



(No. 11)

(064)

REPUBLIC OF KENYA
TWELFTH PARLIAMENT – (THIRD SESSION)
THE NATIONAL ASSEMBLY
ORDERS OF THE DAY

THURSDAY, FEBRUARY 28, 2019 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*. **MOTION** – **REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE INSURANCE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 21 OF 2018)**
(The Chairperson, Departmental Committee on Finance and National Planning)

THAT, this House do agree with the Report of the Committee of the whole House on its consideration of the Insurance (Amendment) Bill (National Assembly Bill No. 21 of 2018).

(Question to be put and Third Reading)

- 9*. **MOTION** – **PROGRESS REPORT ON THE INQUIRY INTO THE PROPOSED TAKEOVER OF JOMO KENYATTA INTERNATIONAL AIRPORT BY KENYA AIRWAYS**
(The Chairperson, Public Investments Committee)

THAT, this House **adopts** the Progress Report of the Public Investments Committee on the inquiry into the Proposed Takeover of Jomo Kenyatta International Airport by Kenya Airways, *laid on the Table of the House on Wednesday, February 27, 2019.*

10*. MOTION – REPORT OF THE BUDGET AND APPROPRIATIONS COMMITTEE ON THE 2019/2020 BUDGET POLICY STATEMENT

(The Chairperson, Budget & Appropriations Committee)

THAT, this House adopts the Report of the Budget and Appropriations Committee on the Budget Policy Statement and the Debt Management Strategy for 2019/2020 and the Medium-Term, *laid on the Table of the House on Wednesday, February 27, 2019.*

(Resumption of debate interrupted on Wednesday, February 27, 2019)

11*. COMMITTEE OF THE WHOLE HOUSE

Consideration of the President’s Reservations to the Health Laws (Amendment) Bill (National Assembly Bill No. 14 of 2018)
(The Leader of the Majority Party)

12*. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 13 OF 2018)

(The Leader of the Majority Party)

Second Reading

(Resumption of debate interrupted on Tuesday, November 13, 2018)

13*. MOTION – REPORT ON THE DISBURSEMENTS OF FUNDS TO THE NG-CDF

(The Chairperson, Select Committee on National Government Constituencies Development Fund)

THAT, this House **adopts** the Report of the Select Committee on National Government Constituencies Development Fund on the Status of Disbursements of Funds to the National Government Constituencies Development Fund as at February 22, 2019, *laid on the Table of House on February 26, 2019.*

14*. THE COUNTY GOVERNMENTS (REVENUE RAISING PROCESS) BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2018)

(The Leader of the Majority Party)

Second Reading

*** Denotes Orders of the Day**

NOTICES

I. CONSIDERATION OF THE PRESIDENT'S RESERVATIONS TO THE HEALTH LAWS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 14 OF 2018)

(Recommended Text)

Notice is given that the Leader of the Majority Party intends to move the following amendments in respect of the reservations contained in the Presidential Memorandum to the Health Laws (Amendment), 2018 at the Committee Stage

SCHEDULE

THAT, the Schedule to the Bill be amended —

(1) in the proposed amendments to the Pharmacy and Poisons Act, Cap. 244—

(a) in section 2, by—

- (i) deleting the definition of the term “pharmaceutical device”;
- (ii) deleting the definition of the term “pharmaceutical equipment”;
- (iii) deleting the definition of the term “pharmaceutical product”;
- (iv) deleting the definition of the term “Good Manufacturing Practice” and substituting therefor the following new definition—

“Good Manufacturing Practice”, also referred to as “GMP”, “cGMP” or “current Good Manufacturing Practice” is the part of quality management which ensures that products are consistently produced and controlled according to their intended use as required by the marketing authorization, clinical trial authorization or product specification;

(b) in the proposed new section 3(1), by—

- (i) deleting paragraph (d);
- (ii) deleting paragraph (f) and substituting therefor the following new paragraph—

“(f) three other persons appointed by the Cabinet Secretary, of whom—

- (i) one person shall be a pharmacist representing institutions of higher learning;
- (ii) one person shall be a pharmaceutical technologist representing mid-level colleges; and
- (iii) one person shall be an enrolled pharmaceutical technologist with expertise in community pharmacy nominated by the Kenya Pharmaceutical Association;”

(c) in the proposed new section 3B(3), by deleting paragraph (g) and substituting therefor the following new paragraph—

“(g) approve institutions to be established or accredited under the Universities Act, 2012 training pharmacists and mid-level institutions training pharmaceutical technologists”

(d) by deleting the proposed amendment to section 24;

(2) in the proposed new section 4B of the proposed amendments to the **Medical Practitioners and Dentists Act, Cap 253**, by deleting paragraph (f) and substituting therefor the following new paragraph—

“(f) invest any of the funds of the Council not immediately required for its purposes in accordance with the Public Finance Management Act and other relevant laws.

(3) in the proposed amendments to the **Nurses Act, Cap 257**—

(a) in section 4(1), by inserting the following new paragraph immediately after paragraph (i)—

“(j) the Director General of health or a representative appointed in writing by the Director General of health”

(b) in section 9(1), by deleting the words “nursing commodities” appearing in paragraph (i);

(c) in section 11, by deleting subsection (5) and substituting therefor the following new subsection—

“(5) The officers appointed under this section shall be paid such remuneration and allowances as the Council may, on the advice of the Salaries and remuneration Commission, determine.”

(4) by inserting the following new amendments in the Schedule to the proposed amendments to the **Counsellors and Psychologists Act, 2014, No. 14 of 2014**—

- s.15 Delete.
- s.16 Delete.
- s.17 Delete.
- s.18 Delete.
- s.19 Delete.
- s.20 Delete.
- s.21 Delete.
- s.22 Delete.
- Third Delete.
- Schedule.
- Fourth Delete.
- Schedule.

