



**REPUBLIC OF KENYA**

**TWELFTH PARLIAMENT – (SECOND SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**TUESDAY, DECEMBER 04, 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 CAPITAL MARKETS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 19 OF 2018)**

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

Second Reading

*(Question to be put)*

**9\*. THE SACCO SOCIETIES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 18 OF 2018)**

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

Second Reading

*(Question to be put)*

**10\*. THE ASSUMPTION OF OFFICE OF THE COUNTY GOVERNOR BILL (SENATE BILL NO. 1 OF 2018)**

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

Second Reading

*(Question to be put)*

**11\*. THE OFFICE OF THE COUNTY PRINTER BILL (SENATE BILL NO. 7 OF 2018)**

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

First Reading

**12\*. THE DISASTER RISK MANAGEMENT BILL (SENATE BILL NO. 8 OF 2018)**

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

First Reading

**13\*. THE NUCLEAR REGULATORY BILL (NATIONAL ASSEMBLY BILL NO. 27 OF 2018)**

(The Leader of the Majority Party)

First Reading

**14\*. COMMITTEE OF THE WHOLE HOUSE**

The Government Contracts Bill (National Assembly Bill No. 9 of 2018)  
(The Leader of the Majority Party)

**15\*. MOTION – RATIFICATION OF THE EAST AFRICAN COMMUNITY PROTOCOL ON INFORMATION AND COMMUNICATION TECHNOLOGY NETWORKS**

(The Chairperson, Committee on Regional Integration)

**THAT**, this House **adopts** the Report of the Committee on Regional Integration on the East African Community Protocol on Information and Communication Technology Networks, laid on the Table of the House on Tuesday, November 27, 2018, and pursuant to the provisions of section 8 of the Treaty Making and Ratification Act, 2012, **approves** the ratification of the East African Community Protocol on Information and Communication Technology Networks.

**16\*. MOTION – REPORT ON KENYATTA UNIVERSITY TEACHING & REFERRAL HOSPITAL PROJECT**

(The Chairperson, Departmental Committee on Health)

**THAT**, this House **adopts** the Report of the Departmental Committee on Health on Kenyatta University Teaching & Referral Hospital Project, laid on the Table of the House on Wednesday, October 17, 2018.

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

(The Leader of the Majority Party)

Second Reading

**18\*. THE NATIONAL FLAG, EMBLEMS AND NAMES (AMENDMENT) BILL (SENATE BILL NO. 8 OF 2017)**

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

Second Reading

**19\*. THE NATIONAL YOUTH SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2018)**

(The Leader of the Majority Party)

Second Reading

---

**\* Denotes Orders of the Day**

---

# **NOTICES**

## **I. THE GOVERNMENT CONTRACTS BILL (NATIONAL ASSEMBLY BILL NO. 9 OF 2018)**

- 1) Notice is given that the Chairperson for the Departmental Committee on Finance and National Planning intends to move the following amendments to the Government Contracts Bill, 2018 at the Committee Stage—

### **CLAUSE 2**

**THAT**, clause 2 of the Bill be amended in the definition of the term “contracting authority” by deleting the word “and” wherever it appears in paragraph (b) and substituting therefor the word “or”;

### **CLAUSE 4**

**THAT**, clause 4 of the Bill be amended by deleting the word “interim” wherever it appears and substituting therefor the word “emergency”;

### **CLAUSE 6**

**THAT**, clause 6 of the Bill be amended in sub-clause (1) by deleting the words “All contracts made for” and substituting therefor the words “Every contract made by”;

### **CLAUSE 7**

**THAT**, clause 7 of the Bill be amended—

- (a) in sub-clause (1), by deleting the words “All contracts made for” and substituting therefor the words “Every contract made by”;
- (b) in sub-clause (2), by inserting the word “that” immediately after the words “contracts made on behalf of”;

### **CLAUSE 9**

**THAT**, clause 9 of the Bill be amended in sub-clause (2) by deleting the word “authorities” and substituting therefor the word “authority”

