



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – SECOND SESSION**

**THE NATIONAL ASSEMBLY**

**VOTES AND PROCEEDINGS**

**WEDNESDAY, NOVEMBER 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. **PAPERS LAID**

The following Papers were laid on the Table –

Reports of the Departmental Committee on Health on –

- (i) The Reports of the Auditor-General and Financial Statements in respect of the following Institutions for the year ended 30<sup>th</sup> June, 2017 and the certificates therein: -
  - (a) Murang'a University of Technology;
  - (b) Export Processing Zones Authority;
  - (c) Kenya Bureau of Standards;
  - (d) Kenya Industrial Estates Limited; and
  - (e) Nzoia Sugar Company Limited.
- (ii) The Reports of the Auditor-General and Financial Statements in respect of the following Constituencies for the year ended 30<sup>th</sup> June, 2017 and the certificates therein: -
  - a) Karachuonyo;
  - b) Bomachoge Borabu;
  - c) Matungu; and
  - d) Kilgoris.

*(The Leader of the Majority Party)*

- (iii) Report of the Departmental Committee on Finance and National Planning on its consideration of the Capital Markets (Amendment) Bill, 2018.

*(Chairperson, Departmental Committee on Finance and National Planning)*

**5. QUESTIONS**

The following Questions were asked –

- (i) Question No.156/2018 by the Member for West Mugirango (Hon. Vincent Mogaka) regarding causes of persistent of power outages in West Mugirango Constituency. Question referred to the Departmental Committee on Energy.
- (ii) Question No.158/2018 by the Nominated Member (Hon. Godfrey Osotsi) regarding mechanisms to protect print media sub-sector from collapse. Question referred to the Departmental Committee on Information, Communication and Innovation.
- (iii) Question No.159/2018 by the Member for Kirinyaga Central (Hon. John Wambugu) regarding status of the implementation of the Crops (Food Crops) Regulations of 2015. Question referred to the Departmental Committee on Agriculture and Livestock.
- (iv) Question No.160/2018 by the Member for Kikuyu (Hon. Kimani Ichung'wah) regarding projects undertaken by the Ministry of National Treasury and Planning valued at over Ksh500 million. Question referred to the Departmental Committee on Finance and National Planning.
- (v) Question No.158/2018 by the Nominated Member (Hon. (Prof.) Jacqueline Oduol) regarding identification and documentation of indigenous systems on critical areas of development. Question referred to the Departmental Committee on Labour and Social Welfare.

The following Questions were asked –

Question No.155/2018 by the Member for Starehe (Hon. Charles Njagua) regarding illegal allocation of public land to private developers was dropped in the absence of the Member.

**6. PROCEDURAL MOTION - RESOLUTION TO HOLD SITTINGS ON SPECIFIED THURSDAY MORNINGS**

Motion made and Question proposed –

THAT, pursuant to the provisions of Standing Order 30(3)(b), this House resolves to hold Morning Sittings on the following days commencing at 9.30 am for purposes of considering priority business-

- (i) Thursday, November 15, 2018;
- (ii) Thursday, November 22, 2018; and,
- (iii) Thursday, November 29, 2018.

*(The Leader of the Majority Party)*

There being no debate arising;

Question put and agreed to.

9. **THE NATIONAL YOUTH SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2018)**  
(The Leader of the Majority Party)

Order for First Reading read;

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

10. **COMMITTEE OF THE WHOLE HOUSE**

**The Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018)**

**A. THE JUDICATURE ACT (Cap 8)**

**Schedule - amendment proposed -**

**THAT**, the Schedule to the Bill be amended in the proposed amendments to the Judicature Act by –

**A.** deleting the words “and includes a judge serving in an acting capacity” appearing in the proposed new definition of the word “Judge” in the proposed amendments to section 2; and

**B.** deleting the proposed amendments to section 3 and substituting therefore the following -

s.3(1) Delete the words “the High Court, the Court of Appeal” and substitute therefore the words “the Supreme Court, the Court of Appeal, the High Court, the Environment and Land Court, the Employment and Labour Relations Court”

