



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, MARCH 20, 2019 AT 9.30 A.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 - DIAGNOSTIC TESTING, SCREENING AND TREATMENT OF DIABETES IN WORKPLACES AND COMMUNITY SETTINGS

(The Hon. Ruweida Obo, M.P.)

THAT, aware that the prevalence of diabetes in the country has been on the increase with approximately 458,900 cases reported in Kenya according to the International Diabetes Federation Report of 2017, representing two per cent of the total adult population; deeply concerned that many people with diabetes continue to lose their lives each year due to lack of awareness of the disease, inability to afford management of the condition and expensive medication; noting that people living with diabetes can live longer and lead comfortable lives if they receive the right medical care and support to help them manage the disease; further noting that there remains inadequate funding for the implementation of the effective strategy for the prevention, detection and management of diabetes thus hindering Kenya's achievement of the Sustainable Development Goal 3 and Vision 2030; recognizing the importance of early diagnosis of diabetes, aiding treatment, monitoring treatment progress, monitoring recovery and preventing life threatening and expensive complications; **this House urges** the Government to institutionalize diagnostic testing for diabetes in work places and community settings, provide for education, prevention and subsidized routine diabetes screening and treatment and put in place measures to ensure an effective diabetes care system at all levels of health care.

(Question to be put)

(No.22)

WEDNESDAY, MARCH 20, 2019

(222)

9*. THE LIVESTOCK AND LIVESTOCK PRODUCTS MARKETING BOARD BILL (NATIONAL ASSEMBLY BILL NO. 2 OF 2019)

(The Hon. Bashir Abdullaih, M.P.)

First Reading

10*. THE INSTITUTE OF DIRECTORS OF KENYA BILL (NATIONAL ASSEMBLY BILL NO. 3 OF 2019)

(The Hon. Chrisantus Wamalwa, M.P.)

First Reading

11*. THE INDUSTRIAL TRAINING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 4 OF 2019)

(The Hon. Jude Njomo, M.P.)

First Reading

12*. THE NATIONAL HOSPITAL INSURANCE FUND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 5 OF 2019)

(The Hon. Emmanuel Wangwe, M.P.)

First Reading

13*. THE ANTI-CORRUPTION AND ECONOMIC CRIMES (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2019)

(The Hon. Ndindi Nyoro, M.P.)

First Reading

14*. THE NATIONAL YOUTH COUNCIL (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 8 OF 2019)

(The Hon. Gideon Keter, M.P.)

First Reading

15*. THE HIGHER EDUCATION LOANS BOARD (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 9 OF 2019)

(The Hon. Ruweida Mohamed Obo, M.P.)

First Reading

(No.22)

WEDNESDAY, MARCH 20, 2019

(223)

16*. **MOTION – CRITERIA FOR ALLOCATION OF SCHOOL INFRASTRUCTURE IMPROVEMENT FUNDS**

(The Hon. Omboko Milemba, M.P.)

THAT, aware that Article 53(1)(b) of the Constitution provides that every child has the right to free and compulsory basic education; further aware in addition to providing free compulsory education, the Government is also implementing free tuition secondary education; appreciating the Government's policy on achieving 100 per cent transition of pupils from primary to secondary schools; concerned that this policy has resulted in a stretch and strain of schools' infrastructure and facilities as a result of the large number of students admitted to secondary schools; cognizant that there is strong evidence that adequate, high-quality infrastructure facilitates better instruction, improves student outcomes, and reduces dropout rates, among other benefits; further cognizant that day secondary schools could be the key to ensuring widest access to secondary education, especially for students from humble backgrounds, due to their reduced cost in comparison with boarding schools; this House **urges** the Government to ensure that at least seventy (70) percent of total funds allocated under the secondary schools' infrastructure improvement programme is allocated to public day secondary schools to cater for improved infrastructure, and further that these funds be allocated as capitation grant.

17*. **MOTION – DEVELOPMENT AND IMPLEMENTATION OF A CURRICULUM FOR TRAINING STUDENTS AND PUPILS IN SCHOOLS ON ROAD SAFETY**

(The Hon. Silvanus Osoro, M.P.)

THAT, concerned that available reports indicate that on average, road traffic accidents in the country cause an estimated 3,000 deaths with many other victims injured and maimed as a result, placing Kenya among the Countries with the highest road carnage globally; further concerned that it is estimated that the cost to the economy from road traffic accidents is in excess of Kshs. 300 billion annually according to the National Transport Safety Authority (NTSA) Road Safety Status Report (2015); aware that legislation and policies in place to a large extent addresses the key road safety risk factors, and the challenge is in implementation and enforcement; cognizant that road safety awareness would help in combating road accidents in the country; acknowledging that section 4(2) of the National Transport and Safety Act mandates the NTSA to develop and implement road safety strategies; and facilitate the education of Members of the public on road safety; recognizing that schools provide the largest and most concentrated group of Members of the public who can benefit from road safety education; this **House resolves** that the National Government urgently develops and implements a mandatory and examinable curriculum for training of students and pupils in Primary and Secondary Schools on road safety.

