



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – SECOND SESSION

THE NATIONAL ASSEMBLY

VOTES AND PROCEEDINGS

THURSDAY, APRIL 19, 2018

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

The Speaker conveyed the following Communication –

Guidance on the proposed amendments to the Energy Bill (National Assembly Bill No. 50 of 2017) by the Member for Mvita, the Hon. Abdulswamad Sharif Nassir, MP

“Honourable Members, this Communication relates to consideration of proposed amendments to the Energy Bill (National Assembly Bill No. 50 of 2017) by the Member for Mvita, the Hon. Abdulswamad Sharif Nassir, MP.

Honourable Members, the proposed amendments to Clauses 194 and 195 of the Bill are seeking to compel a license in the energy sector that is involved with power distribution to provide for compensation of consumers for a financial loss, physical injury or any other cases.

Honourable Members, pursuant to the provisions of Article 114 of the Constitution, I am of the view that the said amendments have “Money Bill” effect as the amendments will obligate the Kenya Power and Lightning Company to compensate consumers using public funds for financial loss arising from power outages.

Honourable Members, Article 114(2) provides that if, in the view of the Speaker, a motion makes provisions for a matter listed in the definition of ‘a money Bill’, the Assembly may proceed only in accordance with the recommendation of the relevant Committee after taking into account the views of the Cabinet Secretary responsible for Finance. In this regard, I have not received recommendation from the Budget and Appropriations Committee taking into account the views of the Cabinet Secretary responsible for Finance.

Therefore, the Committee of the Whole House shall not consider these particular amendments.

I thank you!"

5. **PETITIONS**

The following Petitions were presented –

(i) The Speaker conveyed the following Petition –

Review of various Articles of the Constitution

“Honourable Members,

Pursuant to Standing Order 225 (2) (b), I wish to convey to the House that my office is in receipt of a Petition signed by one Ezekiel Njeru Namu, a resident of Embu County.

Honourable Members, the Petitioner is proposing amendments to several Articles of the Constitution and statutes. Regarding amendments to the Constitution, he is proposing amendments to Article 89 on delimitation of electoral units, Article 98 on membership of the Senate, Article 101 on election of Members of Parliament, Article 120 (1) on official languages of Parliament, Article 136 on election of the President and Article 177 on membership and term of County Assembly. He is also proposing amendments to the electoral laws with regard to qualification for nomination and election of persons into the Offices of a Member of Parliament and Member of County Assembly.

Honourable Members, in summary, the Petitioner recommends the following amendments to the Constitution: -

- (i) increase the numbers of constituencies from two hundred and ninety to three hundred constituencies;
- (ii) abolish the position of nominated women Senators;
- (iii) abolish the position of Members of County Assemblies nominated on the basis of gender;
- (iv) increase the term of a Member of Parliament to serve for six years in respect of a Member of National Assembly and seven years for Senators;
- (v) reduce the term of Presidency from five to four years;
- (vi) abolish all academic qualifications for election to Parliament and County Assemblies; and
- (vii) allow use of local languages in the proceedings of county assemblies.

Honourable Members, you will agree with me that the prayers sought by the Petitioner require thoughtful consideration as they propose to fundamentally alter the architecture of our Constitution. The Petition therefore stands committed to the Departmental Committee on Justice and Legal Affairs for consideration. The Committee is requested to consider the Petition and report its findings to the Petitioner and the

House in accordance with Standing Order 227 (2). The Committee should undertake to engage the Petitioner and may thereafter introduce necessary Bills for consideration by this House, in respect to the prayers sought by the Petitioner and should undertake to engage the Petitioner.

Thank you”.

- (ii) The Member for Emuhaya (Hon. Omboko Milemba) presented a Petition on behalf of members of Kenya Union of Domestic, Hotels, Education Institution and Hospital Workers regarding ratification of International Labour Organization Convention 189 of 2011;

Petitions referred to the relevant Departmental Committees pursuant to Standing Order 227(1)

6. PAPERS LAID

The following Papers were laid on the Table –

- (a) Estimates of revenue to and expenditure from the Equalization Fund for the Financial Year 2017/2018;
 - (i) The Judiciary’s:-
 - (ii) Sub-sector Report;
 - (iii) Programme Based Budget(PBB) for the Medium Term Expenditure Framework period 2018/2019 to 2020/2021; and
 - (iv) Recurrent and Development Budget Estimates for the Financial Year 2018/2019.
- (b) Judicial Service Commission’s:-
 - (i) Sub-sector Report; and
 - (ii) Programme Based Budget (PBB) for the Medium Term Expenditure Framework period 2018/2019 to 2020/2021.

(The Leader of Majority Party)

7. STATEMENT PURSUANT TO STANDING ORDER 44(2)(a)

Pursuant to the provision of Standing Order 44(2)(a), the Leader of the Majority Party issued a Statement regarding the Business of the House for the week commencing Tuesday, April 24, 2018.

8. STATEMENT PURSUANT TO STANDING ORDER 44(2)(c)

The Chairpersons of the Budget and Appropriations Committee; the National Government Constituencies Development Fund Committee; and the Departmental Committee on Communication, Information and Innovation issued a joint statement regarding establishment of ICT Hubs in every constituency as requested by the Member for Mathare (Hon. Antony Oluoch).