Delete the words “the High Court, the Court of Appeal” and substitute therefore the words “the Supreme Court, the Court of Appeal, the High Court, the Environment and Land Court, the Employment and Labour Relations Court”  
(2)

*(Chairperson of the Departmental Committee on Justice and Legal Affairs)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Section 2 – as amended agreed to;

Section 3(1) and (2) – as amended agreed to;

**Provisions relating to the Judicature Act (Cap 8) - as amended agreed to.**

**B. THE OATHS AND STATUTORY DECLARATIONS ACT (Cap 15)**

**Schedule - amendment proposed -**

**THAT**, the Schedule to the Bill be amended in the proposed amendments to the Oaths and Statutory Declarations Act by deleting the words “and a Deputy Registrar” in the proposed amendment to section 12 and substituting therefor the words “a Deputy Registrar, a Deputy Registrar of the Environment and Land Court and a Deputy Registrar of the Employment and Labour Relations Court.”

*(Chairperson of the Departmental Committee on Justice and Legal Affairs)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Section 12 – as amended agreed to;

Section 13 - agreed to.

**Provisions relating to the Oaths and Statutory Declarations Act (Cap 15) - as amended agreed to.**

**C. THE ADVOCATES ACT (Cap 16)**

**Schedule - amendment proposed -**

**THAT**, the Schedule to the Bill be amended in the proposed amendments to the Advocates Act by -

(a) deleting the proposed amendment to section 23 and substituting therefor the following -

s.23(1) Delete subsection (2A) and substitute therefor the following new subsection 2A -

(2A) Every advocate who draws any legal document that includes pleadings, affidavits, depositions, deeds and other related instruments set out in section 34 and filed in any registry under any law requiring filing by an advocate shall in addition to setting out the firm’s details include the name of the advocate drawing the document, the advocate’s admission number and signature and the stamp of the respective law firm.

(b) deleting all the proposed amendments to section 57(1) and substituting therefor the following -

s.57(1) Insert the words “or his representative” immediately after the expression “Attorney-General” appearing in paragraph (a);

Delete the words “or a person deputed by the Attorney General” appearing in paragraph (b) and substitute therefore the words “or his representative”;

Delete the words “one of whom shall be an advocate who does not” appearing in paragraph (c) and substitute therefor the words “two who shall be advocates who do not”

(c) In the proposed amendments to section 58 by deleting the proposed new subsection 2A and substituting therefor the following -

“(2A) In the absence of both the Attorney-General and the Solicitor-General, the representative of the Attorney General deputed under section 57(1)(a) shall preside, and in the absence of the representative of the Attorney General, the members present shall elect one from among their number to preside.

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

Proposed amendment withdrawn by the Mover.

Further amendment proposed –

**THAT**, the Schedule to the Bill be amended in the proposed amendments to the Advocates Act, Cap. 16 by deleting the proposed amendments to -

- (a) section 23; and
- (b) section 46(d).

*(Hon. Millie Odhiambo)*

Proposed amendment withdrawn by the Mover.

Further amendment proposed –

**THAT**, the Schedule to the Bill be amended by deleting all the proposed amendments to the Advocates Act.

*(The Leader of the Majority Party)*

Question of the further amendment proposed;

Debate arising;

Question put and agreed to;

**Provisions relating to the Advocates Act (Cap 15) - deleted**

**D. THE PUBLIC ARCHIVES AND DOCUMENTATION SERVICE ACT (Cap 19)**

**Schedule - amendment proposed -**

**THAT**, the Schedule to the Bill be amended in the proposed amendments to the Public Archives and Documentation Service Act (Cap. 19) by deleting the proposed amendment and substituting therefor the following amendment –

s.2 Insert the following new definition in its proper alphabetical sequence -

“Cabinet Secretary” means the Cabinet Secretary for the time being responsible for matters relating to culture and national heritage”.

