



**REPUBLIC OF KENYA**  
**TWELFTH PARLIAMENT – (THIRD SESSION)**

**THE NATIONAL ASSEMBLY**

**ORDERS OF THE DAY**

**THURSDAY, SEPTEMBER 19, 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\*. THE FINANCE BILL (NATIONAL ASSEMBLY BILL NO. 51 OF 2019)**  
(The Chairperson, Departmental Committee on Finance and National Planning)

Second Reading

*(Resumption of debate interrupted on Wednesday, September 18, 2019 – Afternoon Sitting)*

**9\*. COMMITTEE OF THE WHOLE HOUSE**

- (i) Consideration of the President’s Reservations to the Parliamentary Service Bill (National Assembly Bill No. 6 of 2018)  
(The Leader of the Majority Party)
- (ii) The Independent Electoral And Boundaries Commission (Amendment)(No. 3) (National Assembly Bill No. 35 of 2019)  
(The Chairperson, Departmental Committee on Justice & Legal Affairs)
- (iii) The Nuclear Regulatory Bill (National Assembly Bill No. 27 of 2018)  
(The Leader of the Majority Party)

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**10\*. MOTION - REVISED SESSIONAL PAPER NO. 1 OF 2019 ON THE POLICY FRAMEWORK FOR REFORMING EDUCATION AND TRAINING FOR SUSTAINABLE DEVELOPMENT IN KENYA**

(The Chairperson, Departmental Committee on Education and Research)

**THAT**, this House notes the Report of the Departmental Committee on Education and Research on its consideration of the Revised Sessional Paper No. 1 of 2019 on the Policy Framework for Reforming Education and Training for Sustainable Development in Kenya, *laid on the Table of the House on Tuesday, September 17, 2019* and **adopts** the Sessional Paper No. 1 of 2019 (**Revised**) on the Policy Framework for Reforming Education and Training for Sustainable Development in Kenya.

**11\*. MOTION - APPROVAL OF PETITION BY THE EXECUTIVE FOR THE VARIATION OF THE BOUNDARIES OF MOUNT ELGON FOREST RESERVE**

(The Chairperson, Departmental Committee on Environment and Natural Resources)

**THAT**, this House **adopts** the Report of the Departmental Committees on Environment and Natural Resources and Lands on their consideration of a Petition by the Executive regarding the Variation of the Boundaries of *Mount Elgon* Forest Reserve, *laid on the Table of the House on Thursday, July 4, 2019*, and pursuant to the provisions of section 34(5)(b) of the Forest Conservation and Management Act, 2016 and noting the finding of the Committee that the Petition discloses ground for variation of boundaries of the particular forest, this House-

- (i) **approves** the variation of the boundaries of *Mount Elgon* Forest Reserve to exclude *Chepyuk* Phases II and III comprising of a total area of 4,607 Hectares; and
- (ii) **resolves** that the government secures the remaining forest area within *Mt. Elgon* Forest Reserve particularly in *Chepkitale* area in line with the need to achieve the United Nation's recommended ten percent forest cover in the country.

**12\*. THE EARLY CHILDHOOD EDUCATION BILL (SENATE BILL NO.26 OF 2018)**

(The Chairperson, Departmental Committee on Education and Research)

Second Reading

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

(The Leader of the Majority Party)

Second Reading

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**\* Denotes Orders of the Day**

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...../Notices

# **NOTICES**

## **I. CONSIDERATION OF THE PRESIDENT'S RESERVATIONS TO THE PARLIAMENTARY SERVICE BILL (NATIONAL ASSEMBLY BILL NO. 6 OF 2018)**

### ***(Recommended Text)***

- 1) Notice is given that the Leader of the Majority Party intends to move the following amendments in respect of the reservations contained in the Presidential Memorandum to the Parliamentary Service Bill, 2018 at the Committee Stage-

#### **CLAUSE 20**

THAT, clause 20 of the Bill be deleted.

#### **CLAUSE 43**

THAT, clause 43 of the Bill be amended-

- (a) in sub-clause (1) by inserting the words “on the advice of the Salaries and Remuneration Commission” immediately after the words “shall be determined”; and
- (b) in sub-clause (2) by deleting the words “every three years or within such shorter period” and inserting the words “on the advice of the Salaries and Remuneration Commission” immediately after the word “determine”.

