



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, OCTOBER 17, 2018 AT 9.30 A.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. Questions and Statements

8*. MOTION- DECLARATION OF YOUTH UNEMPLOYMENT AS A NATIONAL DISASTER AND ESTABLISHMENT OF A NATIONAL YOUTH FUND

(The Hon. Anthony Tom Oluoch, M.P.)

THAT, aware that seventy-five percent of Kenya's population is under 35 years of age and that, overall unemployment among youth is at 55 percent; cognizant of the Government's plan in the Big Four Agenda aimed at creating 1.3 million manufacturing jobs by 2022; appreciating that Article 260 of the Constitution defines youth while the Public Finance Management Act (National Government Affirmative Action Fund) Regulations, 2016 creates basic structures that support affirmative action for the youth; aware that in the Appropriation Act, 2018, youth empowerment programme was allocated a partly sum of Kshs.7,352,220,651; **this House urges** that the Government declares youth unemployment as a national disaster and further establishes a National Youth Fund of at least 5 percent of the national revenue collected each year to be administered by an Authority or Commission for purpose of youth empowerment and employment.

(Resumption of debate interrupted on Wednesday, October 3, 2018)

(Balance of time – 31 minutes)

9*. MOTION– STRENGTHENING OF REHABILITATION SCHOOLS IN THE COUNTRY

(The Hon. Benjamin Jomo Washiali, M.P.)

THAT, aware that several buildings in government secondary schools in the country have had fire incidences this year, many of which being arson incidents attributable to students' delinquency; further aware that the learning in the affected schools has been severely interfered with; disturbed that the number of students arrested for allegedly burning or conspiring to burn school buildings around the country continue to rise; cognizant that these students are aged below eighteen (18) years therefore fall under the category of juvenile offenders; further cognizant that Article 53(1)(f) of the Constitution provides that every child has the right not to be detained, except as a measure of last resort, and when detained, to be held for the shortest appropriate period of time separate from adults and in conditions that take account the child's sex and age; appreciating that section 18(2) of the Children's Act provides that a child offender shall be separated from adults in custody; further appreciating that the Children Act, 2001 advances the protection of children from any action deemed hazardous or likely to interfere with the child's education, health among others; deeply concerned that delinquency tends to lead to adult crime thereby encouraging the possibility of a lifelong criminal career if not managed appropriately; **this House resolves** that the National Government puts in place administrative measures to ensure that child offenders are not remanded or incarcerated in adults' remands; and strengthens the existing rehabilitation schools in the Country as a measure to ensure delinquent adolescents are effectively rehabilitated while making them accountable for crimes committed.

10*. MOTION– ESTABLISHMENT OF POLICY GUIDELINES ON LAND FOR EXPANSION OF PUBLIC SCHOOLS AND A FUND FOR ACQUISITION OF SUCH LAND

(The Hon. Caleb Kositany, M.P.)

THAT, aware that land is one of the most important resources in Kenya from which the Country generates goods and services, and a source of livelihood for many people; further aware that land is a scarce resource which is highly sought for various economic and commercial purposes leaving little or no space for establishment of social amenities, including learning institutions; cognizant of the Ministry of Education guidelines which provide that the amount of school land should be sufficient with the minimum amount of land required being determined by enrollment; concerned that the increasing number of students in learning institutions puts a lot of strain on the available infrastructure especially those institutions which are established on limited space with no space for future expansion; **this House urges** the Government to establish policy guidelines on land for expansion of public schools and sets aside a fund for acquisition of such land.

11*. MOTION– ESTABLISHMENT OF APPRENTICE TESTING AND CERTIFICATION CENTRES IN CONSTITUENCIES

(The Hon. Charles Njagua Kanyi, M.P.)

THAT, aware that the informal sector constitutes an important component of the economic activities and development process in Kenya representing about 82.7% of employment in the country; further aware that the workers in the informal sector engage in commercial activities outside the realm of the formally established mechanisms since there is no clear policy framework in place to regulate their operations by the Government; noting that most workers in the informal sector acquire skills and knowledge mainly through apprenticeships but have no access to technical skills upgrading as many lack requisite academic certificates; recognizing that apprenticeship in the informal economy represents the main road map to skills development in most developing countries and appreciating that the National Industrial Training Authority (NITA) through its training centers in Nairobi, Mombasa, Kisumu and Athi River plays an important role in industrial training targeting workers in the formal and informal sector; **this House urges** the Government to establish suitably located and facilitated training and testing centers in every constituency to assess the experience and competence of the apprenticed workers particularly in the informal sector and consider putting in place mechanisms to have them awarded with certificates based on their competencies and acquired skills.