9. MOTION -REPORT OF THE COMMITTEE OF THE WHOLE HOUSE ON THE KENYA ROADS BILL (NATIONAL ASSEMBLY BILL NO. 47 OF 2017)

Motion made and Question proposed –

THAT, this House do agree with the Report of the Committee of the Whole House on its consideration of the Kenya Roads Bill (National Assembly Bill No. 47 of 2017).

(The Leader of Majority Party)

Question put and agreed to;

Motion made and Question proposed –

THAT, the Kenya Roads Bill (National Assembly Bill No.47 of 2017) be now read a Third Time

Question put and agreed to;

Bill read a Third Time and **passed.**

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

(The Leader of Majority Party)

Order for First Reading read;

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

11. THE WAREHOUSE RECEIPT SYSTEM BILL (SENATE BILL NO. 10 OF 2017)

(The Leader of Majority Party)

Order for First Reading read;

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

12. THE COUNTY GOVERNMENTS (AMENDMENT) BILL (SENATE BILL NO. 11 OF 2017)

(The Leader of Majority Party)

Order for First Reading read;

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

COMMITTEE OF THE WHOLE HOUSE

Order for Committee read;

IN THE COMMITTEE

The Fourth Chairperson in the Chair

The Irrigation Bill (National Assembly Bill No. 46 of 2017)

Clause 3 - Amendment Proposed -

THAT, Clause 3 be amended by deleting subclause (1) and substituting therefor the following new subclause—

“(1) The provisions of this Act shall apply, as more specifically provided in the Act, for development, management, financing, provision of support services and regulation of the entire irrigation sector in Kenya”.

(Hon. Aden Duale)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 3 - as amended agreed to

Clause 4 - agreed to

Clause 5 - agreed to

Title of Part II - Amendment Proposed

THAT, the heading to Part II be deleted and replaced with the following—

“PART II—DEVELOPMENT, MANAGEMENT AND REGULATION OF IRRIGATION”

(Hon. Aden Duale)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Title of Part II - as amended agreed to

Clause 6 - Amendments Proposed

Clause 6: Sub-Clause 1 - Amendment Proposed

THAT clause 6 be amended—

(a) by deleting subclause (1) and substituting therefor the following new subclause—

“(1) The Cabinet Secretary shall develop, manage and regulate irrigation throughout Kenya and to this extent shall ensure the effective exercise and performance by any authority or person under the authority of the Cabinet Secretary of their powers and duties in relation to irrigation and drainage, including water harvesting and storage for irrigation”;

(Hon. Aden Duale)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 6: Sub-Clause 1 - as amended agreed to

Clause 6: Sub-Clause 2(b) - Amendment Proposed

THAT, Clause 6 of the Bill be amended in sub clause (2) by—

(a) deleting the words “by the counties” appearing in paragraph (b);

(Chairperson Committee on Agriculture & Livestock)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 6: Sub-Clause 2(b) - as amended agreed to

Clause 6: Sub-Clause 2(d) - Amendment Proposed

THAT, Clause 6 of the Bill be amended in sub clause (2) by—

(b) deleting the word “promote” and substituting therefor the word “facilitate” appearing in paragraph (d); and

(Chairperson Committee on Agriculture & Livestock)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 6: Sub-Clause 2(d) - as amended agreed to

Clause 6: Sub-Clause 2(h) - New Paragraph ‘ha’ and ‘hb’ Proposed

THAT, Clause 6 of the Bill be amended in sub clause (2) by—

(c) inserting the following new paragraphs immediately after paragraph (h)—

“(ha) in collaboration with county governments, gather information and maintain data bases on irrigation development and management including data on irrigation water supplies, demands, projects, irrigated areas, management performance, potential for expansion and human resources;”

“(hb) conduct periodic technical and management audits of irrigation schemes infrastructure, governance, management and financing.”

(Chairperson Committee on Agriculture & Livestock)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 6: Sub-Clause 2(h) - as amended agreed to

Clause 6: Sub-Clause 2(j) - Amendment Proposed

(b) in subclause (2), by—

(iii) inserting the words “or any other written law” immediately after the word “Act” in paragraph (j);

(Hon. Aden Duale)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 6: Sub-Clause 2(j)- as amended agreed to

Clause 6: Sub-Clause 4 - Amendment Proposed

(c) by deleting subclause (4) and substituting therefor the following new subclause—

“(4) The Cabinet Secretary shall, in consultation with the county governments and other stakeholders, formulate and publish in the Kenya Gazette, a five-year national irrigation services strategy, based on, among others, the national irrigation policy for the time being in force”;

(Hon. Aden Duale)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 6: Sub-Clause 4 - as amended agreed to

Clause 6: Sub-Clause 5 - Amendment Proposed

(d) by deleting subclause (5) and substituting therefor the following new subclause—

“(5) The Cabinet Secretary shall ensure effective implementation of the national irrigation services strategy and to this end shall institute reviews aligned to planning cycles or at such times as the Cabinet Secretary may determine”.

(Hon. Aden Duale)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 6: Sub-Clause 5 - as amended agreed to

Title of Part III - Amendment Proposed

THAT, the heading to Part II be amended by deleting the word “DEVELOPMENT”.