*(Hon. Victor Munyaka)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Section 2 – as amended agreed to.

**Provisions relating to the Public Archives and Documentation Service Act (Cap. 19) - as amended agreed to.**

**E. THE CIVIL PROCEDURE ACT (Cap 21)**

Section 11 – agreed to

Section 21 – agreed to

Section 40 – agreed to

Section 65(1)(b) – agreed to

**Section 81 - amendment proposed -**

**THAT**, the Schedule to the Bill be amended in the proposed amendments to section 81 of the Civil Procedure Act by deleting the proposed new paragraph (vi) and substituting therefor the following -

“(vi) eight advocates nominated by the Law Society of Kenya to represent each of the branches of the Society established under section 24 of the Law Society of Kenya Act,2014.”

*(Chairperson, Justice and Legal Affairs Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Section 81 – as amended agreed to.

**Provisions relating to the Civil Procedure Act (Cap. 21) - as amended agreed to.**

**F. THE LAW OF CONTRACT ACT (Cap. 23)**

Amendment proposed -

**THAT**, the Schedule to the Bill be amended by deleting the proposed amendments to the Law of Contract Act.

*(Leader of the Majority Party)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Section 3 – as amended agreed to.

Further amendment proposed -

**THAT**, the Schedule to the Bill be amended by deleting the proposed amendment to section 3 of the Law of Contract Act.

*(Chairperson, Departmental Committee on Justice & Legal Affairs)*

Proposed amendment withdrawn by the Mover.

Further amendment proposed: -

**THAT**, the Schedule to the Bill be amended by deleting the proposed amendment to section 3 of the Law of Contract Act, Cap.23.

*(Hon. Millie Odhiambo)*

Proposed amendment withdrawn by the Mover.

**Provisions relating to the Law of Contract Act (Cap. 23) - as amended agreed to.**

**G. THE FOREIGN JUDGMENT (RECIPROCAL ENFORCEMENT) ACT (CAP. 43)**

Section 2 – agreed to.

**Provisions relating to the Foreign Judgment (Reciprocal Enforcement) Act (Cap. 43) - agreed to.**

**H. THE PROBATION OF OFFENDERS ACT (Cap 64)**

**Schedule - amendment proposed -**

**THAT**, the Schedule to the Bill be amended in the proposed amendments to the Probation of Offenders Act by –

- (a) in the proposed amendment to section 2 by deleting the word “social” and substituting therefor the word “pre-sentence” in the proposed new definition of the term “social inquiry report”;

*(Chairperson, Justice and Legal Affairs Committee)*

**(No.107)**

**WEDNESDAY, NOVEMBER 14, 2018**

**(1049)**

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Section 2 – as amended agreed to;

- (b) by inserting the following new amendments to section 4 -

s.4(1) Delete the word “youth” and substitute therefor the word “age”

s. 4(2) Delete the word “youth” and substitute therefor the word “age”

*(Chairperson, Justice and Legal Affairs Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Section 4 (1)and (2) – as amended agreed to;

- (c) by inserting the following new amendments to section 5 -

s.5(1) Delete the word “district” and substitute therefor the word “County”

*(Chairperson, Justice and Legal Affairs Committee)*

Proposed amendment to section 5 (1) withdrawn by the Mover.

Section 8(3) – agreed to;

Section 17 - (a.) Delete the words “principal probation officer” and substitute therefor the word “Director”.

(b.) by deleting the proposed amendment to section 17(f);

*(Chairperson, Justice and Legal Affairs Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Section 17 – as amended agreed to;

### **New Sections**

#### **Schedule - amendment proposed -**

- s.11(1) Delete the words “principal probation officer” and substitute therefor the word “Director”

*(Chairperson, Justice and Legal Affairs Committee)*

Motion made and Question proposed –



New Sections read a Second Time;

Debate Arising;

Question put and agreed to;

**(No.107) WEDNESDAY, NOVEMBER 14, 2018 (1050)**

Question proposed that New Sections be part of the Bill;

Debate Arising;

Question put and agreed to.