12*. THE COUNTY PENSION SCHEME BILL (NATIONAL ASSEMBLY BILL NO. 49 OF 2017)

(The Hon. Muriuki Njagagua, M.P.)

Second Reading

*** Denotes Orders of the Day**

...../Notice

N O T I C E S

The House further resolved on Wednesday, March 28, 2018 as follows:-

- I. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate **in respect of the ordinary individual Members' Motions**, shall be limited in the following manner:- A maximum of two (2) hours with not more than fifteen (15) minutes for the Mover and five (5) 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 ten (10) minutes each, and that five (5) minutes before the expiry of the time, the Mover shall be called upon to reply; 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.

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 **Bills NOT sponsored by a Committee, the Leader of the Majority Party or the Leader of the Minority Party** be limited as follows:- A maximum of three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of 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; 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.



NOTICE PAPER

Tentative business for

Wednesday (Afternoon), October 17, 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), October 17, 2018:-

A. THE COUNTY BOUNDARIES BILL (SENATE BILL NO. 6 OF 2017)

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

First Reading

B. THE OFFICE OF THE COUNTY ATTORNEY BILL (SENATE BILL NO. 3 OF 2018)

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

First Reading

C. MOTION - REPORT OF THE COMMITTEE OF THE WHOLE

HOUSE ON THE COUNTY GOVERNMENTS RETIREMENT SCHEME BILL (NATIONAL ASSEMBLY BILL NO. 35 OF 2017)

(The Leader of the Majority Party)

(Question to be put and Third Reading)

D. MOTION - REPORT ON THE ANNUAL WORLD BANK CONFERENCE ON LAND AND POVERTY

(The Vice Chairperson, Departmental Committee on Lands)

(Question to be put)

E. THE CONSTITUTION OF KENYA (AMENDMENT) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 5 OF 2018)

(The Hon. Chris Wamalwa, M.P.)

Second Reading

(Question to be put)

F. THE SUPPLEMENTARY APPROPRIATION (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 23 OF 2018)

(The Chairperson, Budget and Appropriation Committee)

Second Reading

G. MOTION - REPORT ON THE AUDITED FINANCIAL STATEMENTS

**FOR THE NATIONAL GOVERNMENT
CONSTITUENCIES DEVELOPMENT FUND FOR
CONSTITUENCIES IN NAIROBI CITY COUNTY**
(The Chairperson, Special Funds Accounts Committee)

(Resumption of debate interrupted on Tuesday, October 16, 2018)

H. THE WAREHOUSE RECEIPT SYSTEM BILL (SENATE BILL NO. 10 OF 2017)

(The Leader of the Majority Party)

Second Reading

I. THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 11 OF 2017)

(The Leader of the Majority Party)

Second Reading

J. THE PARLIAMENTARY SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2018)

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

APPENDIX

ORDER NO.7 - QUESTIONS

Pursuant to the provisions of Standing Order 42A (5) the following Members will ask **questions** for reply before the specified Departmental Committees:-

Question No.

Wednesday, October 17, 2018 (Morning)

037/2018 The Member for Lamu County (Hon. Ruweida Mohamed, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing & Urban Development: -

Could the Cabinet Secretary:-

- (i) explain the policy in place regarding operations, management and regulation of taxis at airports in the Country; and
- (ii) elucidate why the said policy has not been effective in ensuring maximum order at airports by taxi operators especially when calling for customers?

(To be replied before the Departmental Committee on Transport, Public Works and Housing)

040/2018 The Nominated Member (Hon. David Ole Sankok, MP) to ask the Cabinet Secretary for Labour and Social Protection: -

Could the Cabinet Secretary explain the following:-

- (i) How the beneficiaries under the Kenya National Safety Net Programme (NSNP) are identified?
- (ii) What challenges has the programme faced and how is the Ministry addressing them?
- (iii) Whether the Ministry could consider using other means of cash transfers, including mobile money transfers programmes, bank transfers and other efficient money transfer technologies to ease the cost and time spent by the beneficiaries in accessing the funds?