(Hon. Aden Duale)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Title of Part III - as amended agreed to

Clause 7 - Amendment Proposed

THAT, Clause 7 of the Bill be amended in sub clause (1) by deleting the word “development” appearing immediately after the word “irrigation”.

(Chairperson of Agriculture & Livestock)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 7: - as amended agreed to

Clause 8 - Amendments Proposed

Clause 8: Sub-Clause 2(b) - New Paragraph ‘ba’ and ‘bb’ Proposed

THAT, Clause 8 of the bill be amended in sub clause (2) by—

(a) inserting the following new paragraphs immediately after paragraph (b)—

“(ba) in consultation with the county governments and other stakeholders facilitate formation and strengthening of scheme management committees at scheme level for management of the schemes.”

“(bb) in consultation with the county governments and other stakeholders facilitate formation and strengthening of dispute resolution committees at scheme level for the resolution of disputes relating to scheme management.”

(Hon. Wachira Kabinga)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 8: Sub-Clause 2(b) - as amended agreed to

Clause 8: Sub-Clause 2(c,e,i) - Amendment Proposed

THAT, Clause 8 of the Bill be amended—

(a) in sub clause (2) by -

- (i) inserting the words “the county government” immediately after the word “finance” appearing in paragraph (c);
- (ii) deleting paragraph (e); and
- (iii) deleting paragraph (i).

(Chairperson Agriculture & Livestock)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 8: Sub-Clause 2(c,e,i) - as amended agreed to

Clause 8: Sub-Clause 2(k) - Amendment Proposed

THAT, Clause 8 of the Bill be amended in sub clause (2) by —

(b) inserting the following new paragraphs immediately after paragraph (k)—

“in collaboration with county government and other stakeholders and government agencies carry out periodic researches to determine and make recommendation on fair prices for crops, animals and fish products grown or produced on national and other irrigation schemes.”

(Hon. Wachira Kabinga)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 8: Sub-Clause 2(k) - as amended agreed to

Clause 8: Sub-Clause 3 - Amendment Proposed

THAT, Clause 8 be amended by deleting subclause (3).

(Hon. Aden Duale)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 8: Sub-Clause 3 - as amended agreed to

Clause 9: - Amendments Proposed

Clause 9: Sub-Clause 1(d) - New Paragraph ‘da’ Proposed

THAT, Clause 9 of the Bill be amended —

(a) in sub clause (1) by—

(i) inserting the following new paragraph immediately after paragraph (d);

“(da) the Principal Secretary responsible for water or his representative”;

(Chairperson Committees)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 9: Sub-Clause 1(d) - as amended agreed to

Clause 9: Sub-Clause 1(e) - Amendment Proposed

THAT, Clause 9 be amended—

(a) in subclause (1), by deleting paragraph (e) and substituting therefor the following new paragraphs—

“(e) the Principal Secretary for the time being responsible for Water or his representative;

(f) five other members, who shall be appointed by the Cabinet Secretary, and approved by the President, taking into account the various stakeholder interests in irrigation development and management as defined in subsection (2) below”;

(Hon. Aden Duale)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 9: Sub-Clause 1(e) - as amended agreed to

Clause 9: Sub-Clause 5 - Amendment Proposed

(b) in sub clause (5) by deleting paragraph (c) and substituting therefor the following new paragraph—

“(c) holds relevant academic and professional qualification including a university degree or its equivalent in any field.”

(Chairperson of Agriculture and Livestock)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 9: Sub-Clause 5 - as amended agreed to

Clause 10: - agreed to

Clause 11: - agreed to

Clause 12: - Amendment Proposed

THAT, Clause 12 of the Bill be amended in sub clause (2) by—

(a) deleting paragraph (c) and substituting therefore the following new paragraph -

“(c) holds a relevant academic and professional qualifications including a university degree in engineering or agriculture or any field related to irrigation; and”; and

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

“(d) has at least fifteen years’ experience in the management of a public or private institution, five of which should be at senior management level or is a distinguished scholar in a discipline relevant to irrigation.”

(Chairperson of Agriculture and Livestock)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 12: - as amended agreed to

Clause 13: - agreed to

Clause 14: - Amendment Proposed

THAT, Clause 14 be amended by deleting subclause (1) and substituting therefor the following new subclause—

“(1) Each county government may, within its area of jurisdiction, establish a county irrigation development unit for the better carrying out an irrigation function delegated by the Cabinet Secretary as may be prescribed in the Regulations”.

(Hon. Aden Duale)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 14: - as amended agreed to

Clause 15: - Amendment Proposed

THAT, Clause 15 of the Bill be amended in sub clause (2) by deleting the words “in pursuant” and substituting therefor the words “pursuant to”.

(Chairperson of Agriculture and Livestock)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 15: - as amended agreed to

Clause 16: - agreed to

Clause 17: - agreed to

Clause 18: - agreed to

Clause 19: - Amendments Proposed

Clause 19: Sub-Clause 1: - Amendments Proposed

THAT, Clause 19 be amended by deleting subclause (1) and substituting therefor the following new subclause—

“(1) The Cabinet Secretary shall, through the Authority, oversee management of existing and new national or public schemes, except those under county governments, and particularly storage dams, intake, main and secondary systems as necessary”.