(5) in section 4(1) of the proposed amendments to the **Clinical Officers (Training, Registration and Licensing) Act, No. 20 of 2017**, by—

(a) inserting the following new sub-paragraph immediately after sub-paragraph (a)(ii)—

“(iii) be registered as a clinical officer under this Act”

(b) deleting paragraph (f) and substituting therefor the following new paragraph—

“(f) one clinical officer representing universities training clinical officers elected by the teaching staff from among their number;”

Notice is given that the Chairperson of the Departmental Committee on Health intends to move the following amendments to the recommendations contained in the Presidential Memorandum to the Health Laws (Amendment) Bill, 2018 at the Committee Stage—

SCHEDULE

THAT, the Presidential memorandum be amended—

1) in section 3(1) of the proposed amendments to the **Pharmacy and Poisons Act, Cap. 244**, by deleting paragraph (e);

(Subject to Standing Order 154(4))

- 2) in the proposed amendments to the Nurses Act, Cap. 257—
- (a) in section 4(1), by deleting the word “two” appearing in paragraph (h) and substituting therefor the word “one”;
 - (b) by deleting the proposed amendment to section 9(1)(i).

(Subject to Standing Order 154(4))



The House resolved on Wednesday, February 13, 2019 as follows:-

- 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 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 debate on **Reports of Committees**, including a Report of a Joint Committee of the Houses of Parliament or any other Report submitted to the House for which limitation of time has not been specified, 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

Tuesday, March 05, 2019

(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 Tuesday, March 05, 2019:-

A. COMMITTEE OF THE WHOLE HOUSE

- (i) The Kenya Accreditation Service Bill (National Assembly Bill No. 17 of 2018)
(The Leader of the Majority Party)
- (ii) The County Governments (Amendment) Bill (Senate Bill No. 11 of 2017)
(The Chairperson, Departmental Committee on Administration and National Security)

B. THE STATUTE LAW (MISCELLANEOUS AMENDMENTS) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 13 OF 2018)
(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, February 28, 2019)

C. MOTION – REPORT ON THE DISBURSEMENTS OF FUNDS TO THE NG-CDF

(The Chairperson, Select Committee on National Government Constituencies Development Fund)

(If not concluded on Thursday, February 28, 2019)

D. THE COUNTY GOVERNMENTS (REVENUE RAISING PROCESS) BILL (NATIONAL ASSEMBLY BILL NO. 24 OF 2018)
(The Leader of the Majority Party)

Second Reading

(If not concluded on Thursday, February 28, 2019)

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

069/2019 The Member for Baringo Central Constituency (Hon. Joshua Chepyegon Kandie, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -

- (a) Is the Cabinet Secretary aware that there have been increased cases of insecurity in Baringo Central Constituency?
- (b) What measures are being put in place by the Ministry to curb the increased cases of insecurity and harassment of *Boda Boda* operators by Police Officers?

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

070/2019 The Member for Kuresoi South Constituency (Hon. Joseph Tonui, MP) to ask the Cabinet Secretary for Interior and Co-ordination of National Government:-

- (a) Is the Cabinet Secretary aware that there is a crisis in the issuance of birth certificates in the country?
- (b) What measures has the Ministry put in place to expedite the issuance of the birth certificates?
- (c) Could the Ministry consider issuance of birth certificates at the sub-county level, in addition to deployment of mobile distribution facilities?

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

071/2019 The Member for Taita Taveta County (Hon. Haika Mizighi, MP) to ask the Cabinet Secretary for Tourism and Wildlife: -

- (a) Is the Cabinet Secretary aware that the residents of Voi-Sagalla, Kajire Boghuta, Mwalungali, Kasighau, Ghazi Mwatate- Mwalu Fau, Msorongu, Kwamnengwa, Kamtonga, Wusi-Kashamba and Ngerenyi in Taita-Taveta County have incurred loss of lives and properties due to human-wildlife conflict?

- (b) What measures is the Ministry putting in place to contain the human-wildlife conflict; and further, compensate the residents for lives lost and properties damaged?

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

072/2019 The Member for Central Imenti Constituency (Hon. Moses Kirima, MP) to ask the Cabinet Secretary for Lands: -

- (a) Is the Cabinet Secretary aware that Kiamuri “B” area in Central Imenti Constituency has been declared an adjudication area for the last ten (10) years?
- (b) When will the title deeds be issued to residents of Kiamuri “B” in Central Imenti Constituency?

(To be replied before the Departmental Committee on Lands)

073/2019 The Member for Kirinyaga Central (Hon. John Munene Wambugu, MP) to ask the Cabinet Secretary for Education: –

- (a) Is the Cabinet Secretary aware that Mukinduri, Kianjege East, Kangaita and Kiranja Primary schools in Kirinyaga Central Constituency, have been allocated a special unit class but lack basic facilities necessary to provide quality education?
- (b) Is the Cabinet Secretary further aware that there is no institution that offers secondary education for students with special needs in Kirinyaga County?
- (c) What measures is the Ministry putting in place to ensure high enrollment, retention and transition rates of special needs learners in both primary and secondary schools?

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

074/2019 The Member for Kitui County (Hon. Irene M. Kasalu, MP) to ask the Cabinet Secretary for Education: -

- (a) Is the Cabinet Secretary aware that some students in public secondary schools in Kitui County have been denied their Kenya Certificate of Secondary Education Certificates due to school fees arrears contrary to Section 10 (1) (b) of the KNEC Act 2012?

(b) What measures is the Ministry putting in place to ensure that the affected students with fees arrears in Kitui County are issued with their certificates?

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