### **CLAUSE 12**

**THAT**, clause 12 of the Bill be amended in sub-clause (2)—

- (a) by renumbering the current paragraph (c) as paragraph (d); and
- (b) by inserting the following new paragraph immediately after paragraph (b)—

“(c) the bidder consents to public disclosure of basic information other than information limited by the provisions of section 6(1)(e) of the Access to Information Act relating to the commercial interests;”

- 2) Notice is given that the Leader of the Majority Party intends to move the following amendment to the Government Contracts Bill, 2018 at the Committee Stage—

**NEW CLAUSE**

**THAT** the Bill be amended by inserting the following new clause immediately after clause 14 –

Disclosure of contract information. No. 31 of 2016.	<b>14A.</b> Nothing in this Act shall limit the obligation of a public entity to disclose any contract-related information pursuant to the provisions of Access to Information Act, 2016 and such other guidelines as may be issued by the Government from time to time.
--	--

- 3) NOTICE is given that the Member for Bomet Central (Hon. Ronald K. Tonui) intends to move the following amendments to the Government Contracts Bill, 2018 at the Committee Stage—

**CLAUSE 10**

**THAT** Clause 10 be amended by-

- (a) renumbering the existing provision as subsection (1);
- (b) by inserting the following new sub clause (2) immediately after the renumbered sub clause (1)—
  - “(2) An accounting officer shall, before any contract is commenced, confirm in writing to a supplier of goods, services or works that sufficient funds are available to meet the obligations of the contract whenever payment is due.”

**NEW CLAUSE**

**THAT** the Bill be amended by inserting the following new clause immediately after Clause 11—

“**11A.** (1) Any payment that is due arising out of a contract under this Act shall be paid within the terms of the contract or shall be made within thirty days upon completion.

(2) All payments of contracts due shall be made according to the sequence of date of completion.”



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 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.
- III.** **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.
- IV.** **THAT**, notwithstanding the provisions of Standing Order 97(4), and the House resolution of February 14, 2018 limiting speech in a debate on a **Report of a Committee**, this House further orders that debate in respect of the *Report of the Committee on Regional Integration on the East African Community Protocol on Information and Communication Technology Networks* be limited as follows:- a maximum of **one (1) hour**, with not more than ten (10) minutes for the Mover in moving and five (5) minutes for any other Member speaking, including the Leader of the Majority Party and the Leader of the Minority Party and that five (5) minutes before the expiry of the time, the Mover shall be called upon to reply; and further that priority in speaking shall be accorded to the Leader of the Majority Party and the Leader of the Minority Party, in that order.

# **NOTICE PAPER I**

## **Tentative business for**

**Wednesday (Morning), December 05, 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 (Morning), December 05, 2018:-

- A. **MOTION – ESTABLISHMENT OF DATABASE CENTRES FOR ISSUANCE OF BIRTH CERTIFICATES TO CHILDREN**  
(The Hon. Mary Wamaua Njoroge, M.P.)
- B. **MOTION – PROVISION OF FREE, SECURE, RISK-FREE AND HIGH QUALITY WIFI SERVICES IN EVERY CONSTITUENCY**  
(The Hon. Osotsi Godfrey, M.P.)
- C. **MOTION – SUBSIDIZED AND AFFORDABLE MEDICAL CARE FOR DIABETIC PATIENTS IN THE COUNTRY**  
(Hon. Ruweida Mohamed Obo, M.P.)
- D. **MOTION – PROVISION OF ACCESS TO FRIENDLY FINANCIAL SERVICES FOR AGRICULTURAL ENTREPRENEURSHIP BY YOUNG FARMERS**  
(The Hon. Bishop Kawira Mwangaza, M.P.)
- 