- 2) Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the recommendations contained in the Presidential Memorandum to the Parliamentary Service Bill, 2018, at the Committee Stage-

#### **CLAUSE 43**

THAT, the Bill be amended by deleting Clause 43.

*(Pursuant to Standing Order 154(4), the Speaker to determine whether the amendment fully accommodates the President's reservations in terms of Article 115 of the Constitution)*

## **II. THE INDEPENDENT ELECTORAL AND BOUNDARIES COMMISSION (AMENDMENT)(No.3) BILL (NATIONAL ASSEMBLY BILL NO.35 OF 2019)**

Notice is given that the Chairperson of the Departmental Committee on Justice and Legal Affairs intends to move the following amendments to the Independent Electoral and Boundaries Commission (Amendment)(No.3) Bill, 2019 at the Committee Stage—

### **CLAUSE 2**

**THAT**, Clause 2 of the Bill be amended-

- (a) in the proposed new paragraph 1(2) by deleting subparagraph (f);
- (b) in the proposed new paragraph 1(2) by deleting the words “one person” appearing in subparagraph (h) and substituting therefor the words “two persons”;
- (c) by deleting the proposed amendment to paragraph 1(6) of the Schedule to the Act.

## **III. THE NUCLEAR REGULATORY BILL (NATIONAL ASSEMBLY BILL NO. 27 OF 2018)**

Notice is given that the Chairperson of the Departmental Committee on Energy intends to move the following amendment to the Nuclear Regulatory Bill, 2018, at the Committee stage—

### **CLAUSE 2**

**THAT**, clause 2 of the Bill be amended—

- (a) by deleting the definition of “activities” and substituting therefor the following new definition—
  - ““activity” means the production, use, import and export of radiation sources for industrial, research and medical purposes; the transportation of radioactive material; the siting, construction, commissioning, operation, and decommissioning of facilities; radioactive waste management activities and site remediation;”
- (b) in the definition of “authorization” by deleting the word “Commission” appearing immediately after the words “by the” and substituting therefor the word “Authority”;
- (c) in the definition of “Cabinet Secretary” by deleting the word “interior” appearing immediately after the words “relating to” and substituting therefor the word “internal”;

- (d) by deleting the definition of “clearance levels” and substituting therefor the following new definition—
- “clearance levels” means values established by the Authority and expressed in terms of radioactivity concentrations or total activity, at or below which sources of radiation may be released from regulatory control by the Authority;
- (e) by deleting the definition of “Commission” and substituting therefor the following new definition in it proper alphabetical sequence—
- “Authority” means the Kenya Nuclear Regulatory Authority established under section 5;”
- (f) in the definition of “consumer products” by deleting the word “ionizing” appearing immediately after the word “generates”;
- (g) in the definition of “Director General” by deleting the word “Commission” appearing immediately after the words “of the” and substituting therefor the word “Authority”;
- (h) in the definition of “exemption” by deleting the word “Commission” appearing immediately after the words “by the” and substituting therefor the word “Authority”;
- (i) by deleting the definition of “facilities” and substituting therefor the following new definition—
- “facility” means—
- (a) a nuclear facilities or any other location that an authorized person has control over;
  - (b) a radiation source facility;
  - (c) a radioactive waste management facility and any other premises where radioactive material is produced, processed, used, handled, stored or disposed of, on such a scale that consideration of protection of safety is required;
  - (d) a reactor, critical facility, conversion plant, fabrication plant, a reprocessing plant, isotope separation plant or a separate storage installation; or
  - (e) any location where nuclear materials in amount greater than one effective kilogram is customarily used;”
- (j) in the definition of “inspection” by deleting the word “Commission” appearing immediately after the words “by the” in paragraph (b) and substituting therefor the word “Authority”;
- (k) by deleting the definition of “non-ionizing radiation” and substituting therefor the following new definition—
- ““non-ionizing radiation” means optical radiation, radio frequency radiation, low-frequency electric and magnetic fields, ultrasonic radiation and any other radiation with similar biological effects;”
- (l) in the definition of “notification” by deleting the word “Commission” appearing immediately after the words “to the” and substituting therefor the word “Authority”;