(Hon. Aden Duale)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 19: Sub-Clause 1 - as amended agreed to

Clause 19: Sub-Clauses 2,3,4: - Amendments Proposed

THAT, Clause 19 of the Bill be amended—

- (a) in sub clause (2) by inserting the words “ scheme management committees, dispute resolution committees” immediately after the words “ water user’s association”.
- (b) in sub clause (3) by inserting the words “ scheme management committees, dispute resolution committees” immediately after the words “ water user’s association”.
- (c) in sub clause (4) by inserting the words “ scheme management committees, dispute resolution committees” immediately after the words “ water user’s association”.

(Hon. Wachira Kabinga)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 19: Sub-Clauses 2,3,4 - as amended agreed to

Clause 20: - Amendment Proposed

THAT, Clause 20 of the Bill be amended by deleting sub clause (3).

(Chairperson of Agriculture and Livestock)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 20: - as amended agreed to

Clause 21: - agreed to

Clause 22: - agreed to

Clause 23: - agreed to

Clause 24: - agreed to

Clause 25: - Amendment Proposed

THAT, Clause 25 of the Bill be amended in sub clause (1) by —

- (a) deleting the word “property” appearing before the word “operation”; and
- (b) inserting the word “irrigation” immediately after the words “association or at”.

(Chairperson of Agriculture and Livestock)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 25: - as amended agreed to

Clause 26: - Amendment Proposed

THAT, the Bill be amended by deleting Clause 26 and substituting with the following new clause—

“**26.** Where the water users association or at the irrigation scheme level is unable to resolve a dispute, the same shall be referred to the Dispute Resolution Committee at the first instance to consider and determine the matter before the same is referred to Court.”

(Chairperson of Agriculture and Livestock)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 26: - as amended agreed to

Clause 27: - agreed to

Clause 28: - agreed to

Clause 29: - agreed to

Clause 30: - agreed to

Clause 31: - agreed to

Clause 32: - agreed to

Clause 33: - Amendments Proposed

Clause 33: Sub-Clause 2(f) - Amendments Proposed

THAT, Clause 33 of the Bill be amended in sub clause (2) by inserting the words “scheme management committee and dispute resolution committee” immediately after the words, “associations” appearing in paragraph (f).

(Hon. Wachira Kabinga)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 33: Sub-Clause 2(f) - as amended agreed to

Clause 33: Sub-Clause 2 - New Paragraph ‘fa’ Proposed

THAT, Clause 33 of the Bill be amended in sub clause (2) by inserting the following new paragraph immediately after paragraph (f)—

“(fa) prescribe fees payable by irrigation water users based on costs of operation and maintenance of the scheme;”

(Chairperson of Agriculture and Livestock)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 33: Sub-Clause 2 - as amended agreed to

Clause 34: - Amendment Proposed

THAT, Clause 34 be amended in subclause (2), by deleting paragraph (f) and substituting therefor the following new paragraph—

“(f) any person who, immediately before the commencement of this Act, was an officer, agent, or member of staff appointed, seconded or deployed or otherwise employed by the National Irrigation Board shall become an employee or otherwise seconded or deployed to the Authority on similar terms and conditions of service or as may be provided by the law”.

(Hon. Aden Duale)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 34: - as amended agreed to

New Clause 32A: - New Clause 32A Proposed

NEW CLAUSE

THAT, the Bill be amended by introducing the following new clause immediately after clause 32-

32A. Abstraction of water.	32A. Any person who abstracts water from an irrigation system or disrupts the distribution plan of a scheme commits an offence and shall be liable on conviction to a fine not exceeding two hundred and fifty thousand shillings or to imprisonment for a term of one year or to both such fine and imprisonment.
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(Chairperson of Agriculture and Livestock)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

New Clause 32A: - as introduced agreed to

Schedule: - agreed to

Clause 2: - Amendments Proposed

THAT, Clause 2 be deleted—

- (a) in the definition of “Authority”, by deleting the word “Development”;
- (b) by deleting the definition of “irrigation” and substituting therefor the following—
 - “irrigation” means any hydraulic engineering process, which abstracts, stores and supplies water to crops or any other cultivated plants, livestock, aquaculture and desired forest trees;
- (c) by deleting the definition of “large scale irrigation scheme” and substituting therefor the following—
 - “large scale irrigation scheme” means a scheme which acreage size covers over three thousand acres, and is developed and managed by the Authority, and is established for national strategic purposes, or such schemes as implemented by the private sector;
- (d) by deleting the definition of “licence” and substituting therefor the following—

“licence” means means a licence issued by the Cabinet Secretary or such other person as the Cabinet Secretary may authorize;

(e) in the definition of storage, by deleting the word “agriculture” and substituting therefor the word “irrigation”.

(Hon. Aden Duale)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 2: - as amended agreed to

Clause 2: - Additional Amendments Proposed

THAT, Clause 2 of the Bill be amended by inserting the following new definitions in their proper alphabetical order—

- (a) “Scheme Management Committee” means the Scheme Management Committee established under section 8(ba);
- (b) “Dispute Resolution Committee” means the Dispute Resolution Committee established under section 8(bb).