...../Notice Paper II

# **NOTICE PAPER II**

## **Tentative business for**

**Wednesday (Afternoon), December 05, 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), December 05, 2018:-

### **A. COMMITTEE OF THE WHOLE HOUSE**

- (i) The Capital Markets (Amendment) Bill (National Assembly Bill No. 19 of 2018)  
(The Chairperson, Departmental Committee on Finance and National Planning)
- (ii) The Sacco Societies (Amendment) Bill (National Assembly Bill No. 18 of 2018)  
(The Chairperson, Departmental Committee on Finance and National Planning)
- (iii) The Assumption of Office of the County Governor Bill (Senate Bill No. 1 of 2018)  
(The Chairperson, Departmental Committee on Administration and National Security)

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

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Tuesday, December 4, 2018)*

### **C. THE NATIONAL FLAG, EMBLEMS AND NAMES (AMENDMENT) BILL (SENATE BILL NO. 8 OF 2017)**

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

Second Reading

*(If not concluded on Tuesday, December 4, 2018)*

### **D. THE NATIONAL YOUTH SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2018)**

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Tuesday, December 4, 2018)*



# **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.**

#### **ORDINARY QUESTIONS**

- 106/2018**      **The Member for Lafey Constituency (Hon. Abdi Mude Ibrahim, MP) to ask the Cabinet Secretary for Water and Sanitation: -**
- a.) Could the Cabinet Secretary provide a list and details of water projects, including cost of each project, in Lafey Constituency?
  - b.) When will the Ministry provide water to all schools in Lafey Constituency?
- (To be replied before the Departmental Committee on Environment and Natural Resources)*
- 108/2018**      **The Member for Alego - Usonga Constituency (Hon. Samuel Atandi, MP) to ask the Cabinet Secretary for Treasury and National Planning:-**
- Could the Cabinet Secretary provide a list of all donor-funded projects, including name, location and cost, in Alego - Usonga Constituency since the year 2013 to date and state whether the projects are funded through Loans or grants?
- (To be replied before the Departmental Committee on Finance and National Planning)*
- 186/2018**      **The Member for Mwatate Constituency (Hon. Andrew Mwadime, MP) to ask the Cabinet Secretary for Water and Sanitation: -**
- a) Could the Cabinet Secretary provide a list and details of water projects, including cost of each project in Mwatate Constituency?
  - b) What is the status of funds set aside for water projects in Mwatate Constituency in the financial years 2013/14, 2014/15, 2015/16 and 2016/2017?
  - c) Could the Cabinet Secretary consider providing water for irrigation to the people of Mwatate Constituency?
- (To be replied before the Departmental Committee on Environment and Natural Resources)*

**191/2018**      **The Member for Keiyo North Constituency (Hon. (Dr.) James Kipkosgei Murgor, MP) to ask the Cabinet Secretary for Agriculture, Livestock, Fisheries & the Blue Economy: -**

When will the Ministry pay Mrs. Philomena Chebiwot Chemitei, of Personal Number 21617 her retirement and gratuity, having worked in the Ministry since 1971 until her retirement in February 1990?

*(To be replied before the Departmental Committee on Agriculture and Livestock)*

**212/2018**      **The Member for Homa Bay Town Constituency (Hon. Peter Kaluma, MP) to ask the Cabinet Secretary for Education:-**

- (i) What measures has the Ministry put in place to secure the integrity of National Examinations?
- (ii) State the expenditures incurred by the Ministry and by each of the government agencies tasked in the supervision and management of the National Examinations?

*(To be replied before the Departmental Committee on Education and Research)*

**236/2018**      **The Member for Konoin Constituency (Hon. Brighton Leonard Yegon, MP) to ask the Cabinet Secretary for Information, Communication and Technology: -**

- a) How many registered and unregistered Subscriber Identification Module (SIM) Cards are in Kenya and when will the unregistered SIM Cards be switched off?
- b) What is the status of compliance with Regulations on mobile telephone by all Mobile telephone operators and users?

*(To be replied before the Departmental Committee on Information, Communication and Innovation)*

---