



REPUBLIC OF KENYA
TWELFTH PARLIAMENT – SECOND SESSION
THE NATIONAL ASSEMBLY
VOTES AND PROCEEDINGS
THURSDAY, OCTOBER 04, 2018

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

The Deputy Speaker conveyed the following petition -

Failure by Government to regulate activities of the Citizen Newspaper

“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 from one Mr. Khalid Njiraini Tianga of Luanda Constituency regarding unregulated circulation of the Citizen Newspaper.

The Petitioner avers that the newspaper has been publishing negative stories touching on him and as a result, he sued the newspaper and was awarded a Kshs.2,200,000 but he has been unable to execute the Judgement as the newspaper has no known physical office. The Petitioner further contends that the newspaper is still in circulation yet it is not registered and his efforts to obtain an explanation from the Inspector General of Police have been futile.

Honourable Members, the Petitioner therefore prays that the National Assembly –

- (i) causes investigations into the matter with a view to establishing the reasons for the failure by the offices of the Attorney General and Inspector General of Police to deter the circulation and regulate the activities of the Citizen Newspaper; and
- (ii) recommends steps which will be taken to resolve the matter.

Honourable Members, this Petition therefore stands committed to the Departmental Committee on Communication, Information and Innovation for consideration. The Committee is requested to consider the Petition and report its findings to the House and petitioners in accordance with Standing Order 227(2).

5. **PAPERS LAID**

The following Papers were laid on the Table –

- a) Annual Report and Financial Statements of the Kenya Law Reform Commission for the financial year ended 2017/2018;
- b) Annual Report and Financial Statements of the Public Service Commission for the financial year ended 2017/2018;
- c) The Report of the Auditor-General and Financial Statements of the State Department of Fisheries and the Blue Economy for the year ended 30th June, 2017 and the certificate therein;
- d) The Reports of the Auditor-General and Financial Statements in respect of the following Constituencies for the year ended 30th June, 2017 and the certificates therein: -
 - i) Central Imenti Constituency;
 - ii) Teso South Constituency;
 - iii) Butula Constituency;
 - iv) Mt. Elgon Constituency;
 - v) Kimilili Constituency;
 - vi) Funyula Constituency; and
 - vii) Kilome Constituency.

(The Leader of the Majority Party)

- e) The Report of the Select Committee on Implementation on the Petition by Kenafric Industries Limited on the Implementation of the Recommendation Paragraph 108 contained in the Report by the Departmental Committee on Agriculture, Livestock and Co-operatives on the Crisis facing Industry in Kenya as Adopted by the House on 24th February, 2016.

(Chairperson, Select Committee on Implementation)

6. **QUESTIONS**

The following Questions were made to various Ministries–

- (i) Question No.022/2018 by the Member for Chepalungu (Hon. Gideon Koskei) regarding the policy on deployment of teachers and delocalization of the management of learning institutions. Question referred to the Departmental Committee on Education and Research
- (ii) Question No.023/2018 by the Member for North Imenti (Hon. Abdul Rahim Dawood) regarding the forceful eviction of residents of Kwa Ng'ombe village in North Imenti Constituency from their legally owned land by vigilante groups. Question referred to the Departmental Committee on Administration and National Security.

Question No.024/2018 by the Member for Homa Bay Town (Hon. Peter Kaluma) regarding the current job designation and description of the position currently held by Honourable Raphael Tuju in Government and the terms of service including

- (iii) remuneration, allowances and entitlements of the above position. Question referred to the Departmental Committee on Administration and National Security.
- (iv) Question No.025/2018 by the Member for Kajiado Central (Hon. Elijah Memusi) on how the Mau Forest land was acquired by individuals and later sub divided and sold to unsuspecting buyers; a list of all individuals who acquired the land in Mau Forest and the steps the Ministry is taking to ensure the land reverts to the State for the intended purpose. The Member not being desirous to ask, Question dropped.
- (v) Question No.26/2018 by the Member for Suna West Constituency (Hon. Peter Masarare) regarding the criteria used in determining the number of persons to be recruited into the Kenya Defence Forces and a list of total number of persons from Suna West Constituency recruited into KDF during the last recruitment exercise conducted in February/March 2018. Question deferred.
- (vi) Question No.027/2018 by the Member for Igembe Central (Hon. Cyprian Kubai) regarding the measures that the Ministry has put in place to contain increased cases of livestock theft in Igembe Central Constituency and when a police station will be established in the area. Question referred to the Departmental Committee on Finance and National Planning.
- (vii) Question No.028/2018 by the Member for Mvita (Hon. Abdullswamad Sherrif Nassir) on whether the Ministry is aware that on May 25, 2018, one Husni Mbarak, an eighteen-year-old Mvita constituent of no known criminal background was allegedly abducted at about 2.30 pm by four armed and unknown persons in a White Toyota Fielder registration number KCP 254W from Sapphire Hotel, Mombasa and the efforts being made by the Ministry to establish the whereabouts of the youngster. Question referred to the Departmental Committee on Administration and National Security.