(Hon. Wachira Kabinga)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 2: - as amended agreed to

Long Title: - Amendment to Long Title Proposed

LONG TITLE

THAT, the long title be deleted and replaced with the following new long title—

“An Act of Parliament to provide for the development, management and regulation of irrigation, to support sustainable food security and socio-economic development in Kenya, and for connected purposes”.

(Hon. Aden Duale)

Amendment not moved.

Clause 1: - agreed to

Bill to be reported with amendments

(ii) THE ENERGY BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2017)

Clause 3 - amendment proposed -

THAT, Clause 3 of the Bill be amended —

- (a) by renumbering the opening paragraph as sub-clause (1);
- (b) by deleting paragraph (b);
- (c) inserting the following new sub-clause immediately after sub-clause (1) —

(2) Save where this Act expressly provides otherwise, any license granted or anything done under this Act shall not affect the right, privilege, obligation or liability acquired by any licensee or other person in any contract or under any written law prior to the commencement of this Act.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 3 - as amended agreed to

Clause 4 - amendment proposed -

THAT, Clause 4 of the Bill be amended in sub-clause (1) by inserting the words “in consultation with the relevant stakeholders” immediately after the words “The Cabinet Secretary shall”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed -

THAT, Clause 4 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (2)—

- (3) The Cabinet Secretary shall submit the published report to Parliament for its consideration.

(Hon. Godfrey Osotsi)

Question of the further amendment proposed;

Debate arising;

Further amendment withdrawn;

Clause 4 - as amended agreed to

Clause 5 - amendment proposed -

THAT, Clause 5 of the Bill be amended in sub-clause (1) by deleting the words “shall develop, publish and review energy plans in respect of midstream and downstream petroleum” and substituting therefor the words “shall in consultation with the relevant stakeholders develop, publish and review energy plans in respect of”.

Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 5 - as amended agreed to

Clause 6 - amendment proposed -

THAT, Clause 6 of the Bill be amended—

(a) by renumbering the existing clause as sub-clause (1);

(b) by inserting the following new sub-clause immediately after sub-clause (1) —

(2) The Cabinet Secretary shall submit the published report to Parliament for its consideration.

(Hon. Godfrey Osotsi)

Question of the further amendment proposed;

Debate arising;

Proposed amendment withdrawn;

Clause 6 - agreed to

Clauses 7 & 8 - agreed to

PART III - amendment proposed -

THAT, Part III of the Bill be amended in the heading by deleting the words “Energy Regulatory Commission” and substituting therefor the words “Energy and Petroleum Regulatory Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

PART III - as amended agreed to

Clause 9 - amendment proposed -

THAT, Clause 9 of the Bill be amended—

- (a) in sub-clause (1) by deleting the words “Energy Regulatory Commission hereinafter referred to as the Commission” and substituting therefor the words “Energy and Petroleum Regulatory Authority hereinafter referred to as the Authority”;
- (b) in sub-clause (2) by deleting the word “Commission” and substituting therefor the word “Authority”;
- (c) in sub-clause (3) by deleting the word “Commission” and substituting therefor the word “Authority”;
- (d) in the marginal note by deleting the word “Commission” and substituting therefor the word “Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 9 - as amended agreed to

Clause 10 - amendment proposed -

THAT, Clause 10 of the Bill be amended—

- (a) in the opening paragraph by deleting the word “Commission” and substituting therefor the word “Authority”;
- (b) in the marginal note by deleting the word “Commission” and substituting therefor the word “Authority”;
- (c) by inserting the following new paragraphs immediately after paragraph (a) —
 - (aa) regulate, monitor and supervise upstream petroleum operations in Kenya in accordance with the law relating to Petroleum, the regulations made thereunder and the relevant petroleum agreement;
 - (ab) provide such information and statistics in relation to upstream petroleum operations in Kenya to the Cabinet Secretary responsible for matters relating to petroleum as may be required from time to time;
 - (ac) collect, maintain and manage upstream petroleum data;
 - (ad) receive, review and grant an application for a non-exclusive exploration;
 - (ae) co-ordinate the development of upstream petroleum infrastructure and promote capacity building in upstream petroleum operations;
 - (af) inspect and test any machinery or equipment that has been used, is used or shall be used in upstream petroleum operations;
 - (ag) assess field development plans and make recommendations to the Cabinet Secretary responsible for matters relating to petroleum for approval, amendment or rejection of the plans;
 - (ah) assess tail-end production and cessation of upstream petroleum operations and oversee decommissioning by a contractor;