- (m) in the definition of “radiation source” by inserting the word “not” immediately after the word “material”;
- (n) in the definition of “radioactive material” by deleting the word “Commission” appearing immediately after the words “by the” and substituting therefor the word “Authority”;
- (o) in the definition of “radioactive waste” by deleting the word “activity” wherever it appears in paragraph (a) and substituting therefor the word “radioactivity”;
- (p) in the definition of “source” by deleting the word “radiation” appearing immediately after the word “cause”;
- (q) by inserting the following new definition in its proper alphabetical sequence—  
    ““Board” means the Board of the Authority established under section 8;”

### **CLAUSE 3**

**THAT**, clause 3(a) of the Bill be amended by deleting the word “ionizing” appearing immediately after the word “generating”;

### **CLAUSE 4**

**THAT**, clause 4 of the Bill be amended—

- (a) in sub-clause (1) by deleting the word “iodizing” appearing immediately after the word “generating”;
- (b) in sub-clause (2) by deleting the word “Commission” appearing immediately after the word “The” and substituting therefor the word “Authority”;

### **CLAUSE 5**

**THAT**, clause 5 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

### **CLAUSE 6**

**THAT**, clause 6 of the Bill be amended—

- (a) by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;
- (b) in paragraph (c )(i) by deleting the word “sitting” appearing immediately before the word “design” and substituting therefor the word “siting”

### **CLAUSE 7**

**THAT**, clause 7 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

### **CLAUSE 8**

**THAT**, clause 8 of the Bill be amended—

- (a) by deleting sub-clause (1) and substituting therefor the following new sub-clause—

“(1) The management of the Authority shall be vested in a Board comprising—

- (a) a non-executive Chairperson who shall be appointed by the President;
- (b) the Principal Secretary of the Ministry responsible for internal security or his or her representative;
- (c) the Principal Secretary of the National Treasury or his or her representative;
- (d) the Principal Secretary of the Ministry responsible for energy or his or her representative;
- (e) the Principal Secretary of the Ministry responsible for education or his or her representative;
- (f) the Principal Secretary of the Ministry responsible for health or his or her representative;
- (g) the Principal Secretary of the Ministry responsible for defence or his or her representative;
- (h) the Attorney General or his or her representative;
- (i) three members appointed by the Cabinet Secretary by virtue of their knowledge and experience of not less than ten years in matters relating to engineering, law, radiation or nuclear related science, environmental or public safety, or finance; and
- (j) the Director General, who shall be an *ex-officio* member.”

- (b) in sub-clause (2) by deleting the word “Commission” appearing immediately after the word “The” and substituting therefor the word “Board”;

## **CLAUSE 9**

**THAT**, clause 9 of the Bill be amended—

- (a) by deleting sub-clause (1) and substituting therefor the following new sub-clause—

“(1) There shall be a Director General who shall be the chief executive officer of the Authority appointed by the Board and whose terms and conditions of service shall be determined by the Board in the instrument of appointment or otherwise in writing from time to time.”

- (b) in sub-clause (2)(a) by inserting the words “nuclear science” immediately after the words “physical science”;

- (c) by deleting sub-clause (3) and substituting therefor the following new sub-clause—



(3) The Director General shall, subject to the directions of the Board, be responsible for the day to day management of the affairs and staff of the Authority.

### **CLAUSE 10**

**THAT**, the Bill be amended by deleting clause 10 and substituting therefor the following new clause—

Staff of the  
Authority.

**10.** The Board may appoint such professional and technical staff for the proper discharge of the functions of the Authority under this Act, on such terms and conditions of service as the Board may determine on the advice of the Salaries and Remuneration Commission.

### **CLAUSE 11**

**THAT**, clause 11 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Board”;

### **CLAUSE 12**

**THAT**, the Bill be amended by deleting clause 12 and substituting therefor the following new clause—

Remuneration  
of the Board.

**12.** The members of the Board shall be paid such remuneration, fees or allowances as the Cabinet Secretary, in consultation with the Salaries and Remuneration Commission, may determine.