18*. MOTION – MEASURES TO BRIDGE TRADE DEFICIT

(The Hon. Maj. (Rtd) John Waluke, M.P.)

THAT, aware that Kenya's trade deficit has been on the increase in the past few years with the financial year 2016/2017 deficit being estimated at Kshs. 1.1 trillion; noting that, the deficit is mainly attributable to the exports worth Kshs. 594 billion against imports amounting to Kshs. 1.7 trillion, driven mainly by the more than doubling of food and machinery imports amid slow-moving exports; concerned that, the widening deficit has continued to pile pressure on the shilling against other global currencies such as the dollar; alarmed that, the high demand for the dollar to fund imports has been forcing the Central Bank of Kenya (CBK) to intervene, depleting foreign exchange reserves even as the Country continues to incur foreign debts; cognizant that, the rising imports amplified by flat exports portends a difficult operating environment for local enterprises and farmers thereby denying Kenyans employment opportunities when locals lose out to foreign manufacturers and farmers; notwithstanding the effects of protectionism policies which contribute towards affecting local industries and farms abilities to compete in international markets; this House **resolves** that the Government urgently puts in place measures to bridge the huge trade deficit including by providing incentives to potential investors and farmers, supporting local production through promotion and protection of local industries and implementing competitive export promotion strategies.

*** Denotes Orders of the Day**

(No.22)

WEDNESDAY, MARCH 20, 2019

(225)

N O T I C E S

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

- I. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on any **Motion**, including a Special motion shall be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each 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 ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; 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.

 - II. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on **Bills NOT 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 three hours and thirty minutes, with not more than thirty (30) minutes for the Mover, in moving and ten (10) minutes in replying, a maximum of thirty (30) minutes for the Chairperson of 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; 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.
-

NOTICE PAPER

Tentative business for

Wednesday (Afternoon), March 20, 2019

(Published pursuant to Standing Order 38(1))

The following tentative business may be transacted on Wednesday (Afternoon), March 20, 2019:-

A. PROCEDURAL MOTION - LIMITATION OF DEBATE ON MATTERS UNDER STANDING ORDER 146

(The Leader of the Majority Party)

B. SPECIAL MOTION - REPORT ON THE VETTING OF THE NOMINEE FOR APPOINTMENT AS THE CABINET SECRETARY FOR EDUCATION

(The Chairperson, Committee on Appointments)

C. THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL NO. 11 OF 2019)

(The Chairperson, Budget & Appropriations Committee)

Second Reading

D. COMMITTEE OF THE WHOLE HOUSE

The Division of Revenue Bill (National Assembly Bill No. 11 of 2019)

(The Chairperson, Budget & Appropriations Committee)

E. MOTION - REPORT ON A MEETING TO PROMOTE AND POPULARIZE THE RATIFICATION OF THE PROTOCOL ON THE FREE MOVEMENT OF PERSONS AND ITS IMPLEMENTATION ROADMAP

(The Chairperson, Departmental Committee on Defence and Foreign Relations)

F. MOTION – RATIFICATION OF THE REVISED CONSTITUTION OF THE AFRICAN CIVIL AVIATION COMMISSION
(The Chairperson, Departmental Committee on Transport, Public Works & Housing)

G. MOTION - REPORT ON AN INSPECTION VISIT TO THE NAMANGA ONE STOP BORDER POST IN KAJIADO COUNTY
(The Chairperson, Committee on Regional Integration)



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

115/2019

The Member for Suna West Constituency (Hon. Peter Francis Masara, MP) to ask the Cabinet Secretary for Petroleum and Mining-

- (i) Is the Cabinet Secretary aware that in late 2017, eight artisanal miners from Suna West Constituency lost their lives as a result of collapse of mines during the mining process?
- (ii) What measures is the Ministry putting in place to ensure that miners are sensitized on safety procedures during mining processes?
- (iii) Could the Ministry consider compensating families of persons who lose their lives as a result of collapse of mines?

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

125/2019

The Member for Nambale Constituency (Hon. Sakwa John Bunyasi, MP) to ask the Cabinet Secretary for Agriculture, Livestock, Fisheries and Irrigation:-

- (i) What is the status of construction of the Lower Soi River Irrigation project located in Malanga and Mwikeno areas, Nambale Constituency, and when is it expected to be completed?
- (ii) Could the Cabinet Secretary provide a list of all the farmers who have received compensation as result of being relocated to pave way for the project?
- (iii) What measures is the Ministry undertaking to compensate all affected farmers?

