June, 2016 and the certificates therein: -
- a) Belgut Constituency;
 - b) Wajir North Constituency;
 - c) Wajir West Constituency;
 - d) Mwingi North Constituency;
 - e) Kamukunji Constituency;
 - f) Ijara Constituency;
 - g) Laisamis Constituency;
 - h) Yatta Constituency;
 - i) Embakasi East Constituency; and
 - j) Westlands Constituency.

(Leader of the Majority Party)

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

(The Leader of the Majority Party)

Order for First Reading read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1)

7. **THE IRRIGATION BILL (NATIONAL ASSEMBLY BILL NO.46 OF 2017)**

(The Leader of the Majority Party)

Order for First Reading read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1)

8. **THE PETROLEUM (EXPLORATION, DEVELOPMENT AND PRODUCTION) BILL (NATIONAL ASSEMBLY BILL NO.48 OF 2017)**

(The Leader of the Majority Party)

Order for First Reading read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1)

9. **THE ENERGY BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2017)**

(The Leader of the Majority Party)

Order for First Reading read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1)

10. **THE PUBLIC FINANCE MANAGEMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 51 OF 2017)**

(The Leader of the Majority Party)

Order for First Reading read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1)

11. **THE PUBLIC PRIVATE PARTNERSHIPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 52 OF 2017)**

(The Leader of the Majority Party)

Order for First Reading read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1)

12. **THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.01 OF 2018)**

(The Leader of the Majority Party)

Order for First Reading read;

Bill read a First Time and referred to the relevant Departmental Committee pursuant to Standing Order 127(1)

13. **MOTION – EXTENSION OF THE PERIOD FOR CONSIDERATION OF STATUTORY INSTRUMENTS**

Motion made and Question proposed -

THAT, in furtherance to the provisions of Standing Order 210(3) relating to the mandate of the Committee on Delegated Legislation, and notwithstanding the provisions of Section 15(2) of the Statutory Instruments Act, 2013 relating to the period of consideration of Statutory Instruments by the Committee, this **House** resolves to extend the period for consideration of the following twenty nine (29) Statutory Instruments submitted to the House between the September 25, 2017 and December 13, 2017 when the Committee on Delegated Legislation had not been constituted by a **further period of ninety (90) days** from 14th February, 2018 –

- (i) Competition Tribunal (Procedure) Rules, 2017;
- (ii) The Kenya Defence Forces (Commissioning of Officers) Regulations, 2017;
- (iii) The Kenya Defence Forces (Active Service Punishment) Regulations, 2017;
- (iv) The Kenya Defence Forces (Internal Grievance Mechanism) Regulations, 2017;
- (v) The Kenya Defence Forces (Retired Officers and Service Members) Regulations, 2017;
- (vi) The Kenya Defence Forces (Constabulary) Regulations, 2017;
- (vii) The Kenya Defence Forces (Missing Persons) Regulations, 2017;
- (viii) The Kenya Defence Forces (Board of Inquiry) Regulations, 2017;
- (ix) The Kenya Defence Forces (General) Regulations, 2017;
- (x) The Kenya Defence Forces (Execution of Sentence of Death) Regulations, 2017;

- (xi) Kenya Defence Forces (Imprisonment) Regulations, 2017;
- (xii) Kenya Defence Forces (Pensions and Gratuities) Regulations, 2017;
- (xiii) Kenya Defence Forces (Rules of Procedure) Regulations, 2017;
- (xiv) National Land Commission (Investigation of Historical Injustices) Regulations, 2017;
- (xv) Capital Markets Authority (Online Foreign Exchange) Regulations, 2017;
- (xvi) The Civil Aviation (Remote Piloted Aircraft Systems) Regulations, 2017;
- (xvii) The Land (Extension and Renewal of Leases) Rules, 2017;
- (xviii) The Land (Conversion of Land) Rules, 2017;
- (xix) The Land (Assessment of Just Compensation) Rules, 2017;
- (xx) The Land (Allocation of Public Land) Regulation, 2017;
- (xxi) The Land Registration (General) Regulations, 2017;
- (xxii) The Land Registration (Registration Units) Order, 2017;
- (xxiii) The Land Regulations, 2017;
- (xxiv) The Community Land Regulations, 2017;
- (xxv) The Wildlife Conservation Management (Implementation of Treaties) Regulations, 2017;
- (xxvi) The Wildlife Conservation Management (Protection of Endangered and Threatened Ecosystems, Habitats and Species) Regulations, 2017;
- (xxvii) The Wildlife Conservation Management (Joint Management and Protection of Water Towers) Regulations, 2017;
- (xxviii) Wildlife Conservation Management (Compensation) Regulations, 2017; and
- (xxix) Wildlife Conservation Management (Government Trophies) Regulations, 2017.

(Chairperson, Committee on Delegated Legislation)

No debate arose;

Question put and agreed to.

14. **SPECIAL MOTION – APPROVAL OF NOMINEES FOR APPOINTMENT AS CABINET SECRETARIES**

Motion made and Question proposed -

THAT, this House adopts the First Report of the Committee on Appointments on the Vetting of Nine Cabinet Secretary nominees (Volumes I and II) for appointment to the position of Cabinet Secretary, laid on the Table of the House on Tuesday, February 13, 2018, and pursuant to Article 152(2) of the Constitution and the provisions of Standing Order 204(4), **approves** the appointment of the following persons as Cabinet Secretaries in the respective Ministries:-

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|-------|------------------------|--|
| (i) | Prof. Margaret Kobia | Public Service, Youth & Gender Affairs |
| (ii) | Hon. John Munyes | Petroleum & Mining |
| (iii) | Amb. (Dr.) Monica Juma | Foreign Affairs & International Trade |
| (iv) | Ms. Farida Karoney | Lands & Physical Planning |
| (v) | Hon. Peter Munya | East African Community & Northern Corridor Development |
| (vi) | Mr. Keriako Tobiko | Environment & Forestry |

- | | | |
|--------|---------------------------|----------------------------|
| (vii) | Mr. Simon Chelugui | Water & Sanitation |
| (viii) | Hon. Ukur Yatani | Labour & Social Protection |
| (ix) | Mr. Rashid Echesa Muhamed | Sports & Heritage |

(Leader of the Majority Party)

Debate arising;

Rising in his place on a point of order under Standing Order 95, the Member for Nakuru Town East (Hon. David Gikaria) claimed to move that “the Mover be now called upon to reply;

And the Speaker not acceding to the claim;

Debate interrupted resumed;

Rising in his place on a point of order under Standing Order 96, the Member for Kikuyu (Hon. Kimani Ichung’wah) claimed to move that “debate be now adjourned;

And the Speaker acceding to the claim;

Mover called upon to reply;

Question put and agreed to.

15. **THE COMPUTER AND CYBERCRIMES BILL (NATIONAL ASSEMBLY BILL NO.36 OF 2017)**

Order for Second Reading read;

Order deferred to a later date at the request of the mover.

16. **THE STATUTE LAW (MISCELLANEOUS AMENDMENTS)(No. 3) BILL (NATIONAL ASSEMBLY BILL NO. 44 OF 2017)**

Order for Second Reading read;

Order deferred to a later date at the request of the mover.

And the time being nine minutes past Six O’clock, the interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

17. **HOUSE ROSE** -at nine minutes past Six O’clock

M E M O R A N D U M

The Speaker will take the Chair on
Thursday, February 15, 2018 at 2.30 p.m.