### **CLAUSE 13**

**THAT**, clause 13 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

### **CLAUSE 14**

**THAT**, clause 14 of the Bill be amended by deleting the word “Commission” appearing immediately after the words “relieve the” and substituting therefor the word “Authority”;

### **CLAUSE 15**

**THAT**, clause 15 of the Bill be amended—

(a) by deleting sub-clause (1) and substituting therefor the following new sub-clause—

“(1) The common seal of the Authority shall be kept in such custody as the Board may direct and shall not be affixed to any instrument or document except as authorized by the Board.”

(b) in sub-clause (2) by deleting the word “Commission” appearing immediately after the words “of the” and substituting therefor the word “Authority”;

(c) by deleting sub-clause (3) and substituting therefor the following new sub-clause—

“(3) The common seal of the Authority, when affixed to a document and duly authenticated shall be judicially and officially noticed and unless and until the contrary is proved, any necessary order or authorization by the Board under this section shall be presumed to have been duly given.”

#### **CLAUSE 16**

**THAT**, clause 16 of the Bill be amended—

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

(b) in sub-clause (1)(a) by deleting the word “Parliament” appearing immediately after the words “allocated by” and substituting therefor the words “the National Assembly”;

#### **CLAUSE 17**

**THAT**, clause 17 of the Bill be amended by deleting the word “Commission” appearing immediately after the words “of the” and substituting therefor the word “Authority”;

#### **CLAUSE 18**

**THAT**, clause 18 of the Bill be amended—

(a) by deleting sub-clause (1) and substituting therefor the following new sub-clause—

“(1) At least three months before the commencement of each financial year, the Board shall cause to be prepared estimates of the revenue and expenditure of the Authority for that year.”

(b) in sub-clause (2) by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

(c) in sub-clause (3) by deleting the word “Commission” appearing immediately after the words “by the” and substituting therefor the word “Authority”;

(d) by deleting sub-clause (4) and substituting therefor the following new sub-clause—

“(4) No expenditure shall be incurred for the purposes of the Authority except in accordance with the annual estimates approved under subsection (3).”

#### **CLAUSE 19**

**THAT**, Clause 19 of the Bill be amended—

(a) in sub-clause (1) by deleting the word “Commission” appearing immediately after the word “The” and substituting therefor the word “Board”;

(b) by deleting sub-clause (2) and substituting therefor the following new sub-clause—

“(2) Within a period of three months after the end of a financial year, the Board shall submit to the Auditor- General the accounts of the Authority for that year together with—

(a) a statement of income and expenditure during the year; and

(b) a statement of the assets and liabilities of the Authority as on the last day of that year.”

(c) in sub-clause (3) by deleting the word “Commission” appearing immediately after the words “of the” and substituting therefor the word “Authority”;

#### **CLAUSE 20**

**THAT**, Clause 20 of the Bill be amended by deleting the word “Commission” appearing immediately after the word “The” and substituting therefor the word “Authority”;

#### **CLAUSE 21**

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

#### **CLAUSE 22**

**THAT**, clause 22 of the Bill be amended—

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

(b) in sub-clause (2)(b) by deleting the words “of individuals” appearing immediately after the word “measures”;

(c) in sub-clause (4) by deleting the expression “(5)” wherever it appears;

#### **CLAUSE 23**

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

#### **CLAUSE 24**

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

#### **CLAUSE 26**

**THAT**, clause 26 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

### **CLAUSE 27**

**THAT**, clause 27 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

### **CLAUSE 28**

**THAT**, clause 28 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

### **CLAUSE 29**

**THAT**, clause 29 of the Bill be amended in paragraph (b) by deleting the word “Commission” appearing immediately after the words “of the” and substituting therefor the word “Authority”;

### **CLAUSE 30**

**THAT**, clause 30 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

### **CLAUSE 31**

**THAT**, clause 31 of the Bill be amended—

- (a) by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;
- (b) in sub-clause (1) by deleting the expression “28’ and substituting therefor the expression “30”;

### **CLAUSE 32**

**THAT**, clause 32 of the Bill be amended—

- (a) in sub-clause (1) by deleting the word “licensee” and substituting therefor the words “authorised person”;
- (b) in sub-clause (2)(a) by inserting the word “no” immediately after the words “be of”;