(To be replied before the Departmental Committee on Labour and Social Welfare)

054/2018 The Member for Mwea Constituency (Hon. Kabinga Wachira, MP) to ask the Cabinet Secretary for Agriculture and Livestock: -

When is the subsidized fertilizer expected to be delivered in Mwea Irrigation Scheme National Cereals and Produce Board (NCPB) depots?

(To be replied before the Departmental Committee on Agriculture and

Livestock)

055/2018 **The Member for Kwale County (Hon. Zuleikha Hassan, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development: -**

When will the residents of Mwamdudu area, Kwale County who were affected during the construction of the Standard Gauge Railway (SGR) be compensated?

(To be replied before the Departmental Committee on Transport, Housing and Urban Development)

056/2018 **The Member for Kwale County (Hon. Zuleikha Hassan, MP) to ask the Cabinet Secretary for Water and Irrigation: -**

When will the residents of Mwache area, Kwale County affected by the construction of Mwache Dam be compensated?

(To be replied before the Departmental Committee on Environment and Natural Resources)

057/2018 **The Member for Kwale County (Hon. Zuleikha Hassan, MP) to ask the Cabinet Secretary for Lands: -**

What steps is the Ministry taking to resolve land issues in Kwale County?

(To be replied before the Departmental Committee on Lands)

058/2018 **The Member for Bonchari Constituency (Hon. John Oroi Oyioka, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -**

What is the policy in place regarding compensation of village elders who offer support services to administrators especially in dispute resolution in villages across the country?

(To be replied before the Departmental Committee on Administration and National Security)

060/2018 **The Member for Moyale Constituency (Hon. Qalicha Wario, MP) to ask the Cabinet Secretary for Agriculture and Livestock:-**

Could the Cabinet Secretary;

- a) provide the financial status of Kenya Meat Commission?
- b) state the measures the Government has put in place to ensure that the Commission serves the interests of all livestock farmers?
- c) elucidate the steps undertaken by the management to modernize the factory to reduce overhead costs?

(To be replied before the Departmental Committee on Agriculture and

Livestock)

062/2018 The Member for Fafi Constituency (Hon. Abdikhaim Osman Mohamed, MP) to ask the Cabinet Secretary for Energy: -

Could the Cabinet Secretary provide the;

- a) current tariff model applicable for petroleum products in the country?
- b) maximum pipeline losses allowable?
- c) compensation rate for oil marketing companies for losses in depots?
- d) measures is the Ministry undertaking to stop adulterations of petroleum products in the Country?

(To be replied before the Departmental Committee on Energy)



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (SECOND SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, OCTOBER 17, 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. Questions and Statements

- 8*. THE COUNTY BOUNDARIES BILL (SENATE BILL NO. 6 OF 2017)**
(The Chairperson, Departmental Committee on Justice and Legal Affairs)

First Reading

- 9*. THE OFFICE OF THE COUNTY ATTORNEY BILL (SENATE BILL NO. 3 OF 2018)**
(The Chairperson, Departmental Committee on Justice and Legal Affairs)

First Reading

- 10*. MOTION – REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE COUNTY GOVERNMENTS RETIREMENT SCHEME BILL (NATIONAL ASSEMBLY BILL NO. 10 OF 2018)**
(The Leader of the Majority Party)

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the County Governments Retirement Scheme Bill (National Assembly Bill No. 10 of 2018).

(Question to be put and Third Reading)

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11*. MOTION - REPORT ON THE ANNUAL WORLD BANK CONFERENCE ON LAND AND POVERTY
(The Vice Chairperson, Departmental Committee on Lands)

THAT, this House notes the Report of the Departmental Committee on Lands Delegation to the 2018 Annual World Bank Conference on Land and Poverty held in Washington DC, United States of America on 19th to 23rd March, 2018, laid on the Table of the House on Thursday, June 07, 2018.

(Question to be put)

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

Second Reading

(Question to be put)

13*. THE SUPPLEMENTARY APPROPRIATION (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 23 OF 2018)
(The Chairperson, Budget and Appropriation Committee)

Second Reading

14*. MOTION - REPORT ON THE AUDITED FINANCIAL STATEMENTS FOR THE NATIONAL GOVERNMENT CONSTITUENCIES DEVELOPMENT FUND FOR CONSTITUENCIES IN NAIROBI CITY COUNTY
(The Chairperson, Special Funds Accounts Committee)

THAT, this House **adopts** the Second Report of the Special Funds Accounts Committee on Audited Financial Statements for the National Government Constituencies Development Fund for Constituencies in Nairobi City County for the Financial Years 2013/14, 2014/15 and 2015/16, laid on the Table of the House on Wednesday, October 03, 2018.

