



REPUBLIC OF KENYA

TWELFTH PARLIAMENT – (THIRD SESSION)

THE NATIONAL ASSEMBLY

ORDERS OF THE DAY

TUESDAY, JULY 23, 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 ON THE INQUIRY INTO THE PROPOSED KENYA AIRWAYS’ PRIVATELY INITIATED INVESTMENT PROPOSAL TO KENYA AIRPORTS’ AUTHORITY

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

THAT, this House **adopts** the Report of the Departmental Committee on Transport, Public Works and Housing on the Inquiry into the proposed Kenya Airways’ Privately Initiated Investment Proposal to Kenya Airports Authority, *laid on the Table of the House on Tuesday, June 18, 2019.*

(Question to be put)

9*. THE DIVISION OF REVENUE (NO. 2) BILL (NATIONAL ASSEMBLY BILL NO. 59 OF 2019)

(The Chairperson, Budget & Appropriations Committee)

First Reading

10*. THE COMPETITION (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 49 OF 2019)

(The Leader of the Majority Party)

First Reading

11*. THE INSURANCE (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 50 OF 2019)

(The Leader of the Majority Party)

First Reading

12*. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 51 OF 2019)

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

First Reading

13*. THE DIVISION OF REVENUE (NO. 2) BILL (NATIONAL ASSEMBLY BILL NO. 59 OF 2019)

(The Chairperson, Budget & Appropriations Committee)

Second Reading

14*. COMMITTEE OF THE WHOLE HOUSE

The Division of Revenue (No.2) Bill (National Assembly Bill No. 59 of 2019)

(The Chairperson, Budget & Appropriations Committee)

15*. MOTION – INQUIRY INTO ALLOCATION OF LAND IN KAMITI ANMER FOREST

(The Chairperson, Departmental Committee on Lands)

THAT, this House **adopts** the Report of the Departmental Committee on Lands on the Inquiry into a Complaint by *Kamiti Anmer Forest Squatters Association* regarding allocation of Land LR. No. 8390 in *Kamiti Anmer Forest*, *laid on the Table of the House on Tuesday, June 18, 2019.*

(Resumption of debate interrupted on Thursday, June 27, 2019)

16*. 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)

17*. MOTION – SENATE AMENDMENTS TO THE PUBLIC PRIVATE PARTNERSHIPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 52 OF 2017)

(The Leader of the Majority Party)

THAT, the Senate amendments to the Public Private Partnerships (Amendment) Bill (National Assembly Bill No. 52 of 2017) be now considered.

18*. MOTION – REPORT ON THE AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF KENYA AND THE GOVERNMENT OF THE ITALIAN REPUBLIC ON THE LUIGI BROGLIO-MALINDI SPACE CENTRE

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

THAT, this House **adopts** the Report of the Departmental Committee on Defence and Foreign Relations on its consideration of the Agreement between the Government of the Republic of Kenya and the Government of the Italian Republic on the Luigi Broglio-Malindi Space Centre, *laid on the Table of the House on Wednesday, 26 June, 2019.*

19*. MOTION - REPORT ON AN INQUIRY INTO LAND ACQUISITION BY THE KENYA DEFENCE FORCES FOR ESTABLISHMENT OF A FORWARD OPERATING BASE (FOB) IN NAROK COUNTY

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

THAT, this House **adopts** the Report of the Departmental Committee on Defence and Foreign Relations on the inquiry into land acquisition by the Kenya Defence Forces for establishment of Forward Operating Base (FOB) in Narok County, *laid on the Table of the House on Tuesday, April 2, 2019.*

20*. MOTION - REPORT ON THE AGREEMENT FOR THE SETTING UP OF A REGIONAL MARITIME INFORMATION EXCHANGE AND SHARING MECHANISM

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

THAT, this House **adopts** the Report of the Departmental Committee on Defence and Foreign Relations on its consideration of the Agreement for the setting up of a Regional Maritime Information Exchange and Sharing Mechanism in the Western Indian Ocean Region and the Regional Agreement on the Co-ordination of operations at Sea in the Western Indian Ocean, *laid on the Table of the House on Wednesday, June 26, 2019.*

21*. MOTION – ANNUAL REPORTS ON THE STATE OF THE JUDICIARY FOR THE FINANCIAL YEARS 2016/2017 AND 2017/2018

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

THAT, this House **notes** the Annual Reports on the **State of the Judiciary** for the financial years 2016/2017 and 2017/2018, submitted to the House pursuant to the provisions of Article 254(1) of the Constitution, and **adopts** the recommendations of the Departmental Committee on Justice and Legal Affairs as contained in the Reports of the Committee *laid on the Table of the House on Thursday, May 9, 2019.*

22*. MOTION - REPORT ON CONSIDERATION OF SESSIONAL PAPER NO. 2 OF 2018 ON THE NATIONAL ETHICS AND ANTI-CORRUPTION POLICY

(The Chairperson, Departmental Committee on Justice and Legal Affairs)