- (ai) verify the measurements of petroleum production to allow for estimation and assessment of royalties and profits of oil and gas due to the National Government;
- (aj) verify the recoverable cost of oil and gas due to the parties to a petroleum agreement;
- (ak) audit contractors for cost recovery;
- (al) monitor in consultation with the Competition Authority conditions of contractors' operations and their trade practices;
- (am) provide information to the relevant authority for the collection of taxes and fees from upstream petroleum operations;
- (an) set, review and approve contracts, tariffs and charges for common user upstream petroleum facilities;
- (ao) make proposals to the Cabinet Secretary responsible for matters relating to petroleum in relation to regulations which may be necessary or expedient for the regulation of the upstream petroleum sector or for carrying out the objects and purposes of this Act;
- (ap) work with the relevant statutory authorities to formulate, enforce and review environmental, health, safety and quality standards for the upstream petroleum sector;
- (aq) develop guidelines, in consultation with other statutory authorities, in relation to the implementation of treaties, conventions or protocols affecting the upstream petroleum sector that have been ratified by Kenya;
- (ar) regulate contracts on upstream petroleum operations not specifically provided for under the law relating to petroleum;
- (as) advise the Cabinet Secretary responsible for matters relating to petroleum in the evaluation of the bids and applications made for upstream petroleum blocks;
- (at) ensure that contractors uphold the relevant laws, regulations and petroleum agreement terms;
- (au) ensure optimal levels of recovery of petroleum resources;
- (av) promote well planned, executed and cost-efficient operations;
- (aw) ensure optimal utilization of existing and planned facilities;
- (ax) ensure the establishment of a central database of persons involved in upstream petroleum operations;
 - (ay) manage upstream petroleum data and provide periodic updates and publication of the status of upstream petroleum operations;
- (az) take such action as is necessary to enforce the requirements in a petroleum agreement or any regulations and to protect the environment, the health and safety of workers and the public;
- (ba) ensure and facilitate competition, access and utilization of facilities by third parties;
- (bb) prescribe the form and manner in which any application for any authority, consent or approval under the law relating to petroleum shall be made;
- (bc) investigate complaints or disputes arising from petroleum operations;
- (bd) enforce local content requirements;
- (be) issue operational permits and non-exclusive exploration permits in accordance with the law relating to petroleum;
- (bf) ensure enforcement and compliance with the national values and principles.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 10- as amended agreed to

Clause 11- amendment proposed -

THAT, Clause 11 of the Bill be amended—

(a) by inserting the following new paragraphs immediately after paragraph (l)—

(la) enter, inspect and search any premises at which any undertaking relating to petroleum operations is carried out or an offence is being committed or is suspected to have been committed;

(lb) issue orders either requiring acts or things to be performed or done, prohibiting acts or things from being performed or done, and may prescribe periods or dates upon, within or before which such acts or things shall be performed or done or such conditions shall be fulfilled in furtherance of its powers under the law relating to petroleum;

(lc) impose such sanctions and civil fines not exceeding five hundred thousand shillings per violation per day to secure compliance with orders issued under the law relating to petroleum;

(ld) take or remove, for analysis, testing or for use in evidence in connection with the commission of an offence under the law relating to petroleum, samples of petroleum or other substances from any area where any upstream petroleum operations are being carried on;

(le) inspect, take extracts from, or make copies of any document relating to any upstream petroleum operations;

(b) by deleting the word “Commission” wherever it appears in the opening paragraph and substituting therefor the word “Authority”.

(c) by deleting the word “Commission” in the marginal note and substituting therefor the word “Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed -

THAT, Clause 11 of the Bill be amended by deleting paragraph (i)

(Hon. Godfrey Osotsi)

Question of the further amendment proposed;

Debate arising;

Question put and negatived;

Clause 11 - as amended agreed to

Clause 12 - amendment proposed -

THAT, Clause 12 of the Bill be amended —

(a)in sub-clause (1) —

- (i) by deleting the words “and Petroleum” appearing in paragraph (b);
- (ii) by inserting the following new paragraphs immediately after paragraph (b)

-
- (ba) the Principal Secretary responsible for Petroleum or his representative;
- (bb) the Principal Secretary in the National Treasury or his or her authorized representative;

(iii) by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

(b)by deleting the word “Commission” in the marginal note and substituting therefor the word “Authority”;

(c)in sub-clause (2) by deleting the words “in the fields of engineering, physical sciences, law, finance, environmental studies, economics, social sciences or energy” appearing in paragraph (b).

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 12 - as amended agreed to

Clause 13 - amendment proposed -

THAT, Clause 13 of the Bill be amended —

(a)by deleting the word “Commission” wherever it appears in sub-clause (1) and substituting therefor the word “Authority”;

(b)by deleting the word “Commission” wherever it appears in sub-clause (5) and substituting therefor the word “Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Further amendment proposed -

(a) **THAT**, Clause 13 of the Bill be amended in sub-clause (3) by inserting the word “senior” immediately before the word “management” in paragraph (c);

(Hon. Godfrey Osotsi)

Further amendment withdrawn

- (b) **THAT**, Clause 13 of the Bill be amended in sub-clause (3) by inserting the following new paragraph immediately after paragraph (c)—
- (ca) has at least two years of experience in petroleum and energy.

(Hon. Godfrey Osotsi)

Question of the further amendment proposed;

Debate arising;

Question put and agreed to;

Clause 13 - as amended agreed to

Clause 14- agreed to

Clause 15 - amendment proposed -

THAT, Clause 15 of the Bill be amended by deleting the word “Commission” and substituting therefor the word “Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 15 - as amended agreed to

Clause 16 - amendment proposed -

THAT, Clause 16 of the Bill be amended—

- (a) by deleting the words “The Commission” and substituting therefor the word “the Authority”;
- (b) in the marginal note by deleting the word “Commission” and substituting therefor the word “Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 16 - as amended agreed to

Clause 17 - amendment proposed -

THAT, Clause 17 of the Bill be amended by deleting the words “The Commission” and substituting therefor the word “the Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 17 - as amended agreed to