### **CLAUSE 33**

**THAT**, clause 33 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”

### **CLAUSE 34**

**THAT**, clause 34 of the Bill be amended

- (a) by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;
- (b) in sub-clause (4) by deleting the expression “(5)” appearing immediately after the word “five”;

### **CLAUSE 35**

**THAT**, clause 35 of the Bill be amended—

- (a) in sub-clause (1)(a) by deleting the words “a referring medical practitioner” appearing immediately after the words “requested by” and substituting therefor the words “an appropriately qualified and registered clinician or medical practitioner within their respective care level”;
- (b) in sub-clause (3) by deleting the word “Commission” appearing immediately after the words “to the” and substituting therefor the word “Authority”;

### **CLAUSE 36**

**THAT**, clause 36 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

### **CLAUSE 37**

**THAT**, clause 37 be amended by deleting the word “Commission” appearing immediately after the word “The” and substituting therefor the word “Authority”;

### **CLAUSE 39**

**THAT**, clause 37 be amended by deleting the word “Commission” appearing immediately after the word “The” and substituting therefor the word “Authority”;

### **CLAUSE 40**

**THAT**, Clause 40 of the Bill be amended by deleting the word “Commission” appearing immediately after the words “to the” and substituting therefor the word “Authority”;

### **CLAUSE 41**

**THAT**, clause 41 of the Bill be amended by deleting the word “Commission” appearing immediately after the word “The” and substituting therefor the word “Authority”

### **CLAUSE 42**

**THAT**, clause 42 of the Bill be amended by deleting sub-clause (1) and substituting therefor the following new sub-clause—

“(1) The Authority shall develop requirements and guidelines to be met before the issuance of a mining or milling license in relation to uranium, thorium or other radioactive elements.”

### **CLAUSE 43**

**THAT**, clause 43 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

#### **CLAUSE 45**

**THAT**, clause 45(2) of the Bill be amended in paragraph (d) by deleting the words “additional matters” and substituting therefor the words “particulars”;

#### **CLAUSE 46**

**THAT**, clause 46 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

#### **CLAUSE 47**

**THAT**, Clause 47 of the Bill be amended by deleting sub-clause (3) and substituting therefor the following new sub-clause—

“(3) The Authority shall ensure the safe management of a reactor that is in extended shutdown.”

#### **CLAUSE 48**

**THAT**, clause 48 of the Bill be amended—

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

(b) in sub-clause (1) by deleting paragraph (b) and substituting therefor the following paragraph—

“(b) require the applicant for an authorization to construct and operate a nuclear facility to—

(i) perform a baseline survey of the site, including radiological conditions, prior to construction; and

(ii) develop information prior to construction for comparison with the end state after decommissioning;”;

#### **CLAUSE 49**

**THAT**, clause 49 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

#### **CLAUSE 50**

**THAT**, clause 50 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

#### **CLAUSE 53**

**THAT**, clause 53(a) of the Bill be amended by deleting the word “Parliament” appearing immediately after the words “appropriated by” and substituting therefor the words “the National Assembly”;

#### **CLAUSE 54**

**THAT**, clause 54 of the Bill be amended by deleting the word “Commission” appearing immediately after the words “by the” and substituting therefor the word “Authority”;

#### **CLAUSE 57**

**THAT**, clause 57 of the Bill be amended—

- (a) by deleting the word “Commission” appearing immediately after the words “The” and substituting therefor the word “Authority”;
- (b) in paragraph (b) by deleting the words “the licensee” appearing immediately after the words “developed by” and substituting therefor the words “an authorised person”;

#### **CLAUSE 58**

**THAT**, clause 58 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

#### **CLAUSE 59**

**THAT**, clause 59 of the Bill be amended—

- (a) in sub-clause (1) by deleting the words “that could give rise to a need for emergency intervention” appearing immediately after the word “source”;
- (b) in sub-clause (3) by deleting the word “Commission” appearing immediately after the words “by the” and substituting therefor the word “Authority”;

#### **CLAUSE 60**

**THAT**, clause 60 of the Bill be amended by deleting the word “Commission” appearing immediately after the words “by the” and substituting therefor the word “Authority”;

#### **CLAUSE 61**

**THAT**, clause 61 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

#### **CLAUSE 62**

**THAT**, clause 62 of the Bill be amended by inserting the words “and the Authority” immediately after the word “public”;