(Resumption of debate interrupted on Tuesday, October 16, 2018)

(Mover has a balance of time of 20minutes)

15*. THE WAREHOUSE RECEIPT SYSTEM BILL (SENATE BILL NO. 10 OF 2017)
(The Leader of the Majority Party)

Second Reading

16*. THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 11 OF 2017)

(The Leader of the Majority Party)

Second Reading

17*. THE PARLIAMENTARY SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2018)

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

*** Denotes Orders of the Day**

N O T I C E S

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

- I. **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.

- II. **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.

- III. **THAT**, notwithstanding the provisions of Standing Order 97(4), 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, shall 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 shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

NOTICE PAPER

Tentative business for

Thursday, October 18, 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 Thursday, October 18, 2018:-

A. COMMITTEE OF THE WHOLE HOUSE

- (i) The Supplementary Appropriation (No.2) Bill (National Assembly Bill No. 23 of 2018)
(The Chairperson, Budget and Appropriation Committee)
- (ii) The Urban Areas and Cities (Amendment) Bill (Senate Bill No. 4 of 2017)
(The Leader of the Majority Party)
- (iii) The Health Laws (Amendment) Bill (National Assembly Bill No. 14 of 2018)
(The Leader of the Majority Party)

B. THE WAREHOUSE RECEIPT SYSTEM BILL (SENATE BILL NO. 10 OF 2017)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, October 17, 2018 – Afternoon Sitting)

C. THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 11 OF 2017)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, October 17, 2018 – Afternoon Sitting)

D. THE PARLIAMENTARY SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2018)

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

Second Reading

(If not concluded on Wednesday, October 17, 2018 – Afternoon Sitting)

E. THE KENYA ACCREDITATION SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 17 OF 2018)
(The Leader of the Majority Party)

Second Reading

(If not concluded on Wednesday, October 17, 2018 – Afternoon Sitting)

APPENDIX

ORDER NO.7 - QUESTIONS

Pursuant to the provisions of Standing Order 42A (5) the following Members will ask **questions** for reply before the specified Departmental Committees:-

Question No.

Wednesday, October 17, 2018 (Afternoon)

064/2018 The Nominated Member (Hon. Dennitah Ghati, MP) to ask the Cabinet Secretary for Sports, Culture and Arts:-

Could the Cabinet Secretary:-

- a) Provide the implementation status of the Sports Policy with regard to persons living with disability in the country.
- b) List the sporting activities for Persons with Disability in the country?

(To be replied before the Departmental Committee on Sports, Culture and Tourism)

065/2018 The Member for West Mugirango Constituency (Hon. Vincent Kemosi Mogaka, MP) to ask the Cabinet Secretary for Transport, Infrastructure, Housing and Urban Development: -

- a) What measures has the Ministry put in place to ensure compliance to the requirement of the Public Procurement and Disposal Act in respect to contractors who fail to honour contractual agreements by running behind schedules and delaying implementation of various projects in the country?
- b) What is the status of Metamayu - Kebirigo road in Nyamira County and Chuka – Kaare in Tharaka Nithi County with regard to adherence to contractual agreements?

(To be replied before the Departmental Committee on Transport, Housing and Urban Development)

069/2018 The Member for Muranga County (Hon. Sabina Chege, MP) to ask the Cabinet Secretary for Energy: -

- a) What is the implementation status report of Last Mile Electricity Connectivity Programme, and connectivity plan in Murang'a County?
- b) What informed the revision of Last Mile Electricity Connectivity Programme rates?

(To be replied before the Departmental Committee on Energy)

070/2018

The Member for Muranga County (Hon. Sabina Chege, MP) to ask the Cabinet Secretary for Cabinet Secretary for Interior and Coordination of National Government: -

- a) When will the family of the late Stephen Kabii from Kigumo Constituency who lost his life during the 1998 US Embassy bombing in Nairobi be compensated?
- b) What plans the Ministry has put in place to ensure that all victims of the 1998 terror attack on the US Embassy bombing are compensated?

(To be replied before the Departmental Committee on Administration and National Security)