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

126/2019

The Member for West Mugirango Constituency (Hon Vincent Kemosi Mogaka MP) to ask the Cabinet Secretary for Education:

- (i) Is the Cabinet Secretary aware that fees paid through cheques by students in University of Nairobi take too long to clear, leading most students to defer their studies for one or two semesters?
- (ii) What action is the Ministry taking to address these problems?

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



REPUBLIC OF KENYA
TWELFTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

WEDNESDAY, MARCH 20, 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*.** **PROCEDURAL MOTION -** **LIMITATION OF DEBATE ON**
BUSINESS UNDER STANDING
ORDER 146
(The Leader of the Majority Party)

THAT, pursuant to the provisions of Standing Order 97(1), this House orders that, each speech in the general debate contemplated under Standing Order 146 (*Consideration of Senate amendments to Bills originating in the National Assembly*) be limited as follows:- a maximum of one hour and thirty minutes, with not more than fifteen minutes (15) for the Mover in moving, fifteen minutes (15) for the Chairperson of the relevant Departmental Committee, and five (5) minutes for any other Member speaking, including the Leader of the Majority Party and the Leader of the Minority Party (if the Bill is not a party-sponsored Bill), 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, the Leader of the Minority Party and the Chairperson of the relevant Departmental Committee, in that order.

9*. SPECIAL MOTION - REPORT ON THE VETTING OF THE
NOMINEE FOR APPOINTMENT AS THE
CABINET SECRETARY FOR EDUCATION
(The Chairperson, Committee on Appointments)

THAT, taking into consideration the findings of the Committee on Appointments in its Report on the *Vetting of the Nominee for Approval as the Cabinet Secretary for the Ministry of Education, laid on the Table of the House on Tuesday, March 19, 2019*, and pursuant to the provisions of Article 152(2) of the Constitution and sections 3 and 5 of the Public Appointments (Parliamentary Approval) Act, 2011, this House **approves** the appointment of **Prof. George Albert Omoro Magoha** as the Cabinet Secretary for the Ministry of Education.

10*. THE DIVISION OF REVENUE BILL (NATIONAL ASSEMBLY BILL
NO. 11 OF 2019)

(The Chairperson, Budget & Appropriations Committee)

Second Reading

11*. COMMITTEE OF THE WHOLE HOUSE

The Division of Revenue Bill (National Assembly Bill No. 11 of 2019)
(The Chairperson, Budget & Appropriations Committee)

12*. MOTION - REPORT ON A MEETING TO PROMOTE AND
POPULARIZE THE RATIFICATION OF THE
PROTOCOL ON THE FREE MOVEMENT OF PERSONS
AND ITS IMPLEMENTATION ROADMAP

(The Chairperson, Departmental Committee on Defence and Foreign Relations)

THAT, this House **notes** the Report of the Departmental Committee on Defence and Foreign Relations on a meeting with the Member States and Secretaries of the Economic Community of West African States and East African Community to promote and popularize the Ratification of the Protocol on the Free Movement of Persons and its Implementation Roadmap, *laid on the Table of the House on Wednesday, November 21, 2018*.

(Resumption of debate interrupted on Tuesday, March 19, 2019)

(No.23)

WEDNESDAY, MARCH 20, 2019

(228)

13*. **MOTION – RATIFICATION OF THE REVISED CONSTITUTION OF THE AFRICAN CIVIL AVIATION COMMISSION**

(The Chairperson, Departmental Committee on Transport, Public Works & Housing)

THAT, this House adopts the Report of Departmental Committee on Transport, Public Works and Housing on its consideration of the Revised Constitution of the African Civil Aviation Commission (AFCAC) for Ratification, *laid on the Table of House on Tuesday, March 12, 2019*, and pursuant to section 8 of the Treaty Making and Ratification Act, 2012 **approves** the Ratification of the Revised Constitution of the African Civil Aviation Commission.

14*. **MOTION - REPORT ON AN INSPECTION VISIT TO THE NAMANGA ONE STOP BORDER POST IN KAJIADO COUNTY**

(The Chairperson, Committee on Regional Integration)

THAT, this House **adopts** the Report of the Committee on Regional Integration on Inspection Visit of the Namanga One Stop Border Post, Kajiado County held from 7th to 10th April 2018, *laid on the Table of the House on Tuesday, November 13, 2018*.

*** Denotes Orders of the Day**

N O T I C E S

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

- I. **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.

 - II. **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.