#### **CLAUSE 63**

**THAT**, clause 63 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

### **CLAUSE 67**

**THAT**, clause 67 of the Bill be amended in sub-clause (1) by deleting the word “Commission” appearing immediately after the words “by the” and substituting therefor the word “Authority”;

### **CLAUSE 69**

**THAT**, Clause 69 of the Bill be amended in sub-clause (2) by deleting the word “Commission” appearing immediately after the word “The” and substituting therefor the word “Authority”;

### **CLAUSE 70**

**THAT**, clause 70 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

### **CLAUSE 71**

**THAT**, clause 71 of the Bill be amended paragraph (b) by deleting the word “Commission” appearing immediately after the words “by the” and substituting therefor the word “Authority”;

### **CLAUSE 73**

**THAT**, clause 73 of the Bill be amended in sub-clause (1) by deleting the word “Commission” appearing immediately after the words “by the” and substituting therefor the word “Authority”;

### **CLAUSE 74**

**THAT**, clause 74(2) of the Bill be amended in paragraph (d) by deleting the word “Commission” appearing immediately after the words “by the” and substituting therefor the word “Authority”;

### **CLAUSE 75**

**THAT**, clause 75 of the Bill be amended by deleting the word “Commission” appearing immediately after the word “The” and substituting therefor the word “Authority”;

### **CLAUSE 76**

**THAT**, clause 76 of the Bill be amended in by deleting sub-clause (1) and substituting therefor the following new sub-clause—

“(1)Every authorized person shall submit a waste management plan to the Authority for approval prior to the grant of an authorization.”



## **CLAUSE 77**

**THAT**, clause 77 of the Bill be amended in sub-clause (1) by deleting the word “Commission” appearing immediately after the words “from the” and substituting therefor the word “Authority”;

## **CLAUSE 78**

**THAT**, clause 78 of the Bill be amended in sub-clause (2) by deleting the words “conditioning process” appearing immediately after the words “selecting a” and substituting therefor the words “method of processing radioactive waste”;

## **CLAUSE 79**

**THAT**, clause 79 of the Bill be amended—

- (a) by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;
- (b) in sub-clause (1) by deleting paragraph (b) and substituting therefor the following paragraph—
  - “(b) the discharge is confirmed to be below the radioactivity clearance level prescribed by the Authority;”

## **CLAUSE 82**

**THAT**, clause 82 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

## **CLAUSE 84**

**THAT**, clause 84 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

## **CLAUSE 85**

**THAT**, clause 85 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

## **CLAUSE 86**

**THAT**, clause 86 of the Bill be amended by deleting the word “Commission” appearing immediately after the word “The” and substituting therefor the word “Authority”;

## **CLAUSE 87**

**THAT**, clause 87 of the Bill be amended by deleting the word “Commission” appearing immediately after the word “The” and substituting therefor the word “Authority”;

### **CLAUSE 88**

**THAT**, clause 88 of the Bill be amended by deleting the word “Commission” appearing immediately after the words “to the” and substituting therefor the word “Authority”;

### **CLAUSE 89**

**THAT**, clause 89 of the Bill be amended in sub-clause (1) by deleting the word “Commission” appearing immediately after the word “The” and substituting therefor the word “Authority”;

### **CLAUSE 90**

**THAT**, clause 90 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

### **CLAUSE 91**

**THAT**, clause 91 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

### **CLAUSE 93**

**THAT**, clause 93 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

### **CLAUSE 97**

**THAT**, clause 97 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

### **CLAUSE 98**

**THAT**, clause 98 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

### **CLAUSE 99**

**THAT**, clause 99 of the Bill be amended in sub-clause (2) by—

(a) deleting paragraph (b);

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

“(d) members of the former Radiation Protection Board and the Chief Radiation Protection Officer shall continue to serve in the Authority in the corresponding positions as members of the Board and Director General respectively for their unexpired term.”

**CLAUSE 100**

**THAT**, clause 100 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

**CLAUSE 101**

**THAT**, clause 101 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

**CLAUSE 102**

**THAT**, clause 102 of the Bill be amended by deleting the word “Commission” wherever it appears and substituting therefor the word “Authority”;

**SCHEDULE**

**THAT**, the Bill be amended by deleting the Schedule and substituting therefor the following new Schedule—

**PROVISIONS AS TO THE CONDUCT OF BUSINESS  
AND AFFAIRS OF THE BOARD**

Tenure of office.