THAT, this House **adopts** the Report of the Departmental Committee on Justice and Legal Affairs on Sessional Paper No. 2 of 2018 on the National Ethics and Anti-Corruption Policy, *laid on the Table of the House on Wednesday, June 26, 2019.*

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

(The Leader of the Majority Party)

Second Reading

24*. THE SECTIONAL PROPERTIES BILL (NATIONAL ASSEMBLY BILL NO. 23 OF 2019)

(The Leader of the Majority Party)

Second Reading

25*. THE NATIONAL DROUGHT MANAGEMENT AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2019)

(The Leader of the Majority Party)

Second Reading

*** Denotes Orders of the Day**

NOTICES

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

- I. **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.

 - 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 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.
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NOTICE PAPER I

Tentative business for

Wednesday (Morning), July 24, 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 Wednesday (Morning), July 24, 2019:-

A. THE CONSTITUTION OF KENYA (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 53 OF 2019)

(The Hon. G.B. Shollei, MP)

First Reading

B. THE LAND (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 54 OF 2019)

(The Hon. Simon King' ara, MP)

First Reading

C. THE BANKING (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 55 OF 2019)

(The Hon. Jude Njomo, MP)

First Reading

D. THE PARLIAMENTARY PENSIONS (AMENDMENT) (NO.2) BILL (NATIONAL ASSEMBLY BILL NO. 56 OF 2019)

(The Hon. Wangari Mwaniki, MP)

First Reading

E. THE PARLIAMENTARY PENSIONS (AMENDMENT) (NO.3) BILL (NATIONAL ASSEMBLY BILL NO. 57 OF 2019)

(The Hon. Andrew Mwadime, MP)

First Reading

F. MOTION – MEASURES TO BRIDGE TRADE DEFICIT

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

(Resumption of debate interrupted on Wednesday, June 19, 2019 – Morning sitting)

(Balance of time on motion – 2 hours 53 minutes)

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

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

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

Second Reading

K. THE EMPLOYMENT (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO.15 OF 2019)

(The Hon. Martha Wangari, M.P.)

Second Reading

L. MOTION- REVIEW OF THE MANDATORY RETIREMENT AGE IN THE PUBLIC SERVICE

(The Hon. Charles Njagua Kanyi, M.P.)

M. MOTION - POLICY MEASURES TO ENSURE 100 PERCENT TRANSITION FROM SECONDARY EDUCATION TO TERTIARY EDUCATION

(The Hon. John Munene Wambugu, M.P.)

N. MOTION - CERVICAL CANCER SCREENING SERVICES TO ALL WOMEN AND ISSUANCE OF THE HPV VACCINE TO BOYS AND GIRLS BY THE NATIONAL GOVERNMENT

(The Hon. (Dr.) Tecla Tum, M.P.)

NOTICE PAPER II

Tentative business for

Wednesday (Afternoon), July 24, 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 Wednesday (Afternoon), July 24, 2019:-

- A. **MOTION** – **SENATE AMENDMENTS TO THE PUBLIC PRIVATE PARTNERSHIPS (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 52 OF 2017)**
(The Leader of the Majority Party)
(If not concluded on Tuesday July 23, 2019)
- B. **MOTION** – **REPORT ON THE AGREEMENT BETWEEN THE GOVERNMENT OF THE REPUBLIC OF KENYA AND THE GOVERNMENT OF THE ITALIAN REPUBLIC ON THE LUIGI BROGLIO-MALINDI SPACE CENTRE**
(The Chairperson, Departmental Committee on Defence and Foreign Relations)
(If not concluded on Tuesday July 23, 2019)
- C. **MOTION** - **REPORT ON AN INQUIRY INTO LAND ACQUISITION BY THE KENYA DEFENCE FORCES FOR ESTABLISHMENT OF A FORWARD OPERATING BASE (FOB) IN NAROK COUNTY**
(The Chairperson, Departmental Committee on Defence and Foreign Relations)
(If not concluded on Tuesday July 23, 2019)
- D. **MOTION** - **REPORT ON THE AGREEMENT FOR THE SETTING UP OF A REGIONAL MARITIME INFORMATION EXCHANGE AND SHARING MECHANISM**
(The Chairperson, Departmental Committee on Defence and Foreign Relations)
(If not concluded on Tuesday July 23, 2019)
- E. **MOTION** – **ANNUAL REPORTS ON THE STATE OF THE JUDICIARY FOR THE FINANCIAL YEARS 2016/2017 AND 2017/2018**
(The Chairperson, Departmental Committee on Justice and Legal Affairs)
(If not concluded on Tuesday July 23, 2019)