7. **STATEMENT**

Pursuant to the provisions of Standing Order 44(2) (a), the Leader of the Majority Party issued a statement regarding business of the House for the week commencing Tuesday, August 9, 2018.

8. **THE URBAN AREAS AND CITIES (AMENDMENT) BILL (SENATE BILL NO.4 OF 2017)**

Debate on the Second Reading having been concluded on Wednesday, October 03, 2018 -Afternoon Sitting;

Motion made and question proposed –

THAT, the Urban Areas and Cities (Amendment) Bill (Senate Bill No. 4 of 2017) be read a Second Time;

(The Leader of the Majority Party – 02.10. 2018)

Question put and agreed to;

Bill read a Second Time and committed to the Committee of the whole House in the nextsitting.

Rising in his place, the Hon. Washiali, Jomo, MP sought the leave of the Speaker to reorganize sequence of business in the Order Paper pursuant to Standing Order 40 (2).

And the Speaker acceded to the request;

Thereupon reorganized the sequence in the following order:

Business appearing as Order No. 12 be considered as Order No. 10 and business appearing as Order No. 10 be considered as Order No. 11 in that order.

9. **MOTION -REPORT ON THE INSPECTION VISITS TO KENYA'S DIPLOMATIC MISSIONS**

Motion made and question proposed –

THAT, this House **adopts** the Report of the Departmental Committee on Defence and Foreign Relations on the inspection visits to Kenya's Diplomatic Missions, laid on the Table of the House on Tuesday, August 28, 2018.

(Chairperson, Departmental Committee on Defence and Foreign Relations)

Debate arising;

(Change of Chair from the Deputy Speaker to Second Chairperson)

Mover replied;

Question deferred to the next sitting.

10. **MOTION -REPORT ON THE INSPECTION VISIT TO THE ISEBANIA ONE- STOP BORDER POST IN MIGORI COUNTY**

Motion made and question proposed –

THAT, this House **notes** the Report of the Select Committee on Regional Integration on the Inspection Visit to the Isebania One Stop Border Post from 22nd to 25th March, 2018 in Migori County, laid on the Table of the House on Thursday, June 14, 2018.

(Chairperson, Committee on Regional Integration)

Debate arising;

Mover replied;

Question deferred to the next sitting.

11. **MOTION - REPORT OF THE SIXTH ORDINARY SESSION OF THE FOURTH PAN - AFRICAN PARLIAMENT**

Motion made and question proposed –

THAT, this House **notes** the report of the Sixth Ordinary Session of the Fourth Pan-African Parliament, held in Gallagher Convention Centre, Midrand, South Africa on 7th to 18th May, 2018, laid on the Table of the House on Tuesday, July 31, 2018.

(Hon. Janet Ongera, Member of the Pan-African Parliament)

Debate arising;

Rising in his place, the Hon. Washiali, Jomo, MP claimed to move that debate on the motion be adjourned pursuant to the provisions of Standing Order 96(1).

Motion made and question proposed that debate on the motion be now adjourned pursuant to the provisions of Standing Order 96(1).

Question put and agreed to;

Debate to resume in the next sitting.

12. **MOTION -REPORT ON AN INQUIRY INTO COMPLAINTS OF ENVIRONMENTAL POLLUTION BY LONDON DISTILLERS KENYA LIMITED**

Motion made and question proposed –

THAT, this House **adopts** the Report of the Departmental Committee on Environment & Natural Resources on an inquiry into complaints of environmental pollution by London Distillers Kenya Limited, laid on the Table of the House on Wednesday, August 29, 2018.

(Chairperson, Departmental Committee on Environment & Natural Resources)

And the time being Seven O'clock, the Second Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

13. **HOUSE ROSE** - at Seven O'clock

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, October 09, 2018 at 2.30 p.m.

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