1. (1) The Chairperson or a member of the Board other than an *ex-officio* member shall, subject to the provisions of this Schedule, hold office for a period of three years, on such terms and conditions as may be specified in the instrument of appointment, but shall be eligible for re-appointment for one further term.

(2) The members of the Board shall be appointed at different times so that the respective expiry dates of the members’ terms of office shall fall at different times.

Disqualification of members.

2. (1) No person shall be appointed or shall, as a member of the Board if such person is—

(a) a member of Parliament or a county assembly; or

(b) a person who holds any office or position, in a political party.

Vacation of office.

3. (1) A member of the Board other than an *ex-officio* member may—

(a) at any time resign from office by notice in writing to the Cabinet Secretary;

(b) be removed from office by the Cabinet Secretary on recommendation of the Board if the member—

(i) has been absent from three consecutive meetings of the Board without its permission;

- (ii) is adjudged bankrupt or enters into a composition or scheme of arrangement with his creditors;
- (iii) is convicted of a corruption or economic crime or other criminal offence involving dishonesty, fraud or moral turpitude or any other criminal offence under any law punishable with imprisonment that amounts to a felony under the Laws of Kenya;
- (iv) is of unsound mind or is incapacitated by prolonged physical or mental illness for a period exceeding six months; or

(c) is otherwise unable or unfit to discharge his functions.

Meetings.

4. (1) The Board shall meet at least once in every three months.

(2) Notwithstanding subparagraph (1), the Chairperson may, and upon requisition in writing by at least five members, convene a special meeting of the Board at any time for the transaction of the business of the Board.

(3) Unless three quarters of the total members of the Board otherwise agree, at least fourteen days' written notice of every meeting of the Board shall be given to every members of the Board.

(4) The Chairperson shall preside at every meeting of the Board and in his absence, the members present shall elect one of their number, from among the members appointed under section 8, to preside and the person so elected shall have all the powers of the Chairperson with respect to that meeting and the business transacted thereat.

(5) Unless a unanimous decision is reached, a decision on any matter before the Board shall be by a majority of the votes of the members present and voting, and in case of an equality of votes, the Chairperson or the person presiding shall have a casting vote.

(6) Subject to subparagraph (4), no proceedings of the Board shall be invalid by reason only of a vacancy among the members of the Board.

(7) Nothing in this paragraph shall prevent the Chairperson from authorizing a member of the Board to use live telephone conferencing or other appropriate communication or multimedia facilities to participate in any meeting of the Board where, prior to the meeting, the member, by notification to the Chairperson, has requested for such authorization.

Committees of the Board.

5. (1) The Board may establish such committees as it may deem appropriate to perform such functions and responsibilities as it may determine.

(2) The Board shall appoint the Chairperson of a committee established under subparagraph (1) from amongst its members.

(3) The Board may where it deems appropriate, co-opt any person to attend the deliberations of any of its committees.

(4) All decisions by the committees appointed under subparagraph (1) shall be ratified by the Board.

Secretary to the Board.

**6.** (1) The secretary to the Board shall be responsible to the Chief Executive Officer for—

- (a) arranging the business of the Board's meetings;
- (b) keeping records of the proceedings of the Board; and
- (c) performing such other duties as the Board may direct.

(2) The Commission may in the absence of the secretary appoint any member of the Board or staff of the Authority to temporarily perform the functions of the secretary under subparagraph (1).

Disclosure of interest.

**7.** (1) A member of the Board who has an interest in any contract, or other matter present at a meeting shall at the meeting and as soon as reasonably practicable after the commencement, disclose the fact thereof and shall not take part in the consideration or discussion of, or vote on, any questions with respect to the contract or other matter, or be counted in the quorum of the meeting during consideration of the matter.

(2) A disclosure of interest made under subparagraph (1) shall be recorded in the minutes of the meeting at which it is made.

(3) A member of the Board who wilfully contravenes subparagraph (1) commits an offence and is liable, upon conviction, to a fine not exceeding two hundred thousand shillings.