F. MOTION - REPORT ON CONSIDERATION OF SESSIONAL PAPER NO. 2 OF 2018 ON THE NATIONAL ETHICS AND ANTI-CORRUPTION POLICY

(The Chairperson, Departmental Committee on justice and legal affairs)

(If not concluded on Tuesday July 23, 2019)

G. 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 Tuesday July 23, 2019)

H. THE SECTIONAL PROPERTIES BILL (NATIONAL ASSEMBLY BILL NO. 23 OF 2019)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday July 23, 2019)

I. THE NATIONAL DROUGHT MANAGEMENT AUTHORITY (AMENDMENT) BILL (NATIONAL ASSEMBLY BILL NO. 26 OF 2019)

(The Leader of the Majority Party)

Second Reading

(If not concluded on Tuesday July 23, 2019)



A P P E N D I X

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

- 310/2019 The Member for Kesses (Hon. (Dr.) Swarup Mishra, MP) to ask the Cabinet Secretary for Industry, Trade and Cooperatives: -**
- (i) Could the Cabinet Secretary state whether all inspection of goods agencies operating at the port of Mombasa possess the requisite expertise to carry out inspection of goods?
 - (ii) Why was the period for the mandatory inspection of goods recently increased from four (4) days to over four (4) weeks?
 - (iii) What measures are in place to ensure there are no inordinate delays in physical inspection of goods especially those belonging to blue-chip and multinational companies which also possess internationally recognised certification, such as C.E. (*Conformité Européenne*) and F.D.A (*Food and Drug Administration*)?

(To be replied before the Departmental Committee on Trade, Industry and Cooperatives)

- 324/2019 The Member for Homa Bay Constituency (Hon. Peter Kaluma, MP) to ask the Chair of the Salaries and Remuneration Commission: -**
Could the Commission provide details and explain the following;
- (i) The criteria used to set and review remunerations and benefits for all categories of state and public officers?
 - (ii) The criteria used in the ranking of all categories of state and public officers
 - (iii) The remunerations and benefits such as housing benefits, accommodation or house allowances, Mortgages, transport facilities or arrangements, Car Loans and sitting allowances, set and approved by the Commission and *gazetted*, accorded to or enjoyed by all categories of state officers and public officers in the Country?
 - (iv) The remuneration and all benefits, set and approved by the Commission and *gazetted*, accorded to or enjoyed by Chief Administration Secretaries, Board Members and Chief Executive Officers of State Corporations/Parastatals in the Country?

(For written reply)

326/2019

The Member for Kasipul Constituency, (Hon. Charles Ong'ondo Were, MP), to ask the Cabinet Secretary for Education: -

- (i) What has caused the delays in construction of Rachuonyo Technical Training in Kasipul Constituency?
- (ii) Are there any measures in place to ensure that the said Institute is completed on time for the benefit the people of Kasipul Constituency and Kenyans as a whole?

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

327/2019

The Member for Kangema Constituency (Hon. Muturi Kigano, MP) to ask the Cabinet Secretary for Environment and Forestry: -

- (i) What steps has the Ministry taken to implement environmental policies as outlined in the Ramsar Convention on Wetlands and Waterfowl Habitats, ratified by Kenya in 1990, to promote the conservation of wetlands?
- (ii) Why has the National Environmental Management Authority (NEMA) continued to allow the intrusion and destruction of wetlands in the country through indiscriminate infills, construction and establishments of structures on water springs and riparian lands, such as land between Kanyagia and Kiambu Roads, land in Embulbul-Ngong Township area, Kigwa Springs, land near the Northern Bypass flyover, as well as the wetlands at Mjini Stream that runs parallel to Murangá Road in Murangá Town?
- (iii) What action is the Ministry taking to reclaim wet and riparian lands and protect them from further encroachments?

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

328/2019

The Member for Kirinyaga County (Hon. Purity Wangui Ngirici, MP) to ask the Cabinet Secretary for Lands and Physical Planning: -

- (i) Is the Ministry taking any steps to bring to an end the long standing conflict surrounding South *Ngariama* 17,000 hectares of land in Mwea Subcounty, Kirinyaga County, which led to clashes that resulted in the killing of four persons on 26th March 2019, and which has continued to cause rising tension among residents?
- (ii) When will the occupants be issued with title deeds?
- (iii) Are there any measures by the Ministry to expedite compensation of the 6,000 people who face the risk of eviction?

(To be replied before the Departmental Committee on Lands)

The Member for North Horr Constituency (Hon. Francis Chachu Ganya, MP) to ask the Cabinet Secretary for Energy: -

- (i) What plans the Ministry has to supply power to Marsabit County; in line with the Government policy to promote Industrialization and the other Big Four agendas?

- (ii) When will the Ministry construct a power substation and transmission lines from Isiolo to Marsabit County?

- (iii) What budgetary measures has the Ministry put in place to ensure the above projects are started and completed?

(To be replied before the Departmental Committee on Energy)
