



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – SECOND SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

TUESDAY, DECEMBER 18, 2018, SPECIAL SITTING (MORNING)

1. The House assembled at thirty minutes past Nine O'clock
2. The Proceedings were opened with Prayer
3. **Presiding** – the Deputy Speaker
4. **COMMUNICATION FROM THE CHAIR ON SPECIAL SITTINGS**

The Deputy Speaker conveyed the following Communication -

“Honourable Members,

Standing Order 29 provides for the procedure for convening of Special Sittings of the House during recess, upon a request from the Leader of the Majority Party or the Leader of the Minority Party. I therefore wish to report that on December 6, 2018, the Speaker of the National Assembly received a request from the Leader of the Majority Party seeking to convene special sittings today morning and afternoon for purposes of considering three items, including the appointment of a nominee to the office of Secretary and Chief Executive Officer of the Ethics and Anti-Corruption Commission.

Honourable Members, you may wish to note that section 16(1) of the Ethics and Anti-Corruption Commission Act, 2011, Section 5(1) of the Public Appointments (Parliamentary Approval) Act, 2011 and Standing Order 61(2) require that a decision on this matter, being a Special Motion under Standing Order 61(1)(a), be made by the National Assembly within fourteen (14) days. Given that the name of the nominee was submitted on December 4, 2018 which was just before the break for our long recess, it was necessary for the House to be recalled to conclude the process.

Honourable Members, pursuant to provisions of Standing Order 29, the sittings this morning and afternoon were hereby communicated to Members and the public vide *Gazette Notice No. 12772 of 2018* and also the usual notifications in the dailies.

Accordingly, Honourable Members, today’s Special Sittings are properly convened.

I thank you”.

5. PAPERS LAID

The following Papers were laid on the Table –

- i. National Government Budget Implementation Review Report of the First Quarter for the financial year 2018/2019 from the Office of the Controller of Budget
- ii. Annual Report of the Ethics and Anti-Corruption Commission for the FY 2018/2019
- iii. Annual Report and Financial Statements of the Commission on Revenue Allocation for the FY 2016/2017
- iv. Annual Report and Financial Statements of the Kaimosi Friends University College (KAFUCO) for the year ended 30th June, 2017
- v. Annual Report and Financial Statements of the Kenya Tourism Board for the year ended 30th June, 2016
- vi. The Reports of the Auditor-General on the Financial Statements in respect of the following constituencies for the year ended 30th June, 2017 and the certificates therein:-
 - (a) Othaya;
 - (b) Kangema;
 - (c) Ol'jororok; and
 - (d) Gatundu North.
- vii. The Report of the Auditor-General on the Financial Statements of the Numerical Machining Complex Limited for the year ended 30th June, 2017 and the certificate therein.
- viii. The Report of the Departmental Committee on Justice and Legal Affairs on the vetting of the nominee for appointment as Secretary/Chief Executive Officer of the Ethics and Anti-Corruption Commission (EACC)

(The Leader of the Majority Party)

(Chairperson, Departmental Committee on Justice and Legal Affairs)

6. NOTICE OF MOTION - (Chairperson, Departmental Committee on Justice & Legal Affairs)

THAT, this House adopts the Report of the Departmental Committee on Justice and Legal Affairs on the Vetting of the nominee for appointment as the *Secretary/Chief Executive Officer of the Ethics and Anti-Corruption Commission*, laid on the Table of the House on Tuesday, December 18, 2018, and pursuant to the provisions of section 16(1) of the Ethics and Anti-Corruption Commission Act, 2012 and Sections 3 and 8 of Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Maj. (Rtd) Twalib Abdallah Mbarak** as the Secretary/Chief Executive Officer of the Ethics and Anti-Corruption Commission.

7. MOTION – THE FOURTH REPORT ON AUDITED FINANCIAL STATEMENTS FOR THE KENYA ROADS BOARD FUND FOR THE YEAR ENDED 30TH JUNE, 2017

Motion made and Question proposed –

THAT, this House adopts the Fourth Report of the Special Funds Accounts Committee on Audited Financial Statements for the Kenya Roads Board Fund for the year ended 30th June, 2017, laid on the Table of the House on Tuesday, December 04, 2018

(Chairperson, Special Funds Accounts Committee – 06.12.2018)

Debate on the Motion having been concluded on Thursday, December 06, 2018;

Question put and agreed to;

8. MOTION – RATIFICATION OF BILATERAL AIR SERVICES AGREEMENTS BETWEEN KENYA AND JORDAN, JAMAICA, BAHAMAS AND THE PROTOCOL AMENDING AIR SERVICES AGREEMENT BETWEEN KENYA AND TURKEY

Motion made and Question proposed -

THAT, this House **adopts** the Report of the Departmental Committee on Transport, Public Works and Housing on the *Ratification of the Bilateral Air Services Agreements between Kenya and Jordan, Kenya and Jamaica; Kenya and Bahamas; and the Protocol Amending Air Services Agreement between Kenya and Turkey*, laid on the Table of the House on Wednesday, December 05, 2018, and pursuant to the provisions of section 8 of the Treaty Making and Ratification Act, 2012, **approves** the ratification of the Bilateral Air Services Agreement between the Republic of Kenya and the Kingdom of Jordan; the Republic of Kenya and Jamaica and the Republic of Kenya and the Commonwealth of The Bahamas; and the protocol amending Air Services Agreement between the Republic of Kenya and the Republic of Turkey.

(Chairperson, Departmental Committee on Transport, Public Works and Housing)

Debate arising;

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

There being no other Member wishing to contribute;

Mover replied;

Question deferred pursuant to Standing Order 53(3)

And the time being twenty eight minutes to noon , the Second Chairperson interrupted the proceedings and adjourned the House without Question put pursuant to the Standing Orders.

9. HOUSE ROSE - at thirty two minutes past eleven o'clock

MEMORANDUM

The Speaker will take the Chair today,
Tuesday, December 18, 2018 at 2.30 p.m.