(3) Delete -

(a) the word “district” wherever it appears and substitute therefor the word “County”; and

(b) the words “principal probation officer” and substitute therefor the word “Director”.

*(Chairperson, Justice and Legal Affairs Committee)*

Proposed amendment to section 3 withdrawn by the Mover.

(4) Delete the word “district” wherever it appears and substitute therefor the word “County”.

*(Chairperson, Justice and Legal Affairs Committee)*

Proposed amendment to section 3 withdrawn by the Mover.

s.12(1) Delete the words “principal probation officer” wherever they appear and substitute therefor the word “Director”.

s. 13 Delete the words “principal probation officer” wherever they appear and substitute therefor the word “Director”.

s. 14 Delete the words “principal probation officer” and substitute therefor the word “Director”.

s.16(a) Delete the words “principal probation officer” and substitute therefor the word “Director”.

S.18 by inserting the following new amendment immediately after the proposed amendment to section 17-

s.18 Delete the words “principal probation officer” and substitute therefor the word “Director”

*(Chairperson, Justice and Legal Affairs Committee)*

Motion made and Question proposed –

New Sections read a Second Time;

Debate Arising;

Question put and agreed to;

Question proposed that New Sections be part of the Bill;

Debate Arising;

Question put and agreed to.

**Provisions relating to the Probation of Offenders Act (Cap. 64) - as amended agreed to.**

**I. THE CRIMINAL PROCEDURE ACT (Cap. 75)**

Section 2 – agreed to.

**New Section 26(1)**

**THAT**, the Schedule to the Bill be amended in the proposed amendments to the Criminal Procedure Code by inserting the following new amendments immediately after the proposed amendments to section 2 –

s.26(1) Delete the words “Commissioner of Police” and substitute therefor the word “Inspector.

*(Chairperson, Justice and Legal Affairs Committee)*

Motion made and Question proposed –

New Sections read a Second Time;

Debate Arising;

Question put and agreed to;

Question proposed that New Sections be part of the Bill;

Debate Arising;

Question put and agreed to.

New Section 26(1) – as mended agreed to.

**New Section 386(1)**

s. 386 (1) - General of the National Police Service” Delete the words “Commissioner of Police” and substitute therefor the word “Inspector -General of the National Police Service.

*(Chairperson, Justice and Legal Affairs Committee)*

Motion made and Question proposed –

New Sections read a Second Time;

Debate Arising;

Question put and agreed to;

Question proposed that New Sections be part of the Bill;

Debate Arising;

Question put and agreed to.

New Section 386(1) – as amended agreed to.

**Provisions relating to the Criminal Procedure Act (Cap. 75) - as amended agreed to.**

**EXTRADITION (CONTIGUOUS AND FOREIGN COUNTRIES ACT (CAP. 76)**

J.

Section 3 – agreed to

Section 11(2) – agreed to

Section 15(1) and (b) – agreed to

**Provisions relating to the Extradition (Contiguous and Foreign Countries Act (cap. 76) - agreed to.**

**K. THE REGISTRATION OF PERSONS ACT (Cap 107)**

**Schedule - amendment proposed -**

**Section 3 – agreed to;**

**Section 5 – Amendment proposed**

- (i) **S.5(1)(d) - THAT** the Schedule to the Bill be amended in the proposed amendments to the Registration of Persons Act, (Cap. 107) by deleting the proposed amendment to section 5(1) and substituting therefor the following –  
Delete paragraph (d).

*(Hon. Jude Njomo)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Section 5(1)(d) as amended Negatived.

- (ii) **S.5(1)(g) - THAT**, the Schedule to the Bill be amended in the proposed amendments to the Registration of Persons Act (Cap. 107) by deleting the proposed amendment to section 5(1)(g) and substituting therefor the following new amendment –

s.5(1)(g) Delete paragraph (g) and substitute therefor the following new paragraph –

“(g) Place of residence and postal address, Global Positioning System coordinates, Land Reference Number, Plot Number or House Number, if any;”

*(Chairperson, Administration and National Security Committee)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Section 5(1) as amended Negatived.