Contracts and instruments.

**8.** Any contract or instrument which, if entered into or executed by a person not being a body corporate, would not require to be under seal may be entered into or executed on behalf of the Authority by any person generally or specially authorized by the Board for that purpose.



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

- IV. 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.
- V. 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.
- VI. 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

**NOTICE PAPER**

**Tentative business for**  
**Tuesday, September 24, 2019**

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*(Published pursuant to Standing Order 38(1))*

It is notified that the House Business Committee, at their last meeting, approved the following **tentative** business to appear in the Order Paper for Tuesday, September 24, 2019:-

**A. COMMITTEE OF THE WHOLE HOUSE**

The Finance Bill (National Assembly Bill No. 51 of 2019)  
(The Chairperson, Departmental Committee on Finance and National Planning)

**B. MOTION - SESSIONAL PAPER NO. 1 OF 2019 (REVISED) ON THE POLICY FRAMEWORK FOR REFORMING EDUCATION AND TRAINING FOR SUSTAINABLE DEVELOPMENT IN KENYA**

(The Chairperson, Departmental Committee on Education and Research)

*(If not concluded on Thursday, September 19, 2019)*

**C. MOTION - PETITION BY THE EXECUTIVE REGARDING THE VARIATION OF THE BOUNDARIES OF MOUNT ELGON FOREST RESERVE**

(The Chairperson, Departmental Committee on Environment and Natural Resources)

*(If not concluded on Thursday, September 19, 2019)*

**D. THE EARLY CHILDHOOD EDUCATION BILL (SENATE BILL NO.26 OF 2018)**

(The Chairperson, Departmental Committee on Education and Research)

Second Reading

*(If not concluded on Thursday, September 19, 2019)*

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

(The Leader of the Majority Party)

Second Reading

*(If not concluded on Thursday, September 19, 2019)*

**F. THE PETITION TO COUNTY ASSEMBLIES (PROCEDURE) BILL (SENATE BILL NO. 22 OF 2018)**

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

**G. MOTION- REPORT ON A FACT FINDING MISSION ON THE WELFARE OF MIGRANT KENYAN WORKERS IN THE KINGDOM OF SAUDI ARABIA**

(The Chairperson, Departmental Committee on Labour & Social Welfare)

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...../Appendix

**APPENDIX**

**ORDER NO.7 - QUESTIONS**

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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**

**385/2019      The Member for Tharaka Nithi County (Hon. Beatrice Nkatha Nyagah, MP) to ask the Cabinet Secretary for Interior & Coordination of National Government: -**

Could the Ministry consider giving birth certificates to newborn babies immediately upon discharge from hospitals?

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

**394/2019      The Member for Igembe South (Hon. John Paul Mwirigi, MP) to ask the Cabinet Secretary for Education: -**

(i) Following the Presidential directive of 3<sup>rd</sup> August, 2017, when will *Igembe* Campus, a Constituent College of Chuka University be elevated to a University and granted a Charter?

(ii) What measures is the Ministry putting in place to ensure that the said Campus is elevated and granted a Charter without further delay?

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

**406/2019      The Member for Homa Bay County (Hon. Gladys Wanga, MP) to ask the Cabinet Secretary for Public Service, Youth and Gender Affairs: -**

(i) Could the Cabinet Secretary provide the list of schools, per Constituency, that have benefited from the allocation of sanitary towels during the financial years 2017/2018 and 2018/2019?

(ii) Could the Cabinet Secretary confirm whether the sanitary towels purchased and distributed to schools with the allocation of Ksh.463 million for financial year 2018/2019 were received by the intended users?

(iii) What steps has the Ministry taken to ensure that the quality of sanitary towels is safeguarded and approved for use by the relevant agencies?

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

**407/2019      The Member for Busia County (Hon. Florence Mutua, MP) to ask the Cabinet Secretary of Interior and Coordination of National Government: -**

What steps has the Ministry taken to ensure that key priorities of *the Sendai Framework for Disaster Risk Reduction (2015 – 2030)* as

adopted by the Third United Nations World Conference in Sendai, Japan, in March, 2015 are inculcated in sector plans to enhance Risk reduction in view of the current upsurge of cancer cases and food contamination?

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

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