 - III. **THAT**, notwithstanding the provisions of Standing Order 97(4), each speech in a debate on any **Motion**, including a Special motion shall be limited in the following manner:- A maximum of three hours with not more than twenty (20) minutes for the Mover and ten (10) minutes for each 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 ten (10) minutes before the expiry of the time, the Mover shall be called upon to reply; 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.
-

NOTICE PAPER

Tentative business for

Thursday, March 21, 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 Thursday, March 21, 2019:-

- A. MOTION - REPORT ON A MEETING TO PROMOTE AND POPULARIZE THE RATIFICATION OF THE PROTOCOL ON THE FREE MOVEMENT OF PERSONS AND ITS IMPLEMENTATION ROADMAP
(The Chairperson, Departmental Committee on Defence and Foreign Relations)

(If not concluded on Wednesday, March 20, 2019 – Afternoon sitting)

- B. MOTION – RATIFICATION OF THE REVISED CONSTITUTION OF THE AFRICAN CIVIL AVIATION COMMISSION
(The Chairperson, Departmental Committee on Transport, Public Works & Housing)

(If not concluded on Wednesday, March 20, 2019 – Afternoon sitting)

- C. MOTION - REPORT ON IMPROVEMENT OF MEMBERS' SERVICES AND FACILITIES
(The Chairperson, Committee on Members' Services and Facilities)

(If not concluded on Wednesday, March 20, 2019 – Afternoon sitting)

- D. MOTION - REPORT ON AN INSPECTION VISIT TO THE NAMANGA ONE STOP BORDER POST IN KAJIADO COUNTY
(The Chairperson, Committee on Regional Integration)

(If not concluded on Wednesday, March 20, 2019 – Afternoon sitting)

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

F. THE COUNTY STATISTICS BILL (SENATE BILL NO. 9 OF 2018)
(The Chairperson, Departmental Committee on Finance and National Planning)

Second Reading

G. THE SALARIES AND REMUNERATION COMMISSION
(AMENDMENT) BILL (SENATE BILL NO. 12 OF 2018)
(The Chairperson, Departmental Committee on Finance and National Planning)

Second Reading

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.

QUESTION BY PRIVATE NOTICE

012/2019 The Member for Kakamega County (Hon. Elsie Muhanda, MP) to ask the Cabinet Secretary for Public Service, Youth and Gender Affairs: -

- (i) Is the Cabinet Secretary aware that schools in Butere, Navakholo, Mumias West and Malava Constituencies in Kakamega County did not receive sanitary towels in the Financial Year 2017/2018?
- (ii) What measures has the Ministry put in place to ensure that the said schools are provided with sanitary towels, and further that all public schools across the Country are supplied with sanitary towels on time?

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

ORDINARY QUESTIONS

127/2019 The Member for Trans Nzoia County (Hon. Janet Nangabo Wanyama, MP) to ask the Cabinet Secretary for Foreign Affairs: -

- (i) Is the Cabinet Secretary aware of fresh claims of abuse of migrants in the Middle East leading to loss of lives?
- (ii) What is the status of Bilateral Labour Agreements with Middle Eastern Countries like Qatar and Saudi Arabia regarding safety of Kenyan migrant workers?
- (iii) What measures has the Ministry put in place to ensure safety of migrant workers, recruiting agencies are licensed by the Ministry

and that Kenyans seeking employment in Middle East do so through licensed and registered recruiting agencies or through the Ministry of Labour?

(To be replied before the Departmental Committee on Defence and Foreign Relations)

129/2019

The Member for West Mugirango Constituency (Hon. Vincent Kemosi Mogaka, MP) to ask the Cabinet Secretary for Interior and Coordination of National Government: -

- (i) Is the Cabinet Secretary aware of the increased cases of insecurity in West Mugirango Constituency, particularly in Bogichora Ward, where six people have been killed over the last three months?
- (ii) What action is the Ministry taking against the criminals involved?
- (iii) What steps is the Ministry taking to enhance security in the area?

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

130/2019

The Nominated Member (Hon. Dennitah Ghati, MP) to ask the Cabinet Secretary for Labour and Social Protection: -

- (i) What is the criterion used in determining the beneficiaries of the fund for Persons with Severe Disabilities Fund in the country?
- (ii) Could the Cabinet Secretary provide the number of beneficiaries under the programme in the financial years 2015/16, 2016/17 and 2017/18, and amount paid to each?
- (iii) Is the Cabinet Secretary aware that beneficiaries of the Fund in Kuria East and Kuria West Constituencies have not been paid in the last six (6) months?
- (iv) Could the Cabinet Secretary explain how households with more than one Person with Severe Disability are facilitated to receive funds under Cash Transfer programme?

(To be replied before the Departmental Committee on Labour and Social Welfare)