- (iii) **s.5(1)(g) - THAT** the Schedule to the Bill be amended in the proposed amendments to the Registration of Persons Act, (Cap. 107) by deleting the proposed amendment to section 5(1)(g) and substituting therefor the following -

s.5(1) Insert the following new paragraph immediately after

paragraph (g) -

(ga) telephone number and email address, if any;

*(Hon. Jude Njomo)*

Question of the amendment proposed;

Debate arising;

**(No.107)**

**WEDNESDAY, NOVEMBER 14, 2018**

**(1053)**

Question put and agreed to;

Section 5(1)(g) as amended Negatived.

- (iv) S.9 - THAT**, the Schedule to the Bill be amended by deleting the proposed amendment to section 9(1) of the Registration of Persons Act, Cap.107.

*(Hon. Millie Odhiambo)*

Debate Arising;

Question put and agreed to;

Section 9(1) – deleted.

**Further amendment proposed –**

**THAT**, the Bill be amended in the Schedule in the proposed amendments to the Registration of Persons Act, Cap 107 by deleting the proposed amendment to section 9(1);

*(Chairperson, Departmental Committee on Administration and National Security)*

Question of the amendment proposed;

Debate arising;

Proposed amendment withdrawn by the Mover.

- (v) S.9A - THAT**, the Bill be amended in the Schedule in the proposed amendments to the Registration of Persons Act, Cap 107 -

(a) in the proposed section 9A(2)(d) by deleting the words “centrally print and distribute” and substituting therefor the words “support the printing and distribution”;

(b) in the proposed section 9A by inserting a new paragraph immediately after paragraph (h) -

“(ha) to correct errors in registration details, if so requested by a person or on its own initiative to ensure that the information is accurate, complete, up to date and not misleading”;

(c) in the proposed section 9A by inserting a new subsection (3) immediately after subsection (2) -

“(3) Upon commencement of this section, a person who provided erroneous information upon registration of documents under subsection(2)(d) shall, within

two years of establishment of the National Integrated Management System correct such details upon prove of facts”;

*(Hon. Mohamed Hire Garane)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Section 9A – as amended agreed to;

**(vi)** inserting the following new subsection immediately after subsection (2) in the proposed section 9A -

“(3) The Principal Secretary shall be responsible for the administration, coordination and management of the system.”

*(Chairperson, Departmental Committee on Administration and National Security)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Section 9A – as amended agreed to;

**NEW SECTION PROPOSED –**

**(a). THAT,** the Schedule to the Bill be amended in the proposed amendments to the Registration of Persons Act (Cap. 107) by inserting the following new amendments in their proper numerical sequence —

s.2 Insert the following new definition in its proper alphabetical sequence —

“**Principal Secretary**” means the Principal Secretary in the ministry responsible for matters relating to registration of persons”

*Chairperson, Departmental Committee on Administration and National Security)*

Motion made and Question proposed –

THAT, the New Section 2 proposed be part of the Bill

Debate arising

Question put and agreed to;

THAT, the New Section 2 be read a Second Time

Question put and agreed to;

New Section 2 – agreed to.

(c) By inserting the following new amendment in its proper numerical sequence—

insert the word “all” immediately after the words “vetting” appearing in paragraph (ba).

*Hon. Mohamed Hire Garane*

Motion made and Question proposed –

THAT, the New Section 16 proposed be part of the Bill

Debate arising

Question put and agreed to;

THAT, the New Section 16 be read a Second Time

Question put and agreed to;

New Section 16 – agreed to.