Clause 18 - amendment proposed -

THAT, Clause 18 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 18 - as amended agreed to

Clause 19 - amendment proposed -

THAT, Clause 19 of the Bill be amended—

- (a) by deleting the word “Commission” and substituting therefor the word “Authority”;
- (b) in the marginal note by deleting the word “Commission” and substituting therefor the word “Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 19 - as amended agreed to

Clause 20- amendment proposed -

THAT, Clause 20 of the Bill be amended—

- (a) in sub-clause (1) —
 - (i) by inserting the following new paragraphs immediately after paragraph (c) —
 - (ca) any revenues generated from any proprietary interest held by the Authority whether movable or immovable;
 - (cb) interest from bank deposits;
 - (ii) by deleting the words “as fines” appearing in the proviso and substituting therefor the words “including levies, fines”.

(b) by inserting the following new sub-clauses immediately after sub-clause (1) —

(1A) Any funds retained by the Authority shall make part of the funds of the Authority by way of appropriation.

(1B) The Cabinet Secretary responsible for matters relating to petroleum may make Regulations to provide for a levy prescribing—

- (a) the amount in Kenya Shillings payable per cubic metre of crude oil;
- (b) the amount of Kenya Shillings payable per one thousand cubic metre of marketable natural gas;
- (c) when the relevant levy may be applied; and
- (d) any other requirements for implementation of the levy.

(c) by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 20 - as amended agreed to

Clause 21 - amendment proposed -

THAT, Clause 21 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 21 - as amended agreed to

Clause 22 - amendment proposed -

THAT, Clause 22 of the Bill be amended—

- (a) in sub-clause (1) by inserting the words “Subject to any other written law” immediately before the words “A committee member”.
- (b) in sub-clause (4) by deleting the word “Commission” and substituting therefor the word “Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 22 - as amended agreed to

Clause 23 - amendment proposed -

THAT, Clause 23 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 23- as amended agreed to

Clause 24- amendment proposed -

THAT, Clause 24 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 24- as amended agreed to

Clause 25- agreed to

Clause 26- amendment proposed -

THAT, Clause 26 of the Bill be amended—
(a) in sub-clause (1) —

(i) by deleting paragraph (a) and substituting therefor the following new paragraph—

(a) a chairperson who shall be appointed by the President from among persons qualified to be judges of the High Court and who have at least five years’ experience in energy and petroleum matters.

(ii) by deleting the word “five” and substituting therefor the word “six” in paragraph (b);

(iii) by deleting the word “Commission” and substituting therefor the word “Authority” in paragraph (b);

(iii) by inserting the word “law,” immediately before the word “petroleum” in paragraph (b);

(b)by inserting the following new sub-clause immediately after sub-clause (1)

(1A) The members of the Tribunal shall at the first meeting of the Tribunal elect a vice-chairperson who shall be a person qualified to be a judge of the High Court possessing at least five years’ experience in energy and petroleum matters.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 26 - as amended agreed to

Clauses 27, 28, 29, 30 & 31 - agreed to

Clause 32 - amendment proposed -

THAT, Clause 32 of the Bill be amended in sub-clause (4) by inserting the words “by the chairperson” immediately after the words “in the Gazette”

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 32 - as amended agreed to

Clauses 33 & 34 - agreed to

Clause 35 - amendment proposed -

THAT, Clause 35 of the Bill be amended by inserting the following new sub-clause immediately after sub-clause (2) —

(3) The members of the Tribunal shall serve on part-time basis.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 35 - as amended agreed to

Clause 36 - amendment proposed -

THAT, Clause 36 of the Bill be amended —

(a) by deleting sub-clause (4);

(b) in sub-clause (5) by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority” .

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 36 - as amended agreed to

Clause 37 - agreed to

Clause 38 - amendment proposed -

THAT, Clause 38 of the Bill be amended in sub-clause (3) by inserting the words “and rules of evidence of a similar nature” immediately after the words “natural justice”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 38 - as amended agreed to

Clause 39 - agreed to

Clause 40 - amendment proposed -

THAT, Clause 40 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 40 - as amended agreed to

Clause 41 - amendment proposed -

THAT, Clause 41 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority” .

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 41 - as amended agreed to

Clause 42 - agreed to

Clause 43 - amendment proposed -

THAT, Clause 43 of the Bill be amended in sub-clause (1) -

(a) by deleting paragraph (j) and substituting therefor the following new paragraph-

“(j) develop, promote and manage in collaboration with other agencies, the use of renewable energy and technologies, including but not limited to biomass (biodiesel, bio-ethanol, charcoal, fuel-wood, bio-gas) municipal waste, solar, wind, tidal waves, small hydropower and co-generation but excluding geothermal;”

(b) by deleting the word “Institute” and substituting therefor the word “Agency” in paragraph (k);

(c) by deleting the word “Institute” and substituting therefor the word “Agency” in paragraph (l).

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 44 - as amended agreed to

Clause 44 - amendment proposed -

THAT, Clause 44 of the Bill be amended in sub-clause (1) by deleting the words “and petroleum” appearing in paragraph (b).

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 44 - as amended agreed to

Clause 45 - amendment proposed -

THAT, Clause 45 of the Bill be amended in sub-clause (2) by deleting the word “selection” and substituting therefor the word “recruitment”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 45 - as amended agreed to

Clauses 46, 47, 48 & 49 - agreed to.