**Provisions relating to the Registration of Persons Act (Cap. 107) - Negatived.**

**L. THE PUBLIC HOLIDAYS ACT (CAP. 10)**

Motion made and Question proposed –

Question put and agreed to;

Schedule – agreed to;

**Provisions relating to the Public Holidays Act (Cap. 10) - agreed to.**

**M. THE HOUSING ACT (CAP. 117)**

**Proposed Amendment -**

**THAT**, the Schedule to the Bill be amended in the proposed amendments to the section 3 of the Housing Act, Cap 117 by -

(a) by deleting the words “not less than five nor more than seven” appearing in paragraph (d) and substituting therefor the word “six”; and

(b) by inserting the following new item immediately after the proposed new subsection (2) —

Insert the following new subsection immediately after subsection (2) —

(2A) In appointing the persons under subsection 2(d), the Cabinet Secretary shall ensure that the marginalized groups are represented.

*(Chairperson, Transport, Public Works and Housing)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Section 3(2) – as amended agreed to.

**Provisions relating to the Housing Act (Cap. 117) – as amended agreed to.**

**N. THE LAW OF SUCCESSION ACT (CAP. 160)**

**Proposed amendment**

**THAT**, the Schedule to the Bill be amended by deleting the proposed amendment to the Law of Succession Act.

*(The Chairperson, Justice and Legal Affairs Committee)*

Question of the amendment proposed;

Debate arising;

Question put and negatived;

Section 3(2) – as amended negatived.

**Further Amendment proposed –**

**THAT**, the Schedule to the Bill be amended by deleting the proposed amendment to section 49 of the Law of Succession Act, Cap.160.

*(Hon. Millie Odhiambo)*

Proposed amendment withdrawn by the Mover.

**Provisions relating to the Law of Succession Act (Cap. 160) – agreed to.**

**O. THE NATIONAL YOUTH SERVICE ACT (CAP. 208)**

**Schedule – proposed amendment -**

**THAT**, the Schedule to the Bill be amended in the proposed amendments to the National Youth Service Act, (Cap 208) by deleting the proposed amendment to section 16.

*(Chairperson, Committee on Labour & Social Welfare)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Section 16 – as amended agreed to.

**Further amendment proposed –**

**THAT**, the Schedule to the Bill be amended by deleting the proposed amendment to section 16 of the National Youth Service Act, Cap.208.

*(Hon. Millie Odhiambo)*

Proposed amendment withdrawn by the Mover.

**Provisions relating to the National Youth Service Act (Cap. 208) – as amended agreed to.**

**P. THE KENYA PORTS AUTHORITY ACT (CAP. 391)**

Motion made and Question proposed –

Question put and agreed to;

Section 62(1) – agreed to.

**Provisions relating to the Kenya Ports Authority Act (Cap. 391) – agreed to.**

**Q. THE KENYA AIRPORTS AUTHORITY (CAP. 395)**

Motion made and Question proposed –

Question put and agreed to;

Section 33(1) – agreed to.

**Provisions relating to the Kenya Airports Authority Act (Cap. 395) – agreed to.**

**R. THE TRAFFIC ACT (CAP. 403)**

**THAT**, the Schedule to the Bill be amended in the proposed amendments to the Traffic Act, Cap 403 by -

(a) by inserting the following new item immediately after the proposed amendment to section 2—

Delete the definition of the term “driving test examiner”;

(b) in the proposed amendment to section 3 by deleting the word “offices’ appearing in the proposed new subsection (4) and substituting therefor the word “officer”;

(c) by deleting the proposed amendment to section 8;

*(Chairperson, Transport, Public Works & Housing)*

Questions of the amendments proposed;

Debate arising;

Question put and agreed to;

**Section 2, 3 and 8 as amended agreed to**

section 39(1) – agreed to;

section 45(1) – agreed to;

section 56(1) – agreed to;

section 57 – **Amendment proposed**

**THAT**, the Schedule to the Bill be amended in the proposed amendments to the Traffic Act, Cap 403 by deleting the proposed amendment to section 57;



*(Chairperson, Transport, Public Works & Housing)*

Questions of the amendments proposed;

Debate arising;

Question put and agreed to;

Section 57 as amended agreed to.

section 58 - **proposed amendment** -

**THAT**, the Schedule to the Bill be amended in the proposed amendments to the Traffic Act, Cap 403-

(a) by inserting the words “wherever it appears” immediately after the expression “section 55 or section 56” in the proposed amendments to section 58.

(b) by inserting the following new item immediately after the proposed amendment to section 58—

“Insert the words “or in accordance with the East African Community Vehicle Load Control Act, 2013” before the words “shall be guilty” appearing in subsection (1);

*(Chairperson, Transport, Public Works & Housing)*

Questions of the amendments proposed;

Debate arising;

Question put and agreed to;

Section 58 as amended agreed to.

section 70(5B) - **proposed amendment** -

**THAT**, the Schedule to the Bill be amended in the proposed amendments to the Traffic Act, Cap 403 by deleting the proposed amendment to section 70 (5B);

*(Chairperson, Transport, Public Works & Housing)*

Questions of the amendments proposed;

Debate arising;

Question put and agreed to;

Section 70(5B) as amended agreed to.

section 85 - **proposed amendment** -

**THAT**, the Schedule to the Bill be amended in the proposed amendments to the Traffic Act, Cap 403 by deleting the proposed amendment to section 85;

*(Chairperson, Transport, Public Works & Housing)*

Questions of the amendments proposed;

Debate arising;

Question put and agreed to;

Section 85 as amended agreed to.

section 91(1) – agreed to;  
section 94 – agreed to;  
section 104 – agreed to;  
section 106(1) – agreed to;

section 106(8) - **proposed amendment –**

**THAT**, the Schedule to the Bill be amended in the proposed amendments to the Traffic Act, Cap 403 by deleting the words “under” appearing immediately before the word “there under” in the proposed amendment to Section 106 (8).

*(Chairperson, Transport, Public Works & Housing)*

Questions of the amendments proposed;

Debate arising;

Question put and agreed to;

Section 106(8) – as amended agreed to;

**Further amendment proposed –**

**THAT**, the Schedule to the Bill be amended in the proposed amendments to the Traffic Act Cap. 403 by deleting the proposed amendments to -

- (a) section 2;
- (b) section 3;
- (c) section 8;
- (d) section 39(1);
- (e) section 45(1);
- (f) section 56(1);
- (g) section 57;
- (h) section 58;
- (i) section 70(5B);
- (j) section 85;
- (k) section 91(1);
- (l) section 94;
- (m) section 104;
- (n) section 106(1); and
- (o) section 106(8).

*(Hon. Millie Odhiambo)*

Proposed amendment withdrawn by the Mover.

**Provisions relating to the Traffic Act (Cap. 403) – as amended agreed to.**

**S. KENYA POST OFFICE SAVINGS BANK ACT (CAP. 493)**

**Schedule – proposed amendment –**

**THAT**, the Schedule to the Bill be amended in the proposed amendments to section 14 of the Kenya Post Office Savings Bank Act by inserting the words “in consultation with the Cabinet Secretary” immediately after the word “Registrar”.

*(Chairperson, Finance and National Planning)*

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Section 14 – as amended agreed to.

**Provisions relating to the Kenya Post Office Savings Bank Act (Cap. 493) – as amended agreed to.**

Bill to be reported with amendments.

**HOUSE RESUMED** - the Third Chairperson in the Chair

**PROGRESS REPORTED**

**The Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018)**

Motion made and Question proposed –

THAT, the Committee has considered the Statute Law (Miscellaneous Amendments) Bill (National Assembly Bill No.12 of 2018) up to the provisions relating to Kenya Post Office Savings Bank Act, Cap. 493 and seeks leave to sit again.

House do agree with the Committee in the said report

*(The Leader of the Majority Party)*

Question to be put in the next Sitting.

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

9. **HOUSE ROSE** - at seven O'clock

**M E M O R A N D U M**

The Speaker will take the Chair on  
Thursday, November 15, 2018 at 9.30 a.m.