Clause 50 - amendment proposed -

THAT, Clause 50 of the Bill be amended by inserting the word “liable” immediately after the words “directions personally”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 50 - as amended agreed to

Clauses 51, 52, 53, 54, 55 & 56 - agreed to

Clause 57 - amendment proposed -

THAT, Clause 57 of the Bill be amended by deleting paragraph (e)(i) and substituting therefor the following new paragraph—

“(i) one person shall be a registered nuclear energy engineer with experience of five years.”

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Amendment to amendment proposed -

THAT, the proposed amendment be deleted and substituted therefor with the following —

“(i) one person shall be a registered engineer with experience of five years in nuclear energy.”

(Chairperson of the Departmental Committee on Energy)

Question put and agreed to;

Clause 57 - as amended agreed to

Clauses 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73 & 74 -
agreed to

Clause 75 - amendment proposed -

THAT, Clause 75 of the Bill be amended in sub-clause (2) by deleting the words “and petroleum” appearing in paragraph (a).

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 75 - as amended agreed to

Clauses 76 & 77 - agreed to

Clause 78 - amendment proposed -

THAT, Clause 78 of the Bill be amended—

- (a) in sub-clause (4) by deleting the words “one year from the date of issue” and substituting therefor the words “two years from the date of issue”;
- (b) in sub-clause (5) by inserting the following new paragraph immediately after paragraph (b)—
 - (ba)the authorized person has not commenced a search of geothermal resources for a continuous period of five years;

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 78 - as amended agreed to

Clause 79 - amendment proposed -

THAT, Clause 79 of the Bill be amended in sub-clause (1) by deleting the words “The Cabinet Secretary on receiving an application for the extraction of geothermal resources in respect of any land, may, on the advice of the Commission” and substituting therefor the words “The Cabinet Secretary may, on receiving an application for the extraction of geothermal resources in respect of any land, and in consultation with the Renewable Energy Resource Advisory Committee”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 79 - as amended agreed to

Clause 80 - amendment proposed -

THAT, Clause 80 of the Bill be amended—

- (a) in sub-clause (1) by inserting the words “and other relevant laws” immediately after the words “subject to this Act”.
- (b) in sub-clause (2) by deleting the words “without requiring an additional licence notwithstanding the provisions of any other written law” and substituting therefor the words “after obtaining a license under the law relating to mining”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 80 - as amended agreed to

Clause 81 - amendment proposed -

THAT, Clause 81 of the Bill be amended by deleting the word “Commission” appearing on the opening paragraph and substituting therefor the word “Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 81 - as amended agreed to

Clauses 82 & 83 - agreed to

Clause 84 - amendment proposed -

THAT, Clause 84 of the Bill be amended—

- (a) in sub-clause (3) by deleting the word “twice” appearing in the proviso;
- (b) in sub-clause (4) by deleting the words “concerned based on the extent of the investment in each county”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 84 - as amended agreed to

Clauses 85, 86 & 87 - agreed to

Clause 88 - amendment proposed -

THAT, Clause 88 of the Bill be amended in sub-clause (1) by deleting the word “Commission” and substituting therefor the word “Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 88 - as amended agreed to

Clauses 89 & 90 - agreed to

Clause 91 - amendment proposed -

THAT, Clause 91 of the Bill be amended in sub-clause (1) by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 91 - as amended agreed to

Clause 92 - amendment proposed -

THAT, Clause 92 of the Bill be amended in sub-clause (1) by deleting the word “Commission” and substituting therefor the word “Authority”.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 92 - as amended agreed to

Clause 93 - amendment proposed -

THAT, the Bill be amended by deleting Clause 93.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 93 - deleted.

Clause 94 - amendment proposed –

THAT, the Bill be amended by deleting Clause 94.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 94 - deleted.

Clause 95 - amendment proposed –

THAT, the Bill be amended by deleting Clause 95.

(Chairperson of the Departmental Committee on Energy)

Question of the amendment proposed;

Debate arising;

Question put and agreed to;

Clause 95 - deleted.

Progress report

Motion made and Question proposed –

THAT the Committee of the whole House do Report to the House its consideration of the Energy Bill (National Assembly Bill No.50 of 2017) and seek leave to sit again.

(The Leader of the Majority Party)

Question put and agreed to;

13. HOUSE RESUMED - the Fourth Chairperson in the Chair

(i) **The Energy Bill (National Assembly Bill No. 50) of 2017**

Progress reported;

Motion made and Question proposed –

THAT, the Committee of the whole House has considered the Energy Bill (National Assembly Bill No.50 of 2017) up to Clause 95 and seeks leave to sit again tomorrow
(The Leader of the Majority Party)

Question put and agreed to.

(ii) **The Irrigation Bill (National Assembly Bill No. 46 of 2017)**

Bill reported;

Bill reported with amendments;

Motion made and Question proposed –

THAT, the House do agree with the Committee in the said report

(The Leader of the Majority Party)

Question for Third Reading deferred to another day

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

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

M E M O R A N D U M

The Speaker will take the Chair on
Tuesday, April 24, 2018 at 2.30 p.